

---

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 17, 2016 10:28 AM  
**To:** Anderson, Bridget; Davis, Anna  
**Subject:** Re: Herbalife

Yes, understood. Thanks so much.

---

**From:** Anderson, Bridget  
**Sent:** Wednesday, February 17, 2016 10:25 AM  
**To:** Davis, Anna; Watson, Shaundra  
**Subject:** RE: Herbalife

Shaundra – just to be clear, the other times listed are times that work for her to meet with the party

Not Responsive

Not Respon

Bridget E. Anderson  
*Staff Assistant to Commissioner Maureen K. Ohlhausen*

---

**From:** Anderson, Bridget  
**Sent:** Wednesday, February 17, 2016 10:24 AM  
**To:** Davis, Anna; Watson, Shaundra  
**Subject:** RE: Herbalife

Shaundra,

Not Responsive

She is also available for a meeting on the following dates and times:

February 18: 11AM – 3PM  
February 19: anytime  
February 25: Anytime except 12-1  
February 29: Anytime except 12-1  
March 1: 12-3PM  
March 3: anytime  
March 4: anytime  
March 7: anytime  
March 14: 10-12PM, 2-5PM

Please let me know if you need any other dates or times.

Regards,

Bridget E. Anderson  
*Staff Assistant to Commissioner Maureen K. Ohlhausen*

Not Responsive

**Baker, Katie**

---

**From:** Ohlhausen, Maureen  
**Sent:** Wednesday, February 24, 2016 1:18 PM  
**To:** Davis, Anna  
**Cc:** Anderson, Bridget  
**Subject:** Re: Herbalife Meetings

Yes, that's ok.

M

---

**From:** Davis, Anna  
**Sent:** Wednesday, February 24, 2016 12:38 PM  
**To:** Ohlhausen, Maureen  
**Cc:** Anderson, Bridget  
**Subject:** FW: Herbalife Meetings

Maureen,

You're the last meeting with outside counsel—by several days—

(b)(5)

Not Responsive

Not Responsive

Anna

---

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 24, 2016 11:52 AM  
**To:** Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** Herbalife Meetings

Hi All,

I wanted to follow up with you regarding the scheduling for the party meeting and Commission meeting in Herbalife. In regard to the party meetings, I know that some of your Commissioners were available on March 7, but that date did not work for the company. As a result, here is the schedule:

- March 9, 3:30-5:00 (Commissioner McSweeney)
- March 10, 9:30-11:30 (Commissioner Brill)
- March 11, 11:30-1:00 (Chairwoman Ramirez)
- March 14, 10:30-12:00 (Commissioner Ohlhausen)

Not Responsive

Thanks,

Shaundra

**Baker, Katie**

---

Not Responsive

---

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 24, 2016 11:52 AM  
**To:** Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** Herbalife Meetings

Hi All,

I wanted to follow up with you regarding the scheduling for the party meeting Not Responsive. In regard to the party meetings, I know that some of your Commissioners were available on March 7, but that date did not work for the company. As a result, here is the schedule:

March 9, 3:30-5:00 (Commissioner McSweeny)  
March 10, 9:30-11:30 (Commissioner Brill)  
March 11, 11:30-1:00 (Chairwoman Ramirez)  
March 14, 10:30-12:00 (Commissioner Ohlhausen)

Not Responsive

Thanks,

Shaundra

**Baker, Katie**

---

**From:** Davis, Anna  
**Sent:** Tuesday, February 09, 2016 4:06 PM  
**To:** Watson, Shaundra; Burstein, Aaron; Burris, C. Kawezya; Chilson, Neil; DeLorme, Christine Lee; Tzucker, Joshua  
**Cc:** Anderson, Bridget  
**Subject:** RE: Herbalife

Not Responsive

Just FYI: I received a call today from Andy Strenio, representing Herbalife. He asked to come in to meet with me next week. Anyone else get a call?

Not Responsive

## **Baker, Katie**

---

**From:** Davis, Anna  
**Sent:** Thursday, March 03, 2016 9:46 AM  
**To:** Watson, Shaundra  
**Cc:** Anderson, Bridget  
**Subject:** RE: HL meetings with Commissioners

Thanks, Shaundra.

---

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 12:23 AM  
**To:** Koulousias, Amanda; Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** RE: HL meetings with Commissioners

Also, fyi, we went ahead and reserved H-432 for all meetings in light of the conference room shortage and size of the group. Each office's executive assistant should be aware but just wanted to let everyone know. Thanks.

---

**From:** Koulousias, Amanda  
**Sent:** Tuesday, March 01, 2016 12:40 PM  
**To:** Watson, Shaundra; Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** HL meetings with Commissioners

Hi all – in advance of the Herbalife meetings with the Commissioners next week and the week after, I wanted to check in and see how many total people from BCP (DMP and the front office), BE, and OGC each Commissioner is comfortable having attend the meeting with the company? As I'm sure you can imagine there is a large group that has worked on this matter, and the company will also likely bring a large group, so we wanted to check so that if we need to limit the number of attendees on our end that we get that worked out beforehand.

Thanks,  
Amanda

**Amanda Koulousias**  
**Counsel to the Director**  
**Bureau of Consumer Protection**  
**Federal Trade Commission**  
**(202) 326-3334 - [akoulousias@ftc.gov](mailto:akoulousias@ftc.gov)**

## *Meeting*

**TO:** Chairwoman Ramirez  
**RE:** Meeting w/Herbalife Counsel  
**DATE:** Friday, March 11, 2016 @ 11:30am H432

---

### Office Staff

Heather Hippsley  
Shaundra Watson

### Herbalife

John Desimone, CFO  
Mark Friedman, General Counsel  
Ibi Fleming, Senior Vice President  
Henry Wang, Assistant General Counsel  
Alan Hoffman, EVP Global Corporate Affairs

### Outside Counsel

Doug Axel, Sidley  
JB Kelly, Cozen O'Connor  
Jon Leibovitz, Davis Polk  
Dana Rosenfeld, KDW  
Andrew Strenio, Sidley  
Nitin Reddy, Sidley  
John Villafranco, KDW

### Economists

Joseph Farrell  
Walter Vandaele

### FTC Staff

BCP - Director's Office  
Jessica Rich  
Daniel Kaufman

### Division of Marketing Practices

Lois Greisman – Associate Director  
Monica Vaca – Assistant Director  
Christine Todaro  
Janet Ammerman  
Daniel Hanks

### DPIP

Amanda Koulousias

### Northwest Region

Laura Solis

### BE

Tim Daniels  
David Givens  
Doug Smith  
Andrew Stivers  
Jan Pappalardo  
Michael O. Johnson, CEO

# March 11, 2016

Friday

March 2016

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 |    |    |

April 2016

| Su | Mo | Tu | We | Th | Fr | Sa |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| 11               | Friday  | Notes |
|------------------|---|-------|
| 7 am             | Not Responsive  |       |
| 8 <sup>00</sup>  |   |       |
| 9 <sup>00</sup>  |   |       |
| 10 <sup>00</sup> |   |       |
| 11 <sup>00</sup> |   |       |
| 12 pm            | Herbalife Outside Counsel Meeting<br>H432<br>Ramirez, Edith |       |
| 1 <sup>00</sup>  | Not Responsive  |       |
| 2 <sup>00</sup>  |   |       |
| 3 <sup>00</sup>  |   |       |
| 4 <sup>00</sup>  |   |       |
| 5 <sup>00</sup>  |   |       |
| 6 <sup>00</sup>  |   |       |



**To:** Carter, Monica M.[MCARTER@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Mon 3/7/2016 8:21:31 PM  
**Importance:** Normal  
**Subject:** Outside Attendees for Herbalife Meeting on Friday  
**MAIL\_RECEIVED:** Mon 3/7/2016 8:21:31 PM

Monica,

Here are the non-FTC attendees for the March 11 party meeting:

**Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

Ibi Fleming, Senior Vice President

Henry Wang, Assistant General Counsel

**Outside Counsel**

Doug Axel, Sidley

JB Kelly, Cozen O'Connor

Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley

John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

Thanks,

Shaundra

**To:** Carter, Monica M.[MCARTER@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Tue 2/23/2016 9:25:12 PM  
**Importance:** Normal  
**Subject:** Herbalife Party Meeting  
**MAIL\_RECEIVED:** Tue 2/23/2016 9:25:14 PM

Monica,

Could you hold March 11 from 11:30-1:00 for the Herbalife party meeting.

Not Responsive

Not Responsive

Thanks,

Shaundra

**To:** Carter, Monica M.[MCARTER@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Wed 3/9/2016 1:20:22 PM  
**Importance:** Normal  
**Subject:** Fwd: Final List of Attendees  
**MAIL\_RECEIVED:** Wed 3/9/2016 1:20:22 PM

FYI.

---

**From:** "Villafranco, John" <JVillafranco@KelleyDrye.com>  
**Subject:** Final List of Attendees  
**Date:** 09 March 2016 10:35  
**To:** "Watson, Shaundra" <SWATSON@ftc.gov>

Shaundra

The following is our final list of attendees for this week's (and Monday's) meeting. Note that Dana Rosenfeld will not be present today.

**Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

Ibi Fleming, Senior Vice President

Henry Wang, Assistant General Counsel

Alan Hoffman, Executive VP Global Corporate Affairs

**Outside Counsel**

Doug Axel, Sidley

JB Kelly, Cozen O'Connor

Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley

Nitin Reddy, Sidley

John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

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**To:** Burris, C. Kawezya[cburris@ftc.gov]; Davis, Anna[adavis@ftc.gov]; Tzucker, Joshua[jtzucker@ftc.gov]; DeLorme, Christine Lee[cdelorme@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Mon 3/7/2016 8:23:41 PM  
**Importance:** Normal  
**Subject:** Herbalife Meeting Attendees  
**MAIL\_RECEIVED:** Mon 3/7/2016 8:23:00 PM

Hi All,

Here is the list of expected Herbalife attendees for the party meetings:

**Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

Ibi Fleming, Senior Vice President

Henry Wang, Assistant General Counsel

**Outside Counsel**

Doug Axel, Sidley

JB Kelly, Cozen O'Connor

Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley

John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

Thanks,

Shaundra

**To:** Ramirez, Edith[eramirez@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Fri 1/22/2016 9:50:23 AM  
**Importance:** Normal  
**Subject:** Herbalife  
**MAIL\_RECEIVED:** Fri 1/22/2016 9:50:23 AM

FYI, (b)(5) Generally, they were expecting that party meetings would be in February and that the vote would happen by mid-March. I will check your calendar and follow up with specific proposed dates.

**To:** Vaca, Monica E.[MVACA@ftc.gov]  
**Cc:** Koulousias, Amanda[akoulousias@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Wed 2/24/2016 7:16:27 PM  
**Importance:** Normal  
**Subject:** Herbalife Meeting Times  
**MAIL\_RECEIVED:** Wed 2/24/2016 7:16:00 PM

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

Not Responsive

**To:** Koulousias, Amanda[akoulousias@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Wed 3/9/2016 1:55:29 PM  
**Importance:** Normal  
**Subject:** Fwd: Final List of Attendees  
**MAIL\_RECEIVED:** Wed 3/9/2016 1:55:29 PM

FYI.

---

**From:** "Villafranco, John" <JVillafranco@KelleyDrye.com>  
**Subject:** Final List of Attendees  
**Date:** 09 March 2016 10:35  
**To:** "Watson, Shaundra" <SWATSON@ftc.gov>

Shaundra

The following is our final list of attendees for this week's (and Monday's) meeting. Note that Dana Rosenfeld will not be present today.

**Herbalife**

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John Desimone, CFO

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Doug Axel, Sidley

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Jon Leibovitz, Davis Polk

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Andrew Strenio, Sidley

Nitin Reddy, Sidley



John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

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**To:** Vaca, Monica E.[MVACA@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Tue 2/23/2016 9:25:29 PM  
**Importance:** Normal  
**Subject:** Dates  
**MAIL\_RECEIVED:** Tue 2/23/2016 9:25:00 PM

FYI, the proposed meeting dates now are March 9, 10, 11, and 14.

**To:** Ramirez, Edith[eramirez@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Mon 4/4/2016 11:46:40 AM  
**Importance:** Normal  
**Subject:** FW: Hi Shaundra,  
**MAIL\_RECEIVED:** Mon 4/4/2016 11:46:00 AM

**From:** Leibowitz, Jon [mailto:jon.leibowitz@davispolk.com]  
**Sent:** Sunday, April 03, 2016 9:57 PM  
**To:** Watson, Shaundra  
**Subject:** Hi Shaundra,

Hope all is well.

Left you a vm on Friday afternoon to the effect that, if you want a briefing on where we are in the Herbalife settlement (settled injunctive relief, still fairly far apart on money, but we believe on balance moving toward settlement), we are happy to come in to speak with you and any of your colleagues in the Chairwoman's office. John Villafranco and Andy Strenio have been speaking with the Marketing Practices folks but you may want to touch base with Lois & Co. to see if they are interested in joining or feel like they have this covered.

Just let me know either way.

Best,

Jon

Jon Leibowitz

Davis Polk & Wardwell LLP  
901 15th Street NW  
Washington, DC 20005

202 962 7050 tel

[jon.leibowitz@davispolk.com](mailto:jon.leibowitz@davispolk.com)

**DavisPolk**

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**To:** Burris, C. Kawezya[cburris@ftc.gov]; Davis, Anna[adavis@ftc.gov]; Tzucker, Joshua[jtzucker@ftc.gov]; DeLorme, Christine Lee[cdelorme@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Wed 3/9/2016 1:20:20 PM  
**Importance:** Normal  
**Subject:** Fwd: Final List of Attendees  
**MAIL\_RECEIVED:** Wed 3/9/2016 1:20:32 PM

FYI.

Begin Forwarded Message:

**From:** "Villafranco, John" <JVillafranco@KelleyDrye.com>  
**Subject:** Final List of Attendees  
**Date:** 09 March 2016 10:35  
**To:** "Watson, Shaundra" <SWATSON@ftc.gov>

Shaundra

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Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley

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John Villafranco, KDW

**Economists**

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**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Hipsley, Heather  
**Sent:** Wed 2/17/2016 11:39:04 AM  
**Importance:** Normal  
**Subject:** HL  
**MAIL\_RECEIVED:** Wed 2/17/2016 11:39:06 AM

Did we coordinate with other offices on the message back to HL? H.

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Carter, Monica M.  
**Sent:** Fri 3/4/2016 7:07:43 PM  
**Importance:** Normal  
**Subject:** RE: FTC List for Herbalife Party Meeting  
**MAIL\_RECEIVED:** Fri 3/4/2016 7:07:44 PM

Got it. Thank you.

***Monica Carter Etheridge***

*Executive Assistant to Chairwoman Edith Ramirez*

US Federal Trade Commission

600 Pennsylvania Avenue, NW

Washington, DC 20580

Email: [mcarter@ftc.gov](mailto:mcarter@ftc.gov)

202-326-2666 (ofc)

202-326-2396 (fax)

*"Life isn't about waiting for the storm to pass. It's about learning to dance in the rain."*

*"When people show you who they are, believe them the first time."*

*—Maya Angelou*

**From:** Watson, Shaundra  
**Sent:** Friday, March 04, 2016 6:07 PM  
**To:** Carter, Monica M.  
**Subject:** FTC List for Herbalife Party Meeting

It should be the same as the staff briefing, plus Michelle Arington and Dave Shonka. Thanks.



**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Davis, Anna  
**Sent:** Wed 3/9/2016 2:39:04 PM  
**Importance:** Normal  
**Subject:** RE: Final List of Attendees  
**MAIL\_RECEIVED:** Wed 3/9/2016 2:39:05 PM

Whew! That's quite a list...

**From:** Watson, Shaundra  
**Sent:** Wednesday, March 09, 2016 12:20 PM  
**To:** Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua; DeLorme, Christine Lee  
**Subject:** Fwd: Final List of Attendees

FYI.

Begin Forwarded Message:

**From:** "Villafranco, John" <JVillafranco@KelleyDrye.com>  
**Subject:** Final List of Attendees  
**Date:** 09 March 2016 10:35  
**To:** "Watson, Shaundra" <SWATSON@ftc.gov>

Shaundra

The following is our final list of attendees for this week's (and Monday's) meeting. Note that Dana Rosenfeld will not be present today.

#### **Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

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Henry Wang, Assistant General Counsel

Alan Hoffman, Executive VP Global Corporate Affairs

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Jon Leibovitz, Davis Polk

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Andrew Strenio, Sidley

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John Villafranco, KDW

**Economists**

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**To:** Ramirez, Edith[eramirez@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Wed 2/24/2016 6:04:34 PM  
**Importance:** Normal  
**Subject:** RE: Finalizing Herbalife Scheduling  
**MAIL\_RECEIVED:** Wed 2/24/2016 6:04:00 PM

Okay, thanks.

**From:** Ramirez, Edith  
**Sent:** Wednesday, February 24, 2016 4:57 PM  
**To:** Watson, Shaundra  
**Subject:** Re: Finalizing Herbalife Scheduling

Shaundra, all looks good. Not Responsive Thanks.

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 24, 2016 04:53 PM  
**To:** Ramirez, Edith  
**Subject:** Finalizing Herbalife Scheduling

Edith,

I wanted to run the final Herbalife scheduling by you before I confirmed the party meetings with outside counsel.

Not Responsive

•☐☐☐☐☐☐☐ Friday, March 11, Party meeting, 11:30-1:00 (You have a private appointment that appears to end at 10:30. The company requested a morning time, so we've scheduled it for 11:30.) Is the 11:30 time okay?

Not Responsive

FYI, here is the full schedule for the party meetings:

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

Thanks,

Shaundra

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Davis, Anna  
**Sent:** Wed 2/17/2016 10:53:34 AM  
**Importance:** Normal  
**Subject:** RE: Herbalife  
**MAIL\_RECEIVED:** Wed 2/17/2016 10:54:12 AM

Andy Strenio called me last week to request a meeting with me in advance of meeting request with Commissioner Ohlhausen. I told him it was premature.

**From:** Watson, Shaundra  
**Sent:** Tuesday, February 16, 2016 6:42 PM  
**To:** Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** RE: Herbalife


Hi All,

We expect the company to reach out to the offices regarding scheduling party meetings. As usual, we would like to coordinate scheduling. Could you give me a call before responding to meeting requests?

Thanks,

Shaundra

Not Responsive



**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Ramirez, Edith  
**Sent:** Fri 1/22/2016 9:53:27 AM  
**Importance:** Normal  
**Subject:** Re: Herbalife  
**MAIL\_RECEIVED:** Fri 1/22/2016 9:53:28 AM

Ok. Please work with Monica. I don't need to clear every single date. She knows the calendar and how to make things work better than any of us.

----- Original Message -----

**From:** Watson, Shaundra  
**Sent:** Friday, January 22, 2016 08:50 AM  
**To:** Ramirez, Edith  
**Subject:** Herbalife

FYI, (b)(5) Generally, they were expecting that party meetings would be in February and that the vote would happen by mid-March. I will check your calendar and follow up with specific proposed dates.

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**Cc:** Koulousias, Amanda[akoulousias@ftc.gov]  
**From:** Vaca, Monica E.  
**Sent:** Wed 2/24/2016 7:54:48 PM  
**Importance:** Normal  
**Subject:** Re: Herbalife Meeting Times  
**MAIL\_RECEIVED:** Wed 2/24/2016 7:54:49 PM

Thanks Shaundra. I forwarded this to the DMP team.

---

On: 24 February 2016 18:16, "Watson, Shaundra" <SWATSON@ftc.gov> wrote:

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

Not Responsive

**To:** Hipsley, Heather[HHIPPSLEY@ftc.gov]; Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Shonka, David C.  
**Sent:** Tue 3/1/2016 7:46:27 PM  
**Importance:** Normal  
**Subject:** RE: Herbalife  
**MAIL\_RECEIVED:** Tue 3/1/2016 7:46:29 PM

Thanks -- Michele Arington has already gotten a copy of the white paper for me.

-----Original Message-----

**From:** Hipsley, Heather  
**Sent:** Tuesday, March 01, 2016 6:30 PM  
**To:** Shonka, David C.; Watson, Shaundra  
**Subject:** RE: Herbalife

Of course!! You should have been included on our scheduler. Shaundra, can you make sure David receives the scheduler for our HL meeting. Also, David they've sent a white paper and you can get a copy from BCP if they haven't provided it yet. It just came in today. H.

**From:** Shonka, David C.  
**Sent:** Tuesday, March 01, 2016 4:50 PM  
**To:** Hipsley, Heather  
**Subject:** Herbalife

Heather, I understand that Herbalife is scheduling dog-and-pony shows with the Commissioners. Would it be possible to fit me into their meeting with ER? Thanks.



**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Burris, C. Kawezya  
**Sent:** Mon 3/7/2016 12:25:01 PM  
**Importance:** Normal  
**Subject:** RE: Herbalife mtgs  
**MAIL\_RECEIVED:** Mon 3/7/2016 12:25:02 PM

Thanks!

**From:** Watson, Shaundra  
**Sent:** Monday, March 07, 2016 11:20 AM  
**To:** Burris, C. Kawezya  
**Subject:** RE: Herbalife mtgs

That's fine. I'll let him know.

**From:** Burris, C. Kawezya  
**Sent:** Monday, March 07, 2016 11:19 AM  
**To:** Watson, Shaundra  
**Subject:** Herbalife mtgs

Hi Shaundra,

Julie needs to push our Thursday meeting with Herbalife from 9:30 to 9:45. We can still go the full two hours. Do you want to contact counsel or should I? (And if me, is John V still the contact?) Thanks,

Kawezya

C. Kawezya Burris

Attorney Advisor

Office of Commissioner Julie Brill

Federal Trade Commission

600 Pennsylvania Ave., NW | Washington, DC 20580

Tel: 202.326.2008

Not Responsive

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 24, 2016 11:52 AM  
**To:** Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** Herbalife Meetings

Hi All,

I wanted to follow up with you regarding the scheduling for the party meeting Not Responsive In regard to the party meetings, I know that some of your Commissioners were available on March 7, but that date did not work for the company. As a result, here is the schedule:

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

Not Responsive

Thanks,

Shaundra

**To:** Koulousias, Amanda[akoulousias@ftc.gov]; Watson, Shaundra[SWATSON@ftc.gov]; Burris, C. Kawezya[cburris@ftc.gov]; Tzucker, Joshua[jtzucker@ftc.gov]  
**From:** Davis, Anna  
**Sent:** Tue 3/1/2016 3:16:42 PM  
**Importance:** Normal  
**Subject:** RE: HL meetings with Commissioners  
**MAIL\_RECEIVED:** Tue 3/1/2016 3:16:44 PM

With respect to Commissioner Ohlhausen's meeting, while I won't go so far as to say "the more the merrier," please feel free to bring everyone who contributed significantly to the development of the case. In other words, I would use the same criteria for staff attending this meeting as is the norm, understanding that policy will result in a larger number in this case.

**From:** Koulousias, Amanda  
**Sent:** Tuesday, March 01, 2016 12:40 PM  
**To:** Watson, Shaundra; Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** HL meetings with Commissioners

Hi all – in advance of the Herbalife meetings with the Commissioners next week and the week after, I wanted to check in and see how many total people from BCP (DMP and the front office), BE, and OGC each Commissioner is comfortable having attend the meeting with the company? As I'm sure you can imagine there is a large group that has worked on this matter, and the company will also likely bring a large group, so we wanted to check so that if we need to limit the number of attendees on our end that we get that worked out beforehand.

Thanks,

Amanda

**Amanda Koulousias**

**Counsel to the Director**

**Bureau of Consumer Protection**

**Federal Trade Commission**

(202) 326-3334 - [akoulousias@ftc.gov](mailto:akoulousias@ftc.gov)

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Carter, Monica M.  
**Sent:** Thur 3/3/2016 11:05:58 AM  
**Importance:** Normal  
**Subject:** RE: Herbalife Party Meeting  
**MAIL\_RECEIVED:** Thur 3/3/2016 11:05:59 AM

Good morning – of course.

***Monica Carter Etheridge***

*Executive Assistant to Chairwoman Edith Ramirez*

US Federal Trade Commission

600 Pennsylvania Avenue, NW

Washington, DC 20580

Email: [mcarter@ftc.gov](mailto:mcarter@ftc.gov)

202-326-2666 (ofc)

202-326-2396 (fax)

*“Life isn’t about waiting for the storm to pass. It’s about learning to dance in the rain.”*

*“When people show you who they are, believe them the first time.”*

*—Maya Angelou*

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 12:02 AM  
**To:** Carter, Monica M.  
**Subject:** Herbalife Party Meeting

Monica,

Could you add Dave Shonka to the scheduler for the Herbalife party meeting on March 11?

Thanks,

Shaundra

**To:** Burris, C. Kawezya[cburris@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Sat 2/20/2016 11:24:10 PM  
**Importance:** Normal  
**Subject:** Re: March 10  
**MAIL\_RECEIVED:** Sat 2/20/2016 11:24:10 PM

Thanks.

----- Original Message -----

**From:** Burris, C. Kawezya  
**Sent:** Saturday, February 20, 2016 08:52 PM  
**To:** Watson, Shaundra  
**Subject:** Re: March 10

Hi Shaundra,  
We can do a 2 hour meeting at 9:30am. Thanks!

----- Original Message -----

**From:** Watson, Shaundra  
**Sent:** Saturday, February 20, 2016 09:57 AM  
**To:** Burris, C. Kawezya  
**Subject:** March 10

Hi Kawezya,

Herbalife counsel confirmed March 10 for Julie's party meeting. What time on that date works best for her? Also, they requested a two-hour meeting. Please let me know if she is amenable to that request, or whether she would prefer to schedule it for 90 minutes.

Thanks,

Shaundra

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Martinez, Melody  
**Sent:** Wed 3/2/2016 3:21:57 PM  
**Importance:** Normal  
**Subject:** RE: Schedule for Rooms  
**MAIL\_RECEIVED:** Wed 3/2/2016 3:21:59 PM

Shaundra,

Can you please send me the list of outside guest for this event?

Thank you

Melody

**From:** Watson, Shaundra  
**Sent:** Thursday, February 25, 2016 11:25 AM  
**To:** Martinez, Melody  
**Subject:** Schedule for Rooms

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez) (will be in H-432)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Sun 2/21/2016 5:23:06 PM  
**Importance:** Normal  
**Subject:** Re: Scheduling  
**MAIL\_RECEIVED:** Sun 2/21/2016 5:23:15 PM

Thank you. Enjoy what is left of your Sunday.

On Feb 21, 2016, at 2:22 PM, Watson, Shaundra <[SWATSON@ftc.gov](mailto:SWATSON@ftc.gov)> wrote:

I would be happy to discuss tomorrow. Thanks.

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Sunday, February 21, 2016 4:21 PM  
**To:** Watson, Shaundra  
**Subject:** Re: Scheduling

I would appreciate if we could discuss this tomorrow. We are doing our very best to schedule these meetings and have offered a number of options that will ensure this process is completed in a timely manner.

I will call you mid-day.

Thank you

John

On Feb 21, 2016, at 2:12 PM, Watson, Shaundra <[SWATSON@ftc.gov](mailto:SWATSON@ftc.gov)> wrote:

We would likely need to stick to the schedule we previously discussed—March 7, March 9, March 10, and March 11, with a possibility of extending it to March 14.

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Sunday, February 21, 2016 4:12 PM  
**To:** Watson, Shaundra  
**Subject:** Re: Scheduling

Shaundra

I will check on March 14. Are any of the Commissioners available on March 15 and 16? What about March 17 and 18, or any day the following week?

Let's plan on circling up tomorrow after we have checked calendars.

Thanks again for your help here.

John

On Feb 21, 2016, at 1:54 PM, Watson, Shaundra <[SWATSON@fic.gov](mailto:SWATSON@fic.gov)> wrote:

John,

This likely won't work for us, and we will likely need to do more than one meeting on each day. Also, would you be available at all on March 14?

Thanks,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Sunday, February 21, 2016 1:27 PM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

Thank you for your efforts in coordinating schedules. We will have a large contingent from the company attending and presenting at these meetings, so I understand how difficult it can be to find days that work for so many people.

Our attendees are all available on March 9 and 10. Unfortunately, senior management cannot be present on



March 7. The full contingent is available, however, on March 15 and 16. I know you had hoped to complete the round of meetings by March 11, but I am hoping it will not be a problem to extend three business days into the following week, so that our principal presenters can all be in place. Of course, I understand that you will need to coordinate on your end with the various offices.

As we discussed, we are hoping to meet for two hours, but no less than 90 minutes, and our strong preference is to complete the meetings over four days (and not double up on any one day). This is a matter of critical importance to the Company and to the Commission, and these meetings will be the culmination of two years of staff investigation. I am hopeful that we can arrive at a meeting schedule that will allow all involved to dedicate their complete attention to the matter at hand.

Thank you for your consideration.

John

**John E. Villafranco**

Kelley Drye & Warren LLP

o: (202) 342-8423 | m: (b)(6)

[ivillafranco@kelleydrye.com](mailto:ivillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Friday, February 19, 2016 2:43 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

John,

Upon further consultation, we could offer either two meetings on March 7 (with Commissioner Ohlhausen and Commissioner McSweeney) and two meetings on March 10 (with Chairwoman Ramirez and Commissioner Brill), or you could meet with Commissioner Ohlhausen on March 7, Commissioner McSweeney on March 9, and Chairwoman Ramirez and Commissioner Brill on March 10. However, if you move Commissioner McSweeney's meeting from March 7 to March 9, she will only have 90 minutes on March 9, as opposed to two hours on March 7. (I will still need to verify whether all of the other Commissioners have two hours available.) Please let me know your final preference.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafanco@KelleyDrye.com>]  
**Sent:** Friday, February 19, 2016 1:09 PM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

Are there any other options that week? We have a large contingent coming from across the country and our preference was not to double up both days, especially with a two-day gap between meetings.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Friday, February 19, 2016 1:01 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

John,

It turns out that we need to do two on March 7 and two on March 10. I will follow up on whether each Commissioner will do 90 minutes or two hours and get back to you.

Thanks,

Shaundra

**From:** Villafranco, John [<mailto:JVillafanco@KelleyDrye.com>]  
**Sent:** Friday, February 19, 2016 1:00 PM  
**To:** Watson, Shaundra  
**Subject:** Scheduling

Shaundra

It looks like the 7<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> is the better option. I believe you indicated availability for one meeting on 3.7, one on 3.9, and 2 on 3.10. As I mentioned, we are hoping to reserve two hours for each of these meetings.

I would appreciate your confirmation of my understanding and your identification of the sequence of commissioners with whom we will meet. I would also appreciate if you could provide the scheduled times on each of these days.

Thank you for your assistance in getting these meetings on the calendar.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
Washington Harbour, Suite 400  
3050 K Street, NW, Washington, DC 20007  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)  
[Website](#) | [Bio](#) | [Vcard](#) | [Blog](#)

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**To:** Ramirez, Edith[eramirez@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Tue 2/9/2016 12:18:00 PM  
**Importance:** Normal  
**Subject:** RE: Proposed Timing for Herbalife Review  
**MAIL\_RECEIVED:** Tue 2/9/2016 12:17:00 PM

Edith,

After further multiple conversations with BCP, I have learned that the lead attorney will be out of the office February 22 to March 3, which is during the time period when we had contemplated both your staff briefing and potential party meetings. To keep the overall timeline, **Not** **Not Responsive** and then proceed with the party meeting on March 10 or 11 (the 11<sup>th</sup> is a Friday).  
Here is a revised schedule:

**Not Responsive**

March 10 or 11 party meetings (11<sup>th</sup> is Friday)

**Not Responsive**

Also, there is another wrinkle in the timing that either Jessica or I can discuss with you.

Thanks,

Shaundra

**From:** Watson, Shaundra  
**Sent:** Wednesday, February 03, 2016 4:53 PM  
**To:** Ramirez, Edith  
**Subject:** Proposed Timing for Herbalife Review

Edith,

Here is a proposed timeline for Herbalife:

**Not Responsive**

March 1, 2, 3, or 10 (11-is Friday) party meetings

Not Responsive

Thanks,

Shaundra

**To:** 'Villafranco, John'[JVillafranco@KelleyDrye.com]  
**From:** Watson, Shaundra  
**Sent:** Tue 3/8/2016 7:18:16 PM  
**Importance:** Normal  
**Subject:** RE: Scheduling  
**MAIL\_RECEIVED:** Tue 3/8/2016 7:18:00 PM

John,

If you ask for her, the security guard will call her office, and they will send someone down to escort you to the meeting room.

Kind regards,

Shaundra

**From:** Villafranco, John [mailto:JVillafranco@KelleyDrye.com]  
**Sent:** Tuesday, March 08, 2016 6:17 PM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Thank you Shaundra. I look forward to seeing you later this week.

Is there someone we should ask for when we arrive to meet with Commissioner McSweeney tomorrow?

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [mailto:SWATSON@ftc.gov]  
**Sent:** Tuesday, March 08, 2016 6:15 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

Thanks so much for passing along this information. We will have colleagues from our Bureaus of Consumer Protection and Economics, as well as our Office of General Counsel, attend the meetings.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]

**Sent:** Monday, March 07, 2016 7:19 PM

**To:** Watson, Shaundra

**Subject:** RE: Scheduling

Shaundra

The following individuals are expected to attend:

**Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

Ibi Fleming, Senior Vice President

Henry Wang, Assistant General Counsel

**Outside Counsel**

Doug Axel, Sidley

JB Kelly, Cozen O'Connor

Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley



John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

Could you provide a list of expected attendees on your end?

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Monday, March 07, 2016 11:39 AM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

I wanted to let you know that Commissioner Brill needs to push back the start time for her meeting on Thursday by 15 minutes, which means it will start at 9:45, not 9:30. She is still available for two hours, though.

Also, could you send me a list of the meeting attendees?

Thanks,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Wednesday, February 24, 2016 6:00 PM

**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

Thank you. I will be sure to send a list of attendees once it is finalized.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Wednesday, February 24, 2016 5:42 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

John,

Thanks very much for your message. I wanted to provide you with the details for the final meeting schedule, included below.

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

In advance of the meetings, it would be great if you could send me a list of attendees.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, February 23, 2016 9:09 PM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

We are confirmed for March 9, 10, 11, and 14. When you have finalized the times and sequence of meetings on your end, please forward the final schedule to me.

Thanks again. And I look forward to seeing you soon.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Tuesday, February 23, 2016 6:21 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

Thank you very much for confirming the availability on March 9, 10, and 11. In regard to the meeting times, as I mentioned earlier, I relayed your request for a two-hour meeting to each office, but the length of the meeting is up to each Commissioner, so I will have to schedule the meetings based on the instructions I have received from each Commissioner. Note that the meeting on March 10 is for two hours; the other three meetings would be 90 minutes.

In regard to March 11, the Chairwoman is not available earlier in the morning, but I could see whether she would be willing to meet during the lunch hour (11:30-1:00). I will get back to you on that issue.

Finally, I understand your preference, but given that the March 7 date does not work on your end, we will have to proceed with scheduling the last meeting on March 14. There is a morning and afternoon slot available—please let me know your preference.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, February 23, 2016 11:37 AM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

I have confirmed availability for March 9, 10, and 11. From your email it looks like all of those meetings would be 90 minutes. If there is any way to add another 30 minutes to any or all of those meetings, we would appreciate it sincerely. We are flexible on meeting times on any of those days. If possible, a morning meeting on the 11<sup>th</sup> would be preferred.

With regard to the fourth meeting, our strong preference would be to do it on March 15, 16, 17, or 18, or any day the following week. If this is an absolute impossibility, we will proceed on the March 14. I appreciate your willingness to explore alternatives to the March 14<sup>th</sup> date.

Thank you for your continued consideration as we nail this down.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[ivilafranco@kelleydrye.com](mailto:ivilafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Monday, February 22, 2016 5:53 PM  
**To:** Villafranco, John  
**Subject:** Scheduling

John,

Thank you for speaking with me earlier today. I wanted to follow up with more specific information regarding the upcoming meetings. Here is the current schedule:

March 9, 3:30-5:00

March 10, 9:30-11:30

March 11, 1-2:30 (the time is somewhat flexible if you need a change, but in any case it would be 90 minutes)

With regard to the fourth meeting, as I mentioned earlier today, it would either need to be on March 7 or March 14 for 90 minutes. The timing is flexible on those dates, but we would need to proceed with those dates. The March 7 date is preferable, but we can make March 14 work if necessary.

Kind regards,

Shaundra

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**To:** Koulousias, Amanda[akoulousias@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Thur 3/3/2016 6:25:12 PM  
**Importance:** Normal  
**Subject:** RE: HL meetings with Commissioners  
**MAIL\_RECEIVED:** Thur 3/3/2016 6:25:00 PM

Got it. Thanks.

**From:** Koulousias, Amanda  
**Sent:** Thursday, March 03, 2016 5:23 PM  
**To:** Watson, Shaundra  
**Subject:** RE: HL meetings with Commissioners

Thanks. [Not Responsive]

[Not Responsive] And OGC may want to attend the party meeting so Michele Arington and Dave Shonka should be added to the list.

Amanda Koulousias

(202) 326-3334 - [akoulousias@ftc.gov](mailto:akoulousias@ftc.gov)

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 4:59 PM  
**To:** Koulousias, Amanda  
**Subject:** RE: HL meetings with Commissioners

It's fine to bring everyone, thanks. Also, if the FTC list of attendees at the party meeting [Not Responsive] could you send me the list? Thanks.

**From:** Koulousias, Amanda  
**Sent:** Thursday, March 03, 2016 10:12 AM  
**To:** Watson, Shaundra  
**Subject:** RE: HL meetings with Commissioners

If we include everyone it would be about 14 people total from DMP, the BCP front office, BE & OGC – but we can cut that down if you think its too much.

Amanda Koulousias

(202) 326-3334 - [akoulousias@ftc.gov](mailto:akoulousias@ftc.gov)

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 12:24 AM  
**To:** Koulousias, Amanda  
**Subject:** RE: HL meetings with Commissioners

Hi Amanda,

How many FTC people total do you think it would be? Should be fine but just want to check on the total number.

Thanks,

Shaundra

**From:** Koulousias, Amanda  
**Sent:** Tuesday, March 01, 2016 12:40 PM  
**To:** Watson, Shaundra; Burris, C. Kawezya; Davis, Anna; Tzucker, Joshua  
**Subject:** HL meetings with Commissioners

Hi all – in advance of the Herbalife meetings with the Commissioners next week and the week after, I wanted to check in and see how many total people from BCP (DMP and the front office), BE, and OGC each Commissioner is comfortable having attend the meeting with the company? As I'm sure you can imagine there is a large group that has worked on this matter, and the company will also likely bring a large group, so we wanted to check so that if we need to limit the number of attendees on our end that we get that worked out beforehand.

Thanks,

Amanda

**Amanda Koulousias**

**Counsel to the Director**

**Bureau of Consumer Protection**

**Federal Trade Commission**

(202) 326-3334 - [akoulousias@ftc.gov](mailto:akoulousias@ftc.gov)



**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Tue 3/8/2016 7:16:48 PM  
**Importance:** Normal  
**Subject:** RE: Outside Attendees for Herbalife Meeting on Friday  
**MAIL\_RECEIVED:** Tue 3/8/2016 7:16:48 PM

Monica,

If you pass along this list to anyone, note that they misspelled Jon Leibowitz's name (they included a "v" instead of a "w.").

Thanks,

Shaundra

**From:** Watson, Shaundra  
**Sent:** Monday, March 07, 2016 7:22 PM  
**To:** Carter, Monica M.  
**Subject:** Outside Attendees for Herbalife Meeting on Friday

Monica,

Here are the non-FTC attendees for the March 11 party meeting:

**Herbalife**

Michael O. Johnson, CEO

John Desimone, CFO

Mark Friedman, General Counsel

Ibi Fleming, Senior Vice President

Henry Wang, Assistant General Counsel

**Outside Counsel**

Doug Axel, Sidley

JB Kelly, Cozen O'Connor

Jon Leibovitz, Davis Polk

Dana Rosenfeld, KDW

Andrew Strenio, Sidley

John Villafranco, KDW

**Economists**

Joseph Farrell

Walter Vandaele

Thanks,

Shaundra

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Carter, Monica M.  
**Sent:** Thur 3/3/2016 11:48:47 AM  
**Importance:** Normal  
**Subject:** RE: Herbalife Party Meeting  
**MAIL\_RECEIVED:** Thur 3/3/2016 11:48:48 AM

Yes – I would ask if she wants 14 FTC people for the meeting w/counsel.

***Monica Carter Etheridge***

*Executive Assistant to Chairwoman Edith Ramirez*

US Federal Trade Commission

600 Pennsylvania Avenue, NW

Washington, DC 20580

Email: [mcarter@ftc.gov](mailto:mcarter@ftc.gov)

202-326-2666 (ofc)

202-326-2396 (fax)

*“Life isn’t about waiting for the storm to pass. It’s about learning to dance in the rain.”*

*“When people show you who they are, believe them the first time.”*

—*Maya Angelou*

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 10:33 AM  
**To:** Carter, Monica M.  
**Subject:** RE: Herbalife Party Meeting

Yes, that’s right. Currently, there are 14 FTC people, and perhaps 12 outside attendees. Is that too many people? Should we ask Edith?

**From:** Carter, Monica M.  
**Sent:** Thursday, March 03, 2016 10:07 AM  
**To:** Watson, Shaundra  
**Subject:** RE: Herbalife Party Meeting

Question – staff Not Responsive will be attending the outside counsel meeting on 3/11.

**Monica Carter Etheridge**

*Executive Assistant to Chairwoman Edith Ramirez*

US Federal Trade Commission

600 Pennsylvania Avenue, NW

Washington, DC 20580

Email: [mcarter@ftc.gov](mailto:mcarter@ftc.gov)

202-326-2666 (ofc)

202-326-2396 (fax)

*"Life isn't about waiting for the storm to pass. It's about learning to dance in the rain."*

*"When people show you who they are, believe them the first time."*

—*Maya Angelou*

**From:** Watson, Shaundra  
**Sent:** Thursday, March 03, 2016 12:02 AM  
**To:** Carter, Monica M.  
**Subject:** Herbalife Party Meeting

Monica,

Could you add Dave Shonka to the scheduler for the Herbalife party meeting on March 11?

Thanks,

Shaundra

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Tue 2/23/2016 10:13:22 PM  
**Importance:** Normal  
**Subject:** RE: Scheduling  
**MAIL\_RECEIVED:** Tue 2/23/2016 10:13:32 PM

Oh, Monday mid-morning would be preferred.

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [mailto:SWATSON@ftc.gov]  
**Sent:** Tuesday, February 23, 2016 6:21 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

Thank you very much for confirming the availability on March 9, 10, and 11. In regard to the meeting times, as I mentioned earlier, I relayed your request for a two-hour meeting to each office, but the length of the meeting is up to each Commissioner, so I will have to schedule the meetings based on the instructions I have received from each Commissioner. Note that the meeting on March 10 is for two hours; the other three meetings would be 90 minutes.

In regard to March 11, the Chairwoman is not available earlier in the morning, but I could see whether she would be willing to meet during the lunch hour (11:30-1:00). I will get back to you on that issue.

Finally, I understand your preference, but given that the March 7 date does not work on your end, we will have to proceed with scheduling the last meeting on March 14. There is a morning and afternoon slot available—please let me know your preference.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, February 23, 2016 11:37 AM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

I have confirmed availability for March 9, 10, and 11. From your email it looks like all of those meetings would be 90 minutes. If there is any way to add another 30 minutes to any or all of those meetings, we would appreciate it sincerely. We are flexible on meeting times on any of those days. If possible, a morning meeting on the 11<sup>th</sup> would be preferred.

With regard to the fourth meeting, our strong preference would be to do it on March 15, 16, 17, or 18, or any day the following week. If this is an absolute impossibility, we will proceed on the March 14. I appreciate your willingness to explore alternatives to the March 14<sup>th</sup> date.

Thank you for your continued consideration as we nail this down.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Monday, February 22, 2016 5:53 PM  
**To:** Villafranco, John  
**Subject:** Scheduling

John,

Thank you for speaking with me earlier today. I wanted to follow up with more specific information regarding the upcoming meetings. Here is the current schedule:

March 9, 3:30-5:00

March 10, 9:30-11:30

March 11, 1-2:30 (the time is somewhat flexible if you need a change, but in any case it would be 90 minutes)

With regard to the fourth meeting, as I mentioned earlier today, it would either need to be on March 7 or March 14 for 90 minutes. The timing is flexible on those dates, but we would need to proceed with those dates. The March 7 date is preferable, but we can make March 14 work if necessary.

Kind regards,

Shaundra

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**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Mon 3/7/2016 3:30:25 PM  
**Importance:** Normal  
**Subject:** RE: Scheduling  
**MAIL\_RECEIVED:** Mon 3/7/2016 3:30:38 PM

Shaundra

No problem with the start time for the meeting with Commissioner Brill. I will let you know about attendees tomorrow.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [mailto:SWATSON@ftc.gov]  
**Sent:** Monday, March 07, 2016 11:39 AM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

I wanted to let you know that Commissioner Brill needs to push back the start time for her meeting on Thursday by 15 minutes, which means it will start at 9:45, not 9:30. She is still available for two hours, though.

Also, could you send me a list of the meeting attendees?

Thanks,

Shaundra

**From:** Villafranco, John [mailto:JVillafranco@KelleyDrye.com]  
**Sent:** Wednesday, February 24, 2016 6:00 PM



**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

Thank you. I will be sure to send a list of attendees once it is finalized.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Wednesday, February 24, 2016 5:42 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

John,

Thanks very much for your message. I wanted to provide you with the details for the final meeting schedule, included below.

March 9, 3:30-5:00 (Commissioner McSweeney)

March 10, 9:30-11:30 (Commissioner Brill)

March 11, 11:30-1:00 (Chairwoman Ramirez)

March 14, 10:30-12:00 (Commissioner Ohlhausen)

In advance of the meetings, it would be great if you could send me a list of attendees.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, February 23, 2016 9:09 PM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

We are confirmed for March 9, 10, 11, and 14. When you have finalized the times and sequence of meetings on your end, please forward the final schedule to me.

Thanks again. And I look forward to seeing you soon.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Tuesday, February 23, 2016 6:21 PM  
**To:** Villafranco, John  
**Subject:** RE: Scheduling

Dear John,

Thank you very much for confirming the availability on March 9, 10, and 11. In regard to the meeting times, as I mentioned earlier, I relayed your request for a two-hour meeting to each office, but the length of the meeting is up to each Commissioner, so I will have to schedule the meetings based on the instructions I have received from each Commissioner. Note that the meeting on March 10 is for two hours; the other three meetings would be 90 minutes.

In regard to March 11, the Chairwoman is not available earlier in the morning, but I could see whether she would be willing to meet during the lunch hour (11:30-1:00). I will get back to you on that issue.

Finally, I understand your preference, but given that the March 7 date does not work on your end, we will have to proceed with scheduling the last meeting on March 14. There is a morning and afternoon slot available—please let me know your preference.

Kind regards,

Shaundra

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, February 23, 2016 11:37 AM  
**To:** Watson, Shaundra  
**Subject:** RE: Scheduling

Shaundra

I have confirmed availability for March 9, 10, and 11. From your email it looks like all of those meetings would be 90 minutes. If there is any way to add another 30 minutes to any or all of those meetings, we would appreciate it sincerely. We are flexible on meeting times on any of those days. If possible, a morning meeting on the 11<sup>th</sup> would be preferred.

With regard to the fourth meeting, our strong preference would be to do it on March 15, 16, 17, or 18, or any day the following week. If this is an absolute impossibility, we will proceed on the March 14. I appreciate your willingness to explore alternatives to the March 14<sup>th</sup> date.

Thank you for your continued consideration as we nail this down.

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[ivillafranco@kelleydrye.com](mailto:ivillafranco@kelleydrye.com)

**From:** Watson, Shaundra [<mailto:SWATSON@ftc.gov>]  
**Sent:** Monday, February 22, 2016 5:53 PM  
**To:** Villafranco, John  
**Subject:** Scheduling

John,

Thank you for speaking with me earlier today. I wanted to follow up with more specific information regarding the upcoming meetings. Here is the current schedule:

March 9, 3:30-5:00

March 10, 9:30-11:30

March 11, 1-2:30 (the time is somewhat flexible if you need a change, but in any case it would be 90 minutes)

With regard to the fourth meeting, as I mentioned earlier today, it would either need to be on March 7 or March 14 for 90 minutes. The timing is flexible on those dates, but we would need to proceed with those dates. The March 7 date is preferable, but we can make March 14 work if necessary.

Kind regards,

Shaundra

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**To:** Hipsley, Heather[HHIPPSLEY@ftc.gov]  
**From:** Watson, Shaundra  
**Sent:** Thur 2/18/2016 5:42:59 PM  
**Importance:** Normal  
**Subject:** Re: strenio  
**MAIL\_RECEIVED:** Thur 2/18/2016 5:42:59 PM

I spoke to John Villafranco today and gave him dates. Thanks.

**From:** Hipsley, Heather  
**Sent:** Thursday, February 18, 2016 04:33 PM  
**To:** Watson, Shaundra  
**Subject:** strenio

Left a message for Andy or whomever they want to call you to get dates to set up party meetings. H.

**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Thur 3/3/2016 6:23:22 PM  
**Importance:** Normal  
**MAIL\_RECEIVED:** Thur 3/3/2016 6:23:35 PM

Shaundra

Just left you a vm regarding next week. Please call when you have a chance. 202.342.8423

Thanks

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
Washington Harbour, Suite 400  
3050 K Street, NW, Washington, DC 20007  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)  
[Website](#) | [Bio](#) | [Vcard](#) | [Blog](#)

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**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Thur 3/3/2016 6:27:44 PM  
**Importance:** Normal  
**Subject:** RE: RE:  
**MAIL\_RECEIVED:** Thur 3/3/2016 6:28:03 PM

Just jumped on another call. I will be off in 5 minutes. Will call then?

**John E. Villafranco**

Kelley Drye & Warren LLP  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)

**From:** Watson, Shaundra [mailto:SWATSON@ftc.gov]  
**Sent:** Thursday, March 03, 2016 3:26 PM  
**To:** Villafranco, John  
**Subject:** RE:

Hi John,

I just gave you a call but missed you.

Thanks.

Shaundra

**From:** Villafranco, John [mailto:JVillafranco@KelleyDrye.com]  
**Sent:** Thursday, March 03, 2016 5:23 PM  
**To:** Watson, Shaundra  
**Subject:**

Shaundra

Just left you a vm regarding next week. Please call when you have a chance. 202.342.8423



Thanks

John

**John E. Villafranco**

Kelley Drye & Warren LLP  
Washington Harbour, Suite 400  
3050 K Street, NW, Washington, DC 20007  
o: (202) 342-8423 | m: (b)(6)

[jvillafranco@kelleydrye.com](mailto:jvillafranco@kelleydrye.com)  
[Website](#) | [Bio](#) | [Vcard](#) | [Blog](#)

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**To:** Watson, Shaundra[SWATSON@ftc.gov]  
**From:** Villafranco, John  
**Sent:** Tue 3/8/2016 10:44:12 PM  
**Importance:** Normal  
**MAIL\_RECEIVED:** Tue 3/8/2016 10:44:19 PM

Shaundra

Please add Nitin Reddy (Sidley) to the list of attendees.

Thank you.

John

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## Baker, Katie

---

**Subject:** Herbalife Outside Counsel Meeting  
**Location:** H432

**Start:** Fri 3/11/2016 11:30 AM  
**End:** Fri 3/11/2016 1:00 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Ramirez, Edith  
**Required Attendees:** Watson, Shaundra; Shonka, David C.; Arington, Michele; Ammerman, Janet; Todaro, Christine; Hanks, Daniel; Solis, Laura M.; Vaca, Monica E.; Greisman, Lois C.; Koulousias, Amanda; Rich, Jessica L.; Smith, Douglas; Givens, David; Daniel, Timothy; Pappalardo, Janis K.; Stivers, Andrew

**Categories:** Meeting w/Outside Counsel

x

## Watson, Shaundra

---

**Subject:** Commissioner McSweeney Meeting - Hold  
**Location:** H-432

**Start:** Wed 3/9/2016 3:30 PM  
**End:** Wed 3/9/2016 5:30 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Martinez, Melody  
**Required Attendees:** Saceda, Joneta; Watson, Shaundra; Bouchard, Fawn CTR

Herbalife party meeting with outside council.

## Watson, Shaundra

---

**Subject:** Commissioner Brill - Meeting - Hold  
**Location:** H432

**Start:** Thu 3/10/2016 9:30 AM  
**End:** Thu 3/10/2016 11:30 AM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Carter, Monica M.  
**Required Attendees:** Dickie, Judith A.; Watson, Shaundra

Herbalife party meeting with outside council.

## Watson, Shaundra

---

**Subject:** Herbalife Outside Counsel Meeting  
**Location:** H432

**Start:** Fri 3/11/2016 11:30 AM  
**End:** Fri 3/11/2016 1:00 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Ramirez, Edith

**Required Attendees:** Watson, Shaundra; Shonka, David C.; Arington, Michele; Ammerman, Janet; Todaro, Christine; Hanks, Daniel; Solis, Laura M.; Vaca, Monica E.; Greisman, Lois C.; Koulousias, Amanda; Rich, Jessica L.; Smith, Douglas; Givens, David; Daniel, Timothy; Pappalardo, Janis K.; Stivers, Andrew

x

## Watson, Shaundra

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**Subject:** Commissioner Ohlhausen Meeting - Hold  
**Location:** H432

**Start:** Mon 3/14/2016 10:30 AM  
**End:** Mon 3/14/2016 12:00 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Carter, Monica M.  
**Required Attendees:** Anderson, Bridget; Watson, Shaundra

Herbalife party meeting with outside council.