

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of**

**BASIC RESEARCH, L.L.C.,  
A.G. WATERHOUSE, L.L.C.,  
KLEIN-BECKER usa, L.L.C.,  
NUTRASPORT, L.L.C.,  
SOVAGE DERMALOGIC  
LABORATORIES, L.L.C.  
BAN, L.L.C.,  
DENNIS GAY,  
DANIEL B. MOWREY, and  
MITCHELL K. FRIEDLANDER,**

**Respondents.**

**Docket No. 9318**

**PUBLIC DOCUMENT**

**RESPONDENTS' INITIAL DISCLOSURES**

Pursuant to RULE OF PRACTICE 3.31 (b), Respondents Basic Research, L.L.C., A.G. Waterhouse, L.L.C., Klein-Becker usa, L.L.C., NutraSport, L.L.C., Sovage Dermalogic Laboratories, L.L.C. and Ban, L.L.C., through undersigned counsel, make their Initial Disclosures.

1. Individuals likely to have discoverable information relevant to the allegations of the Commission's complaint, to the proposed relief, or to the defenses of the respondent.

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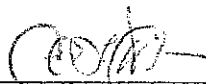
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San Diego, California 92128  
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2. A copy of, or a description by category and location of, all documents, data compilations and tangible things in the possession, custody or control of the respondent(s) that are relevant to the allegations of the Commission's Complaint, to the proposed relief sought, or to the defenses of the respondent(s):

- a. Challenged Product advertisements – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- b. Substantiation for Challenged Product advertisements – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116

- c. Formulation of Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- d. Structure and inter-relationships among corporate respondents – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- e. Customer correspondence and inquiries relating to the Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- f. Packaging and Promotional Material for the Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- g. Customer Returns of the Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- h. Testing of the Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116
- i. Consumer Surveys re Challenged Products – 5742 West Harold Gatty Drive, Salt Lake City, Utah 84116

Respectfully submitted,



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Nutraspourt, L.L.C., Sovage  
Dermalogic Laboratories, L.L.C.,  
and BAN, L.L.C.*

## CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2004, I caused to be served the Respondents Basic Research, L.L.C., A.G. Waterhouse, L.L.C., Klein-Becker usa, L.L.C., NutraSport, L.L.C., Sovage Dermalogic Laboratories, L.L.C. and Ban, L.L.C. **INITIAL DISCLOSURES** as follows:

(1) One (1) original and one (1) copy by Federal Express to Donald S. Clark, Secretary, Federal Trade Commission, Room H-159, 600 Pennsylvania Avenue, N.W., Washington, D.C., 20580;

(2) One (1) electronic copy via e-mail attachment in Adobe® “.pdf” format to the Secretary of the FTC at [Secretary@ftc.gov](mailto:Secretary@ftc.gov);

(3) Two (2) copies by U.S. Postal Service to Administrative Law Judge Stephen J. McGuire, Federal Trade Commission, Room H-104, 600 Pennsylvania Avenue N.W., Washington, D.C. 20580;

(4) One (1) copy via e-mail attachment in Adobe® “.pdf” format to Commission Complaint Counsel, Laureen Kapin, Joshua S. Millard, and Laura Schneider, all care of [lkapin@ftc.gov](mailto:lkapin@ftc.gov), [jmillard@ftc.gov](mailto:jmillard@ftc.gov); [rrichardson@ftc.gov](mailto:rrichardson@ftc.gov); [lschneider@ftc.gov](mailto:lschneider@ftc.gov) with one (1) paper courtesy copy via U. S. Postal Service to Laureen Kapin, Bureau of Consumer Protection, Federal Trade Commission, Suite NJ-2122, 600 Pennsylvania Avenue, N.W., Washington, D.C., 20580;

(5) One (1) copy via U. S. Postal Service to Elaine Kolish, Associate Director in the Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580

(6) One (1) copy via United States Postal Service to Stephen Nagin, Esq., Nagin Gallop & Figueredo, 3225 Aviation Avenue, Suite 301, Miami, Florida 33131.

(7) One (1) copy via United States Postal Service to Richard Burbidge, Esq., Jefferson W. Gross, Esq. and Andrew J. Dymek, Esq., Burbidge & Mitchell, 215 South State Street, Suite 920, Salt Lake City, Utah 84111, Counsel for Dennis Gay.

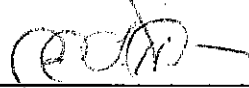
(8) One (1) copy via United States Postal Service to Ronald F. Price, Esq., Peters Scofield Price, A Professional Corporation, 340 Broadway Centre, 111 East Broadway, Salt Lake City, Utah 84111, Counsel for Daniel B. Mowrey.

(9) One (1) copy via United States Postal Service to Mitchell K. Friedlander, 5742 West Harold Gatty Drive, Salt Lake City, Utah 84111, Pro Se.



**CERTIFICATION FOR ELECTRONIC FILING**

I HEREBY CERTIFY that the electronic version of the foregoing is a true and correct copy of the original document being filed this same day of August 10th, 2004 via Federal Express with the Donald S. Clark, Secretary, Room H-159, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.



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Gregory L. Hillyer