

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

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STATE OF IOWA, ex rel.)
THOMAS J. MILLER)
ATTORNEY GENERAL OF IOWA)
Plaintiff,)
vs.)
OSMOSIS, LLC,,)
A Colorado Corporation,)
and)
BENJAMIN TAYLOR JOHNSON,)
in his individual capacity)
and corporate capacities,)
Defendants.)

CASE NO. EQCE081282
CORRECTED TRANSCRIPT OF PROCEEDINGS

Excerpts

The above-entitled matter came on for trial before the Honorable Scott D. Rosenberg, District Court Judge of the Fifth Judicial District of Iowa, commencing at 8:55 a.m. on May 18, 2017, Room 314 of the Polk County Courthouse, Des Moines, Iowa.

Janis A. Lavorato, CSR
Official Shorthand Reporter
Polk County Courthouse
Des Moines, Iowa 50309

testimony of Ben Johnson
(5-18-17)

1 they cost. So in this study we figured photographic
2 evidence and visualization was fine. I mean, let's
3 be frank. People know if they've been sunburned or
4 not.

5 Q. So in the 2014 study we've been talking
6 about, there was no technology used other than
7 cameras?

8 A. Correct.

9 Q. Have you ever described the Ver Hoeve study
10 as independent?

11 A. It's possible. Not recently.

12 Q. Why would you have ever described it as
13 independent?

14 A. Well, because it was evaluated
15 independently. I had no influence over his review of
16 the patients and whether or not they burned. But I
17 appreciated the criticism that came after the press
18 release of this study. And I said, "Okay. Fair
19 enough."

20 You know, we were certainly involved in
21 various steps along the way in this study, and
22 "independent" is not the right word to use.

23 Q. Well, you were a coauthor of the study
24 report?

25 A. Right.

1 Q. In fact, weren't you the lead author?

2 A. Yeah. I mean, I wrote and then he edited,
3 yes.

4 Q. Didn't you write the report basically in
5 the first person in his voice and then he edited?

6 A. I haven't read it in a while to say that it
7 came off as a first person or not. But if that's
8 your assessment -- I don't recall.

9 Q. You wouldn't dispute that?

10 A. I would have to reread the report.

11 Q. Okay. You personally spoke with a number
12 of the test subjects?

13 A. Yes, I did.

14 Q. And that was --

15 A. Only the test subjects who burned.

16 Q. And that was before the final result?

17 A. No. That was after the results.

18 Q. Was that before or after you wrote up the
19 report you described?

20 A. That was before I wrote up the report.

21 Q. Okay. And as a result of your talking to
22 the people who burned, did you end up removing some
23 of the people from the study?

24 A. Yes. So I think we started with 30, and we
25 ended up with 24. He was supposed to have weaned out

1 people for various reasons, including being on
2 medication, having a medical condition. And so I
3 found of the people who burned six of them had
4 disqualifying information.

5 Q. So after talking to those people who
6 burned, you made the determination that they should
7 never have been in the study in the first place?

8 A. Right.

9 Q. And so they were removed from the final
10 results?

11 A. Correct.

12 Q. So when the website talks about 24 test
13 subjects, that is because after you removed six of
14 them, that's how many there were?

15 A. That is correct.

16 Q. Am I correct that an Osmosis employee, Katy
17 Hebert, flew to California so she could be involved
18 in conducting the study?

19 A. Yeah. I don't know if she would say she
20 conducted the study. I think she was there to assist
21 in making sure everybody took their waters and
22 coordinating the event. It was done at a public
23 park.

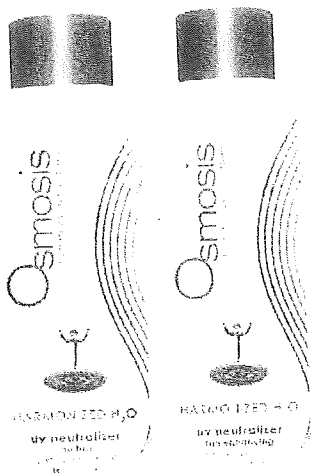
24 Q. At the time of the study, did
25 Dr. Ver Hoeve sell Osmosis products at his clinic?

FOR IMMEDIATE RELEASE

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First Drinkable Sunscreen Releases Clinical Trial Results

16 out of 24 patients did not burn during the testing of Osmosis Harmonized Water UV Neutralizer. In celebration of the success, Osmosis announces NEW packaging design



- new -

Osmosis Harmonized Water UV Neutralizer, also known as the world's first drinkable sunscreen, went viral this summer, attracting record media coverage. To solidify the brand's clinical and holistic approach to treating the source of skin conditions using non-harmful ingredients with guaranteed results, Osmosis Pür Medical Skincare executed the line's first clinical trial on June 28, 2014.

This randomized clinical trial was designed to evaluate a new technology, scalar waves, to provide sun protection. Osmosis Harmonized Water UV Neutralizer in Tan Enhancement and No Tan both contain this form of radio-frequencies called scalar waves. When ingested, they vibrate above the skin to neutralize UVA and UVB, creating protection comparable to an SPF 30.

24 patients ranging from 18 to 60 with various ethnic backgrounds and skin types were exposed to one hour of sun to one side of the body between noon and 1pm after ingesting 3ml Osmosis Harmonized Water UV Neutralizer. Paul Ver Hoeve, MD, FACS of Facial Beauty by MD conducted the study and documented the results which showed 16 out of the 24 patients did not experience any burning. This testing provides evidence that this new form of sun protection is a viable alternative.

Summary of Results:

16 out of 24 patients exposed one side of their body to summer sun after ingesting 3ml of UV Neutralizer 90 minutes before the study was initiated. All 24 patients were evaluated before, and immediately after the exposure as well as the following morning. There was no evidence of a sunburn on 16 patients, 5 had minor or partial sunburns and 3 had notable sunburns in the study. All of the patients who burned said they would not normally lay out in the sun for one hour. Many of them said they burn with the use of other sunscreens as well. This proves UV Neutralizer effectively limited the sun damage for a majority of the users that consumed it.

In celebration of the overwhelming success, Osmosis announces the new bottle design set for a September 1, 2014 launch.

According to Dr. Ben Johnson, Founder and CEO of Osmosis Pür Medical Skin Care, "The definitive results from this trial prove that the scalar wave technology in Harmonized Water works. This marks the beginning of the exploration into a new science that will greatly expand our understanding of the human body."

To download the clinical trial in its entirety and to access the online press room featuring product images, visit <https://app.box.com/s/6q2hq2ke4zaewhkpuvqn>