

<b>In the matter of:</b>  <b>International Research Services, Inc., Stephen R. Schwartz, and Robert J. Frumento,</b>  <b>Respondents</b>	<b>ASSURANCE OF VOLUNTARY COMPLIANCE</b>
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The undersigned state and agree as follows:

1. The State of Iowa *ex rel.* Thomas J. Miller, Iowa Attorney General, enters into this Assurance of Voluntary Compliance (“Assurance”) with the above-named Respondents, and each of them, to resolve the Attorney General’s concerns regarding Respondents’ compliance with Iowa Code § 714.16, the Iowa Consumer Fraud Act (“CFA”).

2. Respondents have agreed to enter into this Assurance in order to resolve issues raised during the Attorney General’s inquiry into Respondents’ direct or indirect participation in scientific research, clinical studies, or other purportedly scientific investigations (hereinafter “Study” or “Studies”) of Osmosis, LLC’s (“Osmosis”) harmonized water products. Respondents are entering into this Assurance solely for the purposes of settlement and nothing contained herein may be taken as or construed to be an admission or concession of any violation of law or of any other matter of fact or law, or of any liability or wrongdoing, all of which Respondents deny, and it is Respondents’ position that their past conduct of Studies through or on behalf of International Research Services, Inc. has been consistent with the requirements set forth in this Assurance.

3. The Effective Date of this Assurance is the date of the last signature below.

4. **IT IS FURTHER AGREED** that, as of the Effective Date of this Assurance, Respondents, and (as applicable) Respondents’ directors, officers, principals, partners, employees, agents, servants, representatives, insurance carriers, subsidiaries, affiliates, successors, assigns, parent, or controlling

entities (“Respondents *et al.*”), in conducting studies for compensation, shall: (A) comply with standards generally accepted in the relevant scientific field as necessary for yielding objective, accurate, and reliable results; (B) ensure, in any Study in which Respondent Frumento is involved in any significant manner in the collection or reporting of Study data or results, that the Study is conducted in a manner that ensures the absence of any circumstances that might compromise the accuracy of the data collection or reported results; and (C) ensure that Respondent Frumento does not act as the principal investigator or its equivalent on any Studies conducted by one or both of the other two Respondents, unless the entity contracting for the Study is informed in advance of Respondent Frumento’s anticipated role and of all known facts regarding the 2013 retraction by Columbia University of the September 2006 *Journal of Clinical Anesthesia* article of which Respondent Frumento was lead author.

5. **IT IS FURTHER AGREED** that Respondents *et al.* shall not be deemed to have violated the above-stated requirements in Paragraph 4 if Respondents *et al.* endeavor in good faith to meet such requirements and adopt measures reasonably designed to do so.

6. **IT IS FURTHER AGREED** that Respondents shall pay to the Iowa Attorney General the sum of \$50,000.00 within thirty (30) days of the Effective Date of this Assurance, to be deposited by the Attorney General in the Consumer Education and Litigation Fund created by Iowa Code §714.16C. Said payment shall not be deemed a penalty for any purpose.

7. **IT IS FURTHER AGREED** that a violation of this Assurance is deemed a violation of the CFA for purposes of enforcement by the Attorney General, and that in any enforcement action in an Iowa District Court in which one or more violations of this Assurance by a Respondent are established by the Attorney General by a preponderance of the evidence, the Court shall apply the remedies provided in the CFA to such Respondent(s), in addition to any other remedies provided by

law; without limiting the foregoing, neither this Assurance nor anything herein shall be construed or used as a waiver, limitation, or bar on any defense otherwise available to Respondents *et al.*, including, but not limited to any argument(s) that an Iowa court does not have jurisdiction over Respondents as it relates to Respondents' Studies of harmonized water, or on Respondents *et al.*'s right to defend itself from or make any arguments in any pending, or future, legal or administrative action, proceeding, or state or federal claim or suit, relating to Respondents' conduct prior to the execution of this Assurance, or to the existence, subject matter or terms and conditions of this Assurance.


8. **IT IS FURTHER AGREED** that nothing herein diminishes the requirements, duties, obligations, or powers set forth in the CFA.

9. **IT IS FURTHER AGREED** that Respondents *et al.* shall comply with reasonable requests from the Attorney General for information relating to compliance with this Assurance.

10. **IT IS FURTHER AGREED** that this Assurance constitutes a complete settlement and release by the Iowa Attorney General of all causes of action, suits, or claims of any kind or character (collectively "Claims"), including Claims for violation of the CFA or Claims that relate to Respondents' Studies of harmonized water and/or the lawsuit in the Iowa District Court captioned *State of Iowa ex rel. Miller v. Osmosis, LLC et al.*, docket no. EQCE081282, to the extent such Claims are based on conduct that (i) occurred prior to the Effective Date of this Assurance; and (ii) would violate provisions (A), (B) and/or (C) of Paragraph 4 if such conduct had occurred after entry of the Assurance.

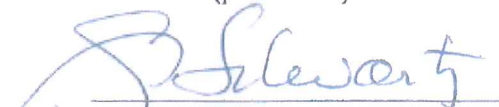
The undersigned who have the authority to consent and sign on behalf of Respondents and the Attorney General of Iowa hereby consent to the form and contents of this Assurance.

Date: 03.13.18

  
International Research Services, Inc.

By: Stephen R. Schwartz  
(print name)


Date: 03.13.18

  
Stephen R. Schwartz


Date: 3/13/18

  
Robert J. Frumento


Date: 3/13/18

  
Andrew Anderson  
Faegre Baker Daniels  
Counsel for Respondents  
Approved as to form only

Date: 3/13/18

  
Lance Lange  
Faegre Baker Daniels  
Counsel for Respondents  
Approved as to form only

Date: 3/28/18

  
Steve St. Clair  
Assistant Attorney General