

**From:** Jeff Miller [<mailto:> ██████████] **Sent:** Tuesday, April 12, 2016 6:53 PM **To:** Heyer, Eric **Subject:** Kole' w/ New York Magazine **Importance:** High

Dear Eric ~

Here are some questions which we would like your clients to respond to. We would need to have responses before the end of the afternoon on Friday. Depending on the responses, there may or may not be some follow up questions. And there may be other questions for your clients that occur to us independently of your clients' answers to the questions set out below.

Thank you for your cooperation in this matter.

Sincerely,

~ Jeff

A.

1. In what ways does Kole's Ignite tonic "help support health libido,"
2. What studies demonstrate the effectiveness specifically of the Ignite itself tonic in supporting a healthy libido?
3. With regard to the Ignite ingredients mentioned on Kole's site, what studies demonstrate the effects said to be associated with the corresponding ingredients in the amounts included in the Ignite tonic?
4. In which of those studies were the tested populations "normal", i.e., not suffering from any disease, clinical condition or deficiency (e.g. ED)?
5. What studies demonstrate the safety and effectiveness of Ignite's ingredients in the combination contained in Kole's product?
6. How much of the Ignite tonic must be consumed and over what period of time before the advertised benefits are experienced by the consumer? What studies support your answer?

B.

1. With regard to the Inspire ingredients mentioned on Kole's site, what studies demonstrate the effects said to be associated with the corresponding ingredients in the amounts included in the Inspire tonic?
2. What studies demonstrate the effectiveness specifically of the Inspire tonic itself in promoting the beneficial effects mentioned on Kole's site?
3. In which of those studies were the tested populations "normal", i.e., not suffering from any disease, clinical condition or deficiency?
4. What studies demonstrate the safety and effectiveness of Inspire's ingredients in the combination contained in Kole's product?
5. How much of the Inspire tonic must be consumed and over what period of time before the advertised benefits are experienced by the consumer? What studies support your answer?

C.

1. In what ways does Kole's Dream tonic "promote quality sleep and pleasant dreams?"
2. What studies demonstrate the effectiveness specifically of the Dream tonic itself in promoting quality sleep and pleasant dreams?
3. With regard to the Dream ingredients mentioned on Kole's site, what studies demonstrate the effects said to be associated with the corresponding ingredients in the amounts included in the Dream tonic?
4. In which of those studies were the tested populations "normal", i.e., not suffering from any disease, clinical condition or deficiency?
5. What studies demonstrate the safety and effectiveness of Dream's ingredients in the combination contained in Kole's product?
6. How much of the Dream tonic must be consumed and over what period of time before the advertised benefits are experienced by the consumer? What studies support your answer?

D.

1. In what ways does Kole's Happy tonic "promote a positive mood, tranquility, bliss and a sense of well-being among healthy people?"
  2. What studies demonstrate the effectiveness of the Happy tonic itself in promoting a positive mood, tranquility, bliss and a sense of well-being among healthy people?
  3. With regard to the Happy ingredients mentioned on Kole's site, what studies demonstrate the effects said to be associated with the corresponding ingredients in the amounts included in the Happy tonic?
  4. In which of those studies were the tested populations "normal", i.e., not suffering from any disease, clinical condition or deficiency?
  5. What studies demonstrate the safety and effectiveness of Happy's ingredients in the combination contained in Kole's product?
  6. How much of the Happy tonic must be consumed and over what period of time before the advertised benefits are experienced by the consumer? What studies support your answer?
- E.

1. Despite the disclaimer on Kole's site, does Kole' or Dr. Johnson have a concern that Dr. Johnson's affiliation with the University of Maryland medical school will suggest to the consuming public that the Kole' specific products have been subjected to controlled effectiveness studies, where they have not?

Jeffrey Craig Miller, Esq.  
**Miller Korzenik Sommers Rayman LLP**  
488 Madison Avenue  
New York, NY 10022

Tel.: [212-](#) [REDACTED]  
Fax: [212-](#) [REDACTED]  
Cell: [917-](#) [REDACTED]  
[REDACTED]

This e-mail and any attachments are intended for the named addressee(s) only and may contain privileged and/or confidential information. If you received this e-mail in error, please immediately and permanently delete it and notify me. Any erroneous receipt is unintentional, no applicable privilege is waived thereby, and any disclosure, copying or distribution of this e-mail is prohibited.