

# March 14, 2016 - March 20, 2016

March 2016							April 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

## Monday, March 14

Not Responsive

2:00pm - 3:00pm Herbalife Meeting (H528) - McSweeny, Terrell P.

Not Responsive

## Tuesday, March 15

Not Responsive

## Wednesday, March 16

Not Responsive

## Thursday, March 17

Not Responsive

## Friday, March 18

Not Responsive

## Saturday, March 19

Not Responsive

## Sunday, March 20

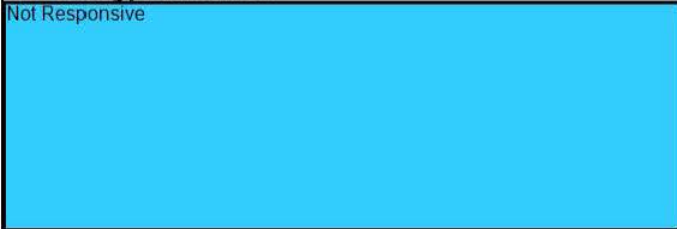
Not Responsive

# March 07, 2016 - March 13, 2016

March 2016							April 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

## Monday, March 07

Not Responsive



## Tuesday, March 08

Not Responsive



## Wednesday, March 09

Not Responsive



## Thursday, March 10

Not Responsive



 3:30pm - 5:00pm Herbalife Meeting (H432) - McSweeney, Terrell P.

## Friday, March 11

Not Responsive



## Saturday, March 12

## Sunday, March 13

## Baker, Katie

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**From:** McSweeney, Terrell P.  
**Sent:** Friday, March 11, 2016 7:26 AM  
**To:** DeLorme, Christine Lee; Tzucker, Joshua; Wilson, Nathan  
**Subject:** Fwd: Following Up

FYI

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**From:** "Leibowitz, Jon" <[jon.leibowitz@davispolk.com](mailto:jon.leibowitz@davispolk.com)>  
**Subject:** Following Up  
**Date:** 10 March 2016 22:56  
**To:** "McSweeney, Terrell P." <[tmcsweeney@ftc.gov](mailto:tmcsweeney@ftc.gov)>  
Privileged and Confidential

Spoke to Alan, and we would like to come in on Monday, not tomorrow. That would be after meetings with Maureen and Lois, and after another round of negotiations.

No problem having staff present.

We will call to get on your schedule tomorrow.

And I will let you know if there are any breaking developments.

Thanks.

Jon

Sent from my iPhone

## Baker, Katie

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**Subject:** Herbalife Meeting  
**Location:** H432  
**Start:** Wed 3/9/2016 3:30 PM  
**End:** Wed 3/9/2016 5:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** McSweeney, Terrell P.  
**Required Attendees:** Tzucker, Joshua; DeLorme, Christine Lee; Wilson, Nathan

All – Please find following is the attendees BIO – FYI

Thanks.  
Joneta

## Herbalife Party Meeting Wednesday, March 9, 3:30 – 5 PM



### Herbalife



**Michael O. Johnson**  
CEO, Herbalife

Michael O. Johnson was named Chief Executive Officer of Herbalife in 2003 and Chairman in 2007. He is also Chairman of the Herbalife Family Foundation (HFF), which launched its Casa Herbalife Program in 2005, providing nutrition to 100,000 children in 130 programs around the world every day. Under Michael's leadership, Herbalife has grown from 2003 net sales of \$1.1 billion to \$4.5 billion in 2015. He introduced industry-leading standards in consumer protection and built a global brand through its sponsorship of more than 200 teams, athletes and fitness events around the world, including the LA Galaxy and international soccer star Cristiano Ronaldo. He also strengthened Herbalife's product development and overseen significant investment in R&D, quality assurance, product safety, and compliance.

Earlier in his career, Michael spent 17 years with The Walt Disney Company where he served as president of Disney International and head of Univision Communications Inc. prior to joining Herbalife. He served as a Publisher of Audio Times magazine and as a Marketing Executive for Warner Amex Satellite Entertainment Company. Michael received his Bachelor of Arts in Political Science from Western State University.



**John DeSimone**  
CFO, Herbalife

As chief financial officer of Herbalife, John DeSimone has global responsibility for all financial departments, including accounting, tax, treasury, strategic planning, and investor relations for the



company's business. He also heads the company's Member compliance and insights groups as CFO.

John joined Herbalife in November 2007, first serving as SVP of Finance. He became CFO in January 2010. John has over 25 years of experience in the corporate finance sector. He served as the controller, vice president of finance and chief financial officer of Rexall Sundown, Inc., a multinational manufacturer of nutritional supplements and sports nutrition products that was publicly traded while John served as its controller and vice president. Prior to joining Herbalife, he was chief executive officer and an investor of Mobile Ventures, LLC, an automotive aftermarket accessory retailer. John received his Bachelor of Science in Business Administration from Bryant College (now known as Bryant University).



**Mark Friedman**  
General Counsel, Herbalife

Mark Friedman serves as General Counsel, Executive Vice President, and Secretary of Herbalife, where he has responsibility for the company's worldwide legal affairs and serves as the company's corporate secretary. Prior to Herbalife, Mark was general counsel and corporate secretary for the global retail brand, Pinkberry Ventures, Inc., where he led their worldwide intellectual property program and was responsible for franchise compliance and expansion into more than 40 new markets. Mark was also the legal lead on cross-functional teams that advised on vendor selection, crisis management, and food safety. He collaborated closely with product development groups to ensure regulatory compliance with agencies like the FDA.

Prior to his role at Pinkberry, Mark was general counsel and corporate secretary for American Golf Corporation, where he led portfolio and liability management for premiere private and public golf course properties across the US, as well as responsibility for employee relations and benefits. Earlier in his career, he held senior legal positions in the energy sector for BP and ARCO, with responsibility for M&A, finance and corporate governance matters, and was a litigation associate in a law firm specializing in complex commercial disputes. Mark is a member of the board of directors of Bet Tzedek Legal Services and the Herbalife Family Foundation. He received his JD from USC Law School and his Bachelor's degree from UC Davis.



**Ibi Fleming**  
Senior Vice President, Herbalife

Ibi Fleming is Senior Vice President and Managing Director for North America at Herbalife, where she is responsible for all business, strategic, sales and marketing functions across the U.S., Canada, Jamaica and the Caribbean. Ibi is an 18-year Herbalife veteran, joining the company in 1998. She began her Herbalife career as an assistant to the vice president of personal care training. Subsequently, she became a global product marketing manager before joining the North America regional team. During her tenure with the North America region, Ibi served in multiple capacities, first as manager of the West Coast, and then director, senior director, and most recently vice president of sales and marketing for the U.S. Latin market.

In 2011, Poder Hispanic magazine included her in the prestigious annual list of the "Nation's 100 Most Influential Hispanics" in the U.S. Originally from Cuba, Ibi is bilingual in English and Spanish, and holds a Bachelor's in Business Administration from National University.



**Henry Wang**  
Assistant General Counsel, Herbalife

Henry Wang has been Senior Vice President and Associate General Counsel at Herbalife since December 2013. He leads global litigation matters at the company. Prior to joining Herbalife, Henry was a Partner at several firms, including Lee, Tran Liang & Wang; Baute Crochetiere & Wang; and Reed Smith. He began his legal career in 1999 as an Associate – and later became Partner – at

Manatt, Phelps & Phillips LLP. Henry received his JD from Tulane University Law School and his BA from UC Berkeley.

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## Outside Counsel

### Sidley Austin



**Doug Axel**  
Partner, Sidley Austin

Douglas A. Axel is a partner in Sidley Austin's Los Angeles office. A former federal prosecutor, Doug focuses his practice on white collar criminal defense, government enforcement matters, internal investigations, and complex commercial litigation. He has prosecuted and defended individuals and corporations in a wide range of white collar and government enforcement matters, including matters involving the False Claims Act, the Foreign Corrupt Practices Act, securities fraud, insider trading, consumer protection, healthcare enforcement, and antitrust.

Prior to joining Sidley, Doug was an Assistant United States Attorney in the Central District of California, where he served as the Chief of that Office's Major Frauds Section. While there, he personally prosecuted dozens of criminal white-collar cases, and served as lead counsel in many criminal jury trials and argued several cases before the Ninth Circuit Court of Appeals. In 2009, Doug received an Attorney General's Award for Fraud Prevention, one of the Department of Justice's highest honors. He has been selected by his peers for inclusion in *The Best Lawyers in America* (2013–2016), and regularly writes and speaks on topics relating to the False Claims Act, the FCPA, securities fraud, consumer protection, and healthcare fraud. Doug is active in pro bono and community activities, serves as Co-chair of the Corporate Criminal Liability Subcommittee of the ABA White Collar Crime Committee, and is a member of the United States District Court for the Central District of California's Standing Committee on Discipline. He received his JD from UC Hastings College of Law, where he graduated *summa cum laude*, and his BS from UCLA.



**Andrew Strenio**  
Partner, Sidley Austin

Andrew Strenio Jr. is a partner in Sidley Austin's Washington, D.C. office, where he focuses on domestic and international antitrust law and policy, as well as consumer protection law and policy. He has counseled and represented numerous U.S. and foreign-based corporations, trade associations, and individuals regarding antitrust litigation, legislative and regulatory matters, consumer protection issues, and law enforcement investigations before the FTC, the Justice Department, state attorneys general, and private sector self-regulatory bodies.

From 1986 through 1991, Andrew served as a Commissioner of the Federal Trade Commission. This followed his service from 1984 through 1985 as a Commissioner of the Interstate Commerce Commission. He also served earlier as Assistant Director for Regulatory Evaluation in the Bureau of Consumer Protection at the Federal Trade Commission, directing the agency's Advocacy Program. Prior to that, he served as a Senior Staff Economist and Attorney for the President's Council of Economic Advisers, focusing on regulatory reform under both Presidents Jimmy Carter and Ronald Reagan.

Andrew is the author of *The Testing Trap*, an acclaimed book analyzing the use and misuse of standardized tests in school and professional admissions decisions. He graduated *cum laude* from Harvard Law School, received his MPP from Harvard Kennedy School, and his Bachelor's from Princeton.



Cozen O'Connor

**JB Kelly**  
Member, Cozen O'Connor

JB Kelly is a member in Cozen O'Connor's State Attorneys General Practice. Leveraging his more than 30-year career in the public sector working with state attorneys general and as a private sector attorney, he handles a variety of complex, often multistate matters, involving critical public policy and strategic issues. JB served as general counsel to North Carolina



Attorney General Roy Cooper from 2001 to 2012, overseeing major litigation involving the state of North Carolina. He oversaw the strategy, planning, and development of AG Cooper's 2010 National Association of Attorneys General (NAAG) presidential initiative focused on consumer protection strategies, analysis of Dodd-Frank provisions related to attorneys general, and prevention of future financial crises. JB also served in numerous leadership capacities for NAAG, including leading chief deputy training during AG Cooper's NAAG presidential term, as well as serving on its working groups for strategic planning and best practices.

From 1996 to 2001, JB was senior counsel at Employment Learning Innovations, and from 1994 to 1996, he was special counsel for policy initiatives to North Carolina Attorney General Mike Easley. JB began his career in private practice. He received his JD from UNC School of Law, where he served as research editor of the *North Carolina Law Review*, and his BA from UNC Chapel Hill.

## Davis Polk



**Jon Leibowitz**  
Partner, Davis Polk

Jon Leibowitz is a partner in Davis Polk's Washington DC and New York offices, and a member of the firm's Antitrust and Competition Group, named "Competition Group of the Year" by Law360. In addition to advising on antitrust issues, he also provides counsel in the developing area of privacy law and with respect to advocacy involving Congress. Before joining Davis Polk, Jon was Chairman of the Federal Trade Commission from 2009 through 2013 and a Commissioner from 2004 to 2009. At the FTC, his priorities included health care and high-tech competition. During his tenure, Jon notably presided over a major revision of the Horizontal Merger Guidelines; won notable Supreme Court victories involving an allegedly anticompetitive hospital merger and "pay-for-delay" pharmaceutical arrangements; studied the impact of patent assertion entity (PAE) activities on innovation and competition; and played a leading role in efforts to protect the privacy of consumers.

Before working at the FTC, Jon was VP of Congressional Affairs at The Motion Picture Association of America (MPAA). He also served on Capitol Hill as Chief Counsel and Staff Director of the Senate Antitrust Subcommittee, the Senate Subcommittee on Terrorism and Technology, and the Senate Subcommittee on Juvenile Justice. He was Chief Counsel to Senator Herb Kohl from 1989 to 2000, and Counsel to Senator Paul Simon from 1986-1987. He received his JD from the New York University School of Law, and his BA from the University of Wisconsin—Madison.

## Kelley Drye



**Dana B. Rosenfeld**  
Partner, Kelley Drye & Warren

Dana Rosenfeld is a partner in Kelley Drye's Washington DC office and is Chair of the Privacy and Information Security practice. She represents clients before the FTC and state Attorneys General; provides ongoing compliance advice related to existing consumer protection laws, best practices and self-regulatory programs; and counsels companies in developing and implementing policies on data collection and security.

Before joining Kelley Drye, Dana was an assistant director of the FTC's Bureau of Consumer Protection, as well as senior legal advisor to the BCP Director and an advisor to Chairman Robert Pitofsky. During her tenure at the FTC, Dana had a major role in developing the FTC's privacy initiatives by promulgating the agency's rules implementing COPPA and GLBA. She also assisted in the development of the FTC's privacy agenda under Chairman Timothy Muris, and chaired the Bureau of Consumer Protection's Internet Legal Issues Task Force effort to apply consumer protection rules and guides to electronic commerce, which focused primarily on the format and presentation of disclosures in Internet advertising. Dana was named by *Washingtonian Magazine* as a "Top



Lawyer” in January 2016. She received her JD from American University Washington College of Law and her BA from the University of Maryland, College Park.



**John Villafranco**

Partner, Kelley Drye & Warren

John Villafranco is a partner in Kelley Drye’s Washington D.C. office and a member of the Executive Committee. A leading practitioner in advertising law matters and consumer protection, he represents clients in advertising substantiation proceedings and investigations conducted by the FTC and state Attorneys General. He also represents challengers and advertisers before the National Advertising Division (NAD) of the Council of Better Business Bureaus and the National Advertising Review Board (NARB). He also advises on issues

involving privacy, data security, electronic commerce, dietary supplement labeling, promotion and marketing, fair credit reporting, multi-level marketing, debt collection practices, truth-in-lending, health and safety claims, environmental marketing and standard certification.

John was named 2011 D.C. Advertising “Lawyer of the Year” by *Best Lawyers*. He is editor-in-chief of the ABA *Consumer Protection Law Developments* treatise and is the author of numerous articles on advertising law. He served as editorial chair on a year-long project that culminated in the report “Self-Regulation of Advertising in the United States: An Assessment of the National Advertising Division” (Apr. 2015). John received his JD from Catholic University of America, Columbus School of Law, and his BA from Wake Forest University.

Economists



**Joseph Farrell**

Partner at Bates White; Professor of Economics at UC Berkeley

Dr. Joseph Farrell is a Professor of Economics at the University of California, Berkeley and a Partner at Bates White Economic Consulting. From 2009 to 2012, Dr. Farrell served as Director of the Bureau of Economics at the Federal Trade Commission, where he oversaw important antitrust matters like *FTC v. Intel*, *Omnicare*, *OSF Healthcare System*, *Promedica*, and *FTC v. Watson Pharmaceuticals*. He was a key member of the team that revised the FTC and Department of Justice *Horizontal Merger Guidelines*. His

prior government experience includes serving as Deputy Assistant Attorney General for Economic Analysis for the DOJ’s Antitrust Division, and as Chief Economist for the Federal Communications Commission.

Dr. Farrell is an experienced expert witness. His widely cited academic research has focused on the economics of competition, mergers, innovation, and network effects. He is an internationally recognized leader for his contributions in industrial organization, regulation and antitrust enforcement, intellectual property, and game theory. Previously, Dr. Farrell was Chair of the Competition Policy Center at UC Berkeley. He is a Fellow of the Econometric Society, past President of the Industrial Organization Society, former Editor of the *Journal of Industrial Economics*, and former Board Member for the National Academies’ Computer Science and Telecommunications Board. Dr. Farrell earned his DPhil in Economics, MSc in Mathematics, and BA in Mathematics from Oxford University.



**Walter Vandaele, Ph.D.**

Managing Director at Navigant Economics

Dr. Walter Vandaele is a Managing Director and Principal at Navigant Economics, where he holds expertise in the areas of antitrust economics, industrial organization, and econometric and statistical analyses. His practice focuses on economic and damages valuation issues arising in antitrust, intellectual property matters involving patent infringement, breach of contract, and various other types of commercial disputes. Dr. Vandaele has consulted and testified extensively in matters involving the pharmaceutical and biotechnology industries, but also has experience in other industries, including telecommunications, computer software, energy services equipment

providers, uranium, athletic footwear, and internet service providers.

Prior to establishing his practice in litigation consulting, Dr. Vandaele served at the Federal Trade Commission, first as economic advisor at the Bureau of Competition, and then as assistant director for regulatory evaluation at the Bureau of Consumer Protection. His previous academic affiliations include Harvard Business School, the Department of Economics at Harvard University, Massachusetts Institute of Technology, Georgetown University, and Virginia Polytechnic Institute and the University of Chicago. Dr. Vandaele has a licentiaat (MBA) from the University Faculties St. Ignatius, Antwerpen, Belgium; a doctorandus in economics from the University of Tilburg, the Netherlands; and an MBA and a Ph.D. from the University of Chicago.

Herbalife provides the Gold Standard  
in consumer protection.



Herbalife proporciona el Estándar  
de Oro en protección al consumidor.





# Herbalife provides the Gold Standard in consumer protection.



## Gold Standard Guarantees

### LOW START-UP COSTS

- There are no minimum purchases required and there is a low cost for the Herbalife Member Pack.
- There is no requirement to purchase any sales and business tools to start up or succeed in your Herbalife Membership.

### MONEY-BACK GUARANTEE

- There is a fully refundable, 90-day money-back guarantee for the cost of the Herbalife Member Pack if Membership is canceled for any reason.
- There is a 100% refund guarantee on product, plus return shipping costs for the return of all unsold products purchased in the prior 12 months if Membership is canceled for any reason.

### UP-FRONT BUSINESS OPPORTUNITY INFORMATION

- We provide clear, accurate, and timely disclosures to prospective Members regarding potential income in our Statement of Average Gross Compensation.

### WRITTEN ACKNOWLEDGMENT

- We require a new Member to acknowledge in writing that they are aware of each of these Gold Standard Guarantees before their Membership Application and Agreement is accepted.

### STRONG PRODUCT AND BUSINESS OPPORTUNITY CLAIM GUIDELINES

- We clearly define the benefit of each product and appropriate method of use directly on the product label so the right product is taken the right way to achieve the best results.
- Approved product claims and product information can also be found in the Herbalife Member Pack, product brochures, other official literature and MyHerbalife.com.
- We provide realistic expectations of the business opportunity and the effort required to succeed at all levels.

Herbalife and our Members are committed to the highest standards of ethical behavior. If you become aware of any unapproved claims related to Herbalife® products, representations relating to the business opportunity that are not aligned with the Herbalife Statement of Average Gross Compensation or other questionable behavior by another Member, please contact Member Services at 866-866-4744.

Working together, we can ensure that Herbalife sets the Gold Standard in consumer protection.

# Herbalife proporciona el Estándar de Oro en protección al consumidor.



## Garantías del Estandar de Oro

### BAJO COSTO PARA INICIAR SU NEGOCIO

- No se requiere compra mínima, y hay un bajo costo por el Paquete del Asociado de Herbalife.
- No se requiere la compra de ninguna herramienta de ventas, ni de negocio para iniciar o tener éxito en su Membresía Herbalife.

### GARANTÍA DE REEMBOLSO

- Existe una garantía de reembolso total del costo del Paquete del Asociado de Herbalife dentro de 90 días, si se cancela la Membresía por algún motivo.
- Hay una garantía de reembolso del 100%, más los costos de envío, en la devolución de los productos sin vender adquiridos en los últimos 12 meses, si se cancela la Membresía por algún motivo.

### INFORMACIÓN POR ADELANTADO SOBRE LA OPORTUNIDAD DE NEGOCIO

- Proporcionamos a los posibles Asociados información clara, precisa y oportuna en cuanto a los ingresos potenciales, en nuestra Declaración de Compensación Bruta Promedio de Ingresos.

### ACEPTACIÓN POR ESCRITO

- Es obligatorio que un Asociado nuevo acepte por escrito que está consciente de cada una de estas Garantías del Estándar de Oro antes de que se acepte su Solicitud y Acuerdo de Membresía.

### GUÍAS SÓLIDAS DE AFIRMACIONES SOBRE LA OPORTUNIDAD DE NEGOCIO Y NUESTROS PRODUCTOS

- Las etiquetas de nuestros productos definen claramente el beneficio de estos y el método adecuado para su uso, para que el producto correcto sea usado de manera adecuada y así lograr los mejores resultados.
- Las afirmaciones aprobadas e información del producto también se pueden encontrar en el Paquete del Asociado de Herbalife, en los folletos del producto, en publicaciones oficiales y en MiHerbalife.com.
- Nosotros proveemos expectativas realistas de la oportunidad de negocio y del esfuerzo requerido para tener éxito en todos los niveles.

Herbalife y nuestros Asociados están comprometidos a los estándares más elevados de conducta ética. Si se entera de alguna afirmación no autorizada que esté relacionada con los Productos Herbalife®, de representaciones vinculadas a la oportunidad de negocio, que no estén alineadas con la Declaración de Compensación Bruta Promedio de Ingresos de Herbalife, o de otra conducta que fuese cuestionable por otro Asociado, por favor comuníquese con Servicios al Asociado al 866-866-4744.

Trabajando juntos, podremos asegurarnos de que Herbalife establezca el Estándar de Oro en protección al consumidor.

**Herbalife Party Meeting**  
Wednesday, March 9, 3:30 – 5 PM



Herbalife



**Michael O. Johnson**  
CEO, Herbalife

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**Mark Friedman**  
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Mark Friedman serves as General Counsel, Executive Vice President, and Secretary of Herbalife, where he has responsibility for the company's worldwide legal affairs and serves as the company's corporate secretary. Prior to Herbalife, Mark was general counsel and corporate secretary for the global retail brand, Pinkberry

Ventures, Inc., where he led their worldwide intellectual property program and was responsible for franchise compliance and expansion into more than 40 new markets. Mark was also the legal lead on cross-functional teams that advised on vendor selection, crisis management, and food safety. He collaborated closely with product development groups to ensure regulatory compliance with agencies like the FDA.

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In 2011, Poder Hispanic magazine included her in the prestigious annual list of the "Nation's 100 Most Influential Hispanics" in the U.S. Originally from Cuba, Ibi is bilingual in English and Spanish, and holds a Bachelor's in Business Administration from National University.



**Henry Wang**  
Assistant General Counsel, Herbalife

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## **Outside Counsel**

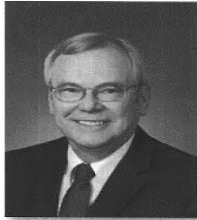
### **Sidley Austin**



**Doug Axel**  
Partner, Sidley Austin

Douglas A. Axel is a partner in Sidley Austin's Los Angeles office. A former federal prosecutor, Doug focuses his practice on white collar criminal defense, government enforcement matters, internal investigations, and complex commercial litigation. He has prosecuted and defended individuals and corporations in a wide range of white collar and government enforcement matters, including matters involving the False Claims Act, the Foreign Corrupt Practices Act, securities fraud, insider trading, consumer protection, healthcare enforcement, and antitrust.

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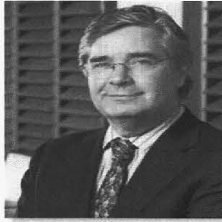


**Andrew Strenio**  
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## Cozen O'Connor



**JB Kelly**  
Member, Cozen O'Connor

JB Kelly is a member in Cozen O'Connor's State Attorneys General Practice. Leveraging his more than 30-year career in the public sector working with state attorneys general and as a private sector attorney, he handles a variety of complex, often multistate matters, involving critical public policy and strategic issues. JB served as general counsel to North Carolina Attorney General Roy Cooper from 2001 to 2012, overseeing major litigation involving the state of North Carolina. He oversaw the strategy, planning, and development of AG

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**Jon Leibowitz**  
Partner, Davis Polk

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FTC, his priorities included health care and high-tech competition. During his tenure, Jon notably presided over a major revision of the Horizontal Merger Guidelines; won notable Supreme Court victories involving an allegedly anticompetitive hospital merger and "pay-for-delay" pharmaceutical arrangements; studied the impact of patent assertion entity (PAE) activities on innovation and competition; and played a leading role in efforts to protect the privacy of consumers.

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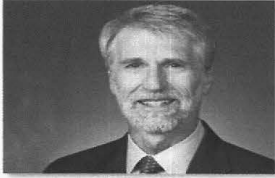
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## Economists



### **Joseph Farrell**

Partner at Bates White; Professor of Economics at UC Berkeley

Dr. Joseph Farrell is a Professor of Economics at the University of California, Berkeley and a Partner at Bates White Economic Consulting. From 2009 to 2012, Dr. Farrell served as Director of the Bureau of Economics at the Federal Trade Commission, where he oversaw important antitrust matters like *FTC v. Intel*, *Omnicare*, *OSF Healthcare System*, *Promedica*, and *FTC v.*

*Watson Pharmaceuticals*. He was a key member of the team that revised the FTC and Department of Justice *Horizontal Merger Guidelines*. His prior government experience includes serving as Deputy Assistant Attorney General for Economic Analysis for the DOJ's Antitrust Division, and as Chief Economist for the Federal Communications Commission.

Dr. Farrell is an experienced expert witness. His widely cited academic research has focused on the economics of competition, mergers, innovation, and network effects. He is an internationally recognized leader for his contributions in industrial organization, regulation and antitrust enforcement, intellectual property, and game theory. Previously, Dr. Farrell was Chair of the Competition Policy Center at UC Berkeley. He is a Fellow of the Econometric Society, past President of the Industrial Organization Society, former Editor of the *Journal of Industrial Economics*, and former Board Member for the National Academies' Computer Science and Telecommunications Board. Dr. Farrell earned his DPhil in Economics, MSc in Mathematics, and BA in Mathematics from Oxford University.



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Managing Director at Navigant Economics

Dr. Walter Vandaele is a Managing Director and Principal at Navigant Economics, where he holds expertise in the areas of antitrust economics, industrial organization, and econometric and statistical analyses. His practice focuses on economic and damages valuation issues arising in antitrust, intellectual property matters involving patent infringement, breach of contract, and various other types of commercial disputes. Dr. Vandaele has consulted and testified extensively in matters involving

the pharmaceutical and biotechnology industries, but also has experience in other industries, including telecommunications, computer software, energy services equipment providers, uranium, athletic footwear, and internet service providers.

Prior to establishing his practice in litigation consulting, Dr. Vandaele served at the Federal Trade Commission, first as economic advisor at the Bureau of Competition, and then as assistant director for regulatory evaluation at the Bureau of Consumer Protection. His previous academic affiliations include Harvard Business School, the Department of Economics at Harvard University, Massachusetts Institute of Technology, Georgetown University, and Virginia Polytechnic Institute and the University of Chicago. Dr. Vandaele has a licentiaat (MBA) from the University Faculties St. Ignatius, Antwerpen, Belgium; a doctorandus in economics from the University of Tilburg, the Netherlands; and an MBA and a Ph.D. from the University of Chicago.

## Tzucker, Joshua

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**From:** Tzucker, Joshua  
**Sent:** Wednesday, June 29, 2016 10:04 AM  
**To:** Tzucker, Joshua  
**Subject:** Herbalife Meeting

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**Subject:** Herbalife Meeting  
**Location:** H432

**Start:** Wed 3/9/2016 3:30 PM  
**End:** Wed 3/9/2016 5:00 PM

**Recurrence:** (none)

**Meeting Status:** Accepted

**Organizer:** McSweeney, Terrell P.

**Required Attendees:** Tzucker, Joshua; DeLorme, Christine Lee; Wilson, Nathan

All – Please find following is the attendees BIO – FYI

Thanks.  
Joneta

[https://commons.wikimedia.org/wiki/File:HerbaLife\\_logo.svg](https://commons.wikimedia.org/wiki/File:HerbaLife_logo.svg)

### **Herbalife Party Meeting**

Wednesday, March 9, 3:30 – 5 PM

#### Herbalife



Herbalife  
Meeting

**Michael O. Johnson**  
CEO, Herbalife

Michael O. Johnson was named Chief Executive Officer of Herbalife in 2003 and Chairman in 2007. He is also Chairman of the Herbalife Family Foundation (HFF), which launched its Casa Herbalife Program in 2005, providing nutrition to 100,000 children in 130 programs around the world every day. Under Michael's leadership, Herbalife has grown from

2003 net sales of \$1.1 billion to \$4.5 billion in 2015. He introduced industry-leading standards in consumer protection and built a global brand through its sponsorship of more than 200 teams, athletes and fitness events around the world, including the LA Galaxy and international soccer star Cristiano Ronaldo. He also strengthened Herbalife's product development and overseen significant investment in R&D, quality assurance, product safety, and compliance.

Earlier in his career, Michael spent 17 years with The Walt Disney Company where he served as president of Disney International and head of Univision Communications Inc. prior to joining Herbalife. He served as a Publisher of Audio Times magazine and as a Marketing Executive for Warner Amex Satellite Entertainment Company. Michael received his Bachelor of Arts in Political Science from Western State University.

**John DeSimone**  
CFO, Herbalife

As chief financial officer of Herbalife, John DeSimone has global responsibility for all financial departments, including accounting, tax, treasury, strategic planning, and investor relations for the company's business. He also heads the company's Member compliance and insights groups as CFO.

John joined Herbalife in November 2007, first serving as SVP of Finance. He became CFO in January 2010. John has over 25 of experience in the corporate finance sector. He served as the controller, vice president of finance and chief financial officer of Rexall Sundown, Inc., a multinational manufacturer of nutritional supplements and sports nutrition products that was publicly traded while John served as its controller and vice president. Prior to joining Herbalife, he was chief executive officer and an investor of Mobile Ventures, LLC, an automotive aftermarket accessory retailer. John received his Bachelor of Science in Business Administration from Bryant College (now known as Bryant University).

**Mark Friedman**  
General Counsel, Herbalife

Mark Friedman serves as General Counsel, Executive Vice President, and Secretary of Herbalife, where he has responsibility for the company's worldwide legal affairs and serves as the company's corporate secretary. Prior to Herbalife, Mark was general counsel and corporate secretary for the global retail brand, Pinkberry Ventures, Inc., where he led their worldwide intellectual property program and was responsible for franchise compliance and expansion into more than 40 new markets. Mark was also the legal lead on cross-functional teams that advised on vendor selection, crisis management, and food safety. He collaborated closely with product development groups to ensure regulatory compliance with agencies like the FDA.

Prior to his role at Pinkberry, Mark was general counsel and corporate secretary for American Golf Corporation, where he led portfolio and liability management for premiere private and public golf course properties across the US, as well as responsibility for employee relations and benefits. Earlier in his career, he held senior legal positions in the energy sector for BP and ARCO, with responsibility for M&A, finance and corporate governance matters, and was a litigation associate in a law firm specializing in complex commercial disputes. Mark is a member of the board of directors of Bet Tzedek Legal Services and the Herbalife Family Foundation. He received his JD from USC Law School and his Bachelor's degree from UC Davis.

**Ibi Fleming**  
Senior Vice President, Herbalife

Ibi Fleming is Senior Vice President and Managing Director for North America at Herbalife, where she is responsible for all business, strategic, sales and marketing functions across the U.S., Canada, Jamaica and the Caribbean. Ibi is an 18-year Herbalife veteran, joining the company in 1998. She began her Herbalife career as an assistant to the vice president of personal care training. Subsequently, she became a global product marketing manager before joining the North America regional team. During her tenure with the North America region, Ibi served in multiple capacities, first as manager of the West Coast, and then director, senior director, and most recently vice president of sales and marketing for the U.S. Latin market.

In 2011, Poder Hispanic magazine included her in the prestigious annual list of the "Nation's 100 Most Influential Hispanics" in the U.S. Originally from Cuba, Ibi is bilingual in English and Spanish, and holds a Bachelor's in Business Administration from National University.

**Henry Wang**

Assistant General Counsel, Herbalife

Henry Wang has been Senior Vice President and Associate General Counsel at Herbalife since December 2013. He leads global litigation matters at the company. Prior to joining Herbalife, Henry was a Partner at several firms, including Lee, Tran Liang & Wang; Baute Crochetiere & Wang; and Reed Smith. He began his legal career in 1999 as an Associate – and later became Partner – at Manatt, Phelps & Phillips LLP. Henry received his JD from Tulane University Law School and his BA from UC Berkeley.



## Outside Counsel

### Sidley Austin

#### **Doug Axel**

Partner, Sidley Austin

Douglas A. Axel is a partner in Sidley Austin's Los Angeles office. A former federal prosecutor, Doug focuses his practice on white collar criminal defense, government enforcement matters, internal investigations, and complex commercial litigation. He has prosecuted and defended individuals and corporations in a wide range of white collar and government enforcement matters, including matters involving the False Claims Act, the Foreign Corrupt Practices Act, securities fraud, insider trading, consumer protection, healthcare enforcement, and antitrust.

Prior to joining Sidley, Doug was an Assistant United States Attorney in the Central District of California, where he served as the Chief of that Office's Major Frauds Section. While there, he personally prosecuted dozens of criminal white-collar cases, and served as lead counsel in many criminal jury trials and argued several cases before the Ninth Circuit Court of Appeals. In 2009, Doug received an Attorney General's Award for Fraud Prevention, one of the Department of Justice's highest honors. He has been selected by his peers for inclusion in *The Best Lawyers in America* (2013–2016), and regularly writes and speaks on topics relating to the False Claims Act, the FCPA, securities fraud, consumer protection, and healthcare fraud. Doug is active in pro bono and community activities, serves as Co-chair of the Corporate Criminal Liability Subcommittee of the ABA White Collar Crime Committee, and is a member of the United States District Court for the Central District of California's Standing Committee on Discipline. He received his JD from UC Hastings College of Law, where he graduated *summa cum laude*, and his BS from UCLA.

#### **Andrew Strenio**

Partner, Sidley Austin

Andrew Strenio Jr. is a partner in Sidley Austin's Washington, D.C. office, where he focuses on domestic and international antitrust law and policy, as well as consumer protection law and policy. He has counseled and represented numerous U.S. and foreign-based corporations, trade associations, and individuals regarding antitrust litigation, legislative and regulatory matters, consumer protection issues, and law enforcement investigations before the FTC, the Justice Department, state attorneys general, and private sector self-regulatory bodies.

From 1986 through 1991, Andrew served as a Commissioner of the Federal Trade Commission. This followed his service from 1984 through 1985 as a Commissioner of the Interstate Commerce Commission. He also served earlier as Assistant Director for Regulatory Evaluation in the Bureau of Consumer Protection at the Federal Trade Commission, directing the agency's Advocacy Program. Prior to that, he served as a Senior Staff Economist and Attorney for the President's Council of Economic Advisers, focusing on regulatory reform under both Presidents Jimmy Carter and Ronald Reagan.

Andrew is the author of *The Testing Trap*, an acclaimed book analyzing the use and misuse of standardized tests in school and professional admissions decisions. He graduated *cum laude* from Harvard Law School, received his MPP from Harvard Kennedy School, and his Bachelor's from Princeton.

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