

1 UNITED STATES GRAND JURY
2 DISTRICT OF NEW JERSEY
3 FILE NO. 2005R00157

4 ORIGINAL

5 UNITED STATES OF AMERICA,

Testimony of:
LAURIE TOTH

6 vs.

7 JOHN DOE,

8 Defendant.

9 -----x
Clarkson S. Fisher Courthouse
402 East State Street
Grand Jury Room
10 Trenton, New Jersey
11 Thursday, August 10, 2006

12 A P P E A R A N C E S:

13 For the United States
14 of America

15 EUGENIA COWLES,
16 Assistant United States Attorney

17
18 Reported by:

19 KATHLEEN F. SIGLE, C.S.R.

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21
22 REPORTING SERVICES ARRANGED THROUGH
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GOVERNMENT
EXHIBIT

J-LT-1

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A213

1 A No, he did not.

2 Q Did he tell you that the label accompanying
3 the product said not for human use, for research purpose
4 only?

5 A No. No, he did not.

6 Q Would you have wanted to know that the
7 product was not FDA approved?

8 A It wouldn't have made a difference.

9 Q And why do you say it wouldn't have made a
10 difference for you?

11 A Because he wouldn't do anything to hurt me.

12 Q It's because of your existing relationship
13 with him?

14 A Right.

15 Q Did you receive any special consent form to
16 sign for use with the TRI product?

17 A No.

18 Q Do you recall at some point after your
19 treatment hearing about an incident in Florida involving
20 the TRI product?

21 A Yes.

22 Q What do you recall hearing?

23 A That some people had botulism from Botox.

24 Q And who do you remember discussing this
25 with?

1 A Discussed it with Dr. Poet and the girls at the
2 office.

3 Q What do you remember Dr. Poet saying had
4 caused the problems with these treatments?

5 A He said that the distributor for TRI where these
6 people had gotten it it wasn't from that company, itself
7 and the way it was diluted was incorrect, the amount
8 they used should have been diluted in like a big barrel
9 of saline.

10 Q So, your understanding from Dr. Poet was
11 that this stuff was not actually the TRI product, but
12 was, in fact, what TRI got to make their product from?

13 A Correct.

14 Q And then Dr. Poet explained to you that the
15 reason there were problems was because of dilution?

16 A Yes.

17 Q Do you recall when Dr. Poet decided to stop
18 using the TRI product?

19 A I don't recall the date, I do recall when that
20 incident came about that we had stopped using it, I do
21 recall a fax recall, time-wise I don't know when what
22 happened, I just know that there was a recall notice
23 from TRI I believe.

24 Q Okay. Do you remember if Dr. Poet ordered
25 Botox from the Allergen Corporation during the year