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IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

Case No. 05-60021-CR-Cohn

U.S.,

Plaintiff,

ORIGINAL

VS.

CHAD LIVDHAL, et al,

Defendant.

TAPED TELEPHONE/PERSONAL CONVERSATIONS
FROM MARYAN MIKHAEL RECEIVED 1/25/05

FDA 03944

TAPED CONVERSATION

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BY MS. ROSENBAUM:

Q Who do you work for?

A Technically, I work for Powers. I actually left on the 15th because I didn't want to deal with all that.

Q (Inaudible.)

A July? No.

Q (Inaudible.)

A Yes. October of 2003.

Q (Inaudible.)

A I was a secretary. Yes.

Q (Inaudible.)

A Answer the phone, process orders, I didn't so any of the shipping. They had some shipping girls there.

I was also a graphic designer so I did their websites, all of them.

Q (Inaudible.)

A In the cosmetic pharmacy.

Q (Inaudible.)

A No. 112 just opened last September, I think.

Q (Inaudible.)

A That is strictly a pharmacy.

Q (Inaudible.)

A Chad Navarro. Yes. Yes.

Q (Inaudible.)

1 A People would call and ask for glutamine or something
2 like that. It is an amino acid. I didn't know about the stuff
3 either.

4 Q (Inaudible.)

5 A There was a Shannon. I forget her last name.
6 She was hired to work for them last year and she left.

7 Q (Inaudible.)

8 A They asked me to answer the calls.

9 Q (Inaudible.)

10 A Just people wanting to order some items. I have no
11 idea what that is. I personally don't have any background in
12 that stuff, so I don't really know.

13 Q (Inaudible.)

14 A Right. I did the one with the hundred dollar dock. I
15 designed it but they gave me all the contents.

16 Q (Inaudible.)

17 A No, Chad Navarro.

18 Q (Inaudible.)

19 A I didn't have any of that.

20 Q (Inaudible.)

21 A No.

22 Q (Inaudible.)

23 A No. No.

24 Q (Inaudible.)

25 A Uh-huh. I designed the brochure for them. I only

1 designed their last one for September of '04. The other two
2 were from before I started working there.

3 Q (Inaudible.)

4 A Yes. Yes.

5 Q (Inaudible.)

6 A Cosmetic pharmacy. Yes.

7 Q (Inaudible.)

8 A I'm not sure what you mean. I don't know. All I know
9 is that it was just one day when I wasn't there.

10 Q (Inaudible.)

11 A Okay. I have no idea. They gave it to him, so I
12 don't know.

13 Q (Inaudible.)

14 A Okay. Okay. They faxed me the license.

15 Q (Inaudible.)

16 A Yes. I don't know. The licenses are all different,
17 so I am not sure what that is.

18 Q (Inaudible.)

19 A Right. Chad Navarro. I just want to let you know I
20 have an appointment in a short period.

21 Basically, I didn't have to say anything. I guess when I
22 started, people were already familiar with it. All I did was
23 try to say how many miles and that was it. I think they were
24 all familiar with the client.

25 I guess Shannon was there when the company was first

1 starting out. I don't know how that went.

2 Q (Inaudible.)

3 A Right. Yes.

4 Q (Inaudible.)

5 A From the past couple of months there were talks
6 there. I had him put it in a box and ship it.

7 Q (Inaudible.)

8 A Yes. Okay.

9 Q (Inaudible.)

10 A Sure. No problem. Bye.

11 Q Hello.

12 A How are you?

13 Q Good.

14 A We are only going over the stuff now. I have the
15 report here.

16 Q Okay. Where do they go after?

17 A They get thrown away.

18 Q Okay.

19 A Hello.

20 Q (Inaudible.)

21 A I don't think so.

22 Q (Inaudible.)

23 A Okay. What is your home phone number?

24 Q (Inaudible.)

25 A Thanks.

1 Q (Inaudible.)

2 A It should be coming by the next day.

3 Q (Inaudible.)

4 A Okay. Anything else? No.

5 Q (Inaudible.)

6 A Thank you.

7 I'm looking at the tracking number here. It was shipped
8 on September 3rd, wait no. It was sent on December 29th.

9 Q (Inaudible.)

10 A I am not sure why. Do you want me to give you that
11 traffic number?

12 Q (Inaudible.)

13 A When you put the tracking number in, it will come
14 up.

15 Q (Inaudible.)

16 A I am not sure about that. You will see for yourself.

17 Q Do you feel comfortable being here?

18 A Yes.

19 Q If you need to pause, just tell me.

20 A Okay.

21 Q Maybe they credited our account.

22 A Yes.

23 Q You have that? That's good. I think that from just
24 about any computer you can reach the information.

25 A Right.

1 Q I don't want too much interruption. It's okay.

2 A Thank you.

3 Q There's shit happening everyday. I don't get riled
4 up about anything anymore.

5 A Right.

6 Q It's probably at home, so if you need the contact
7 papers, they got your phone number off of there.

8 A Okay.

9 Q Any problem we have, send those away and we'll take
10 care of it.

11 A Okay.

12 Q After Monday, we are just trying to get the
13 injunction lifted.

14 A Right.

15 Q Hopefully they go through. They are just trying to
16 get through that stuff. If they can show that we went through
17 it, the law lowers it's standards to shut it down. That is
18 crazy though. We'll get this on. There is a chance it will go
19 to trial.

20 A Okay.

21 Q Form what I hear, they don't want to go to trial.

22 A Okay.

23 Q If so, the lawyers will ask you questions.

24 A Okay.

25 Q There are a couple things that they have.

1 A I know of the letter.

2 Q For the most part, the letter is the main thing. You
3 stated that and can't take it back and then it says that we
4 have to say that for legal reasons.

5 A Right.

6 Q It then says I hope you find a need for the product.

7 A Right.

8 Q Essentially we use those for research only.

9 A Right.

10 Q It just looks a little fishy, so they will try to
11 use that.

12 A Right.

13 Q They can fall back to here because that has nothing
14 to do with ours.

15 A Right.

16 Q Just because I know that the operation was handled
17 like this, I know that. It is all those little things that add
18 up to one big thing. There are certain things we have to look
19 at, like how we address certain people.

20 A If they said anything about that, we wouldn't suffer
21 for it. People then call up after and talk about it.

22 Q We don't have any problems with this.

23 A Remember when you called me about this? That was
24 involving it that one time.

25 Q What did they say to you at first?

1 A They said that I should know these people. A
2 reasonable person would be like me, being reasonable, I don't
3 need to ask that. If I would have used Botox, then I would
4 have done it and that is how it is. They continue to question
5 and act that way.

6 As our order form shows, we always send them everything.
7 They proceed to pack it in their glove box. We have all of
8 that.

9 Q Well there you go.

10 A We have to handle that. We try to get people on our
11 side that are willing to tell what happens. They all talk
12 about Botox and who used it.

13 Q You talked about all that?

14 A We talked about it in the hearing and they said that
15 looked at the label and it said for animal use.

16 Q Are you serious?

17 A Yes. They are like, making up stories or something.

18 Q I know.

19 A These people are just trying to bother us about it.
20 Anything to help them with what they are doing they will do.
21 They will say it is for animals only and then they will also
22 say--

23 Q What about lately?

24 A I don't really have anything lately.

25 Q When is that from?

1 A The 7th or something.

2 Q We'll just move on from that. What time was that
3 from?

4 A About one in the morning.

5 Q What is this here for?

6 A They called back.

7 Q This is from them?

8 A This part here.

9 Q Okay. Hello Mr. Stefin.

10 A How are you?

11 Q Not bad.

12 A Hello.

13 Q Hello. I don't think I am going to go to see this.

14 A Is there a reason?

15 Q I just don't want to be involved in any of this.

16 A There isn't going to be a whole thing involved with
17 you.

18 It is just talking about what you know.

19 Q Right.

20 A You're not on trial.

21 Q Right.

22 A You haven't done anything wrong.

23 Q I am just pretty confused right now. There are
24 plenty of people calling me. I am just pretty scared and
25 confused. I just want to think about it for a little if it is

1 okay.

2 A It is okay. Have they been calling you?

3 Q The FDI is calling me. I am just kind of rejecting
4 the numbers. I don't know who they are or anything.

5 A You don't have to talk to anybody.

6 Q I know. I want the best for you guys and I want to
7 make sure you trust me but at the same time I am scared and
8 don't want anything on paper that I said.

9 A But whatever you say is your story, the truth, and
10 you stick to it.

11 Q I know.

12 A I know that you are the only other person. It is
13 Chad and me. They are not going to listen to what I say that
14 much.

15 You are the only other person.

16 Q Okay. Let me just think about it for a little bit.

17 A Yes.

18 Just remember that you are telling the truth and telling
19 what you know. There is nothing else to it.

20 Q Okay.

21 A Bye.

22 (Thereupon, the conversation ended.)

23

24

25

1 STATE OF FLORIDA

2 COUNTY OF BROWARD

3 I, NICHOLAS BRUENS, certify that I was authorized to and
4 did transcribe the foregoing taped conversations and that the
5 transcript is a true record.

6

7 Dated this 5th day of March, 2005.

8

9

10 NICHOLAS BRUENS
11 CASE NUMBER: 05-60021-CR-Cohn

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