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Robert D. Butters
Arnstein and Lehr, LLP
120 South Riverside Plaza, Suite 1200
Chicago, IL 60606

RE: HGI Industries, Inc. v. International Ozone Technologies Group, Inc.

Dear Mr. Butters:

I have been provided with a copy of your May 5, 2010 letter to Russ McCubbin of International Ozone Technologies Group, Inc. and have been requested to reply to same. Several of the premises set forth in your letter are inaccurate or totally false. Your first premise that, "According to available ozone testing technologies, HGI's hydroxyl generators do not emit ozone" is inaccurate and false. HGI's own website, under lab reports, identifies testing done by Columbia Analytical Services, Inc. (hereinafter "C.A.S."). C.A.S. submitted a laboratory report dated December 9, 2008 to Ralph Kubituzy of HGI Industries, Inc. (hereinafter "HGI"). That lab report pertains to testing done on to an Odorox MDU unit. It makes no comment as to any testing done on any of the other eleven hydroxyl generators manufactured and sold by HGI. This report states that the Odorox MDU unit tested did in fact generate ozone. Additionally, Rodney G. Handy Ph. D, CIH of Perdue University ran tests for ozone on several HGI hydroxyl generators. A report was submitted to Roger A. Shepherd of Odorox Environmental, LLC. on December 21, 2009. Odorox Environmental, LLC. is a distributor for HGI. The test conducted by Dr. Handy pertained to the Slimline, Boss XL3 with fan, Boss (Basic), and MDU HGI hydroxyl generators. All of the above mentioned generators tested by Dr. Handy produced ozone.

Additionally, Russ McCubbin, who has dealt with ozone for twenty-two (22) years, tested an Odorox Boss unit. Those test revealed significant ozone generation. Test included a UV absorption and a sensor test.

HGI's claim that it, "Only manufactures equipment that relies on hydroxyl generation technology" is false and misleading. As set forth above, the hydroxyl generators manufactured by HGI are manufacturing and emitting ozone.

In your letter, you also refer to the fact that HGI equipment meets or exceeds all applicable standards of Underwriters Laboratories ("UL") and the Canadian Standards Association ("CSA"). Underwriters Laboratories list no ozone testing on any HGI hydroxyl generators. The specific test standards for ozone generation and emission are known as "UL 867 test for ozone emissions". The only certifications that appear are for electrical safety.

Further, your assertion that, "It is not possible given current oxidant sensor technology to distinguish between the omission of harmful ozone and non-toxic hydroxyls" is false. It has been widely recognized in the scientific community that ozone can be detected and measured very accurately by use using a UV absorption method. This method is accurate even in the presence of atmospheric hydroxyls.

Your further contention that the article entitled, "Buyer Beware - The Hydroxyl Generator Dilemma" is false and misleading is also inaccurate. Your initial statement that, "Notwithstanding the overwhelming and uncontradicted scientific evidence establishing the safety of HGI's Odorox Hydroxyl Generators when used in enclosed and inhabited spaces" is wholly inaccurate as set forth above. You yourself recognize that ozone at any level is not good to breathe since it is a powerful oxidant that can damage human and animal organs.

You do correctly point out that International Ozone manufactures a hydroxyl generator which it claims is ozone free. The hydroxyl generator which International Ozone manufactures is in fact ozone free and operates on entirely different technology than is used by HGI in the manufacturing of their hydroxyl generators. There are some other manufacturers of hydroxyl generators that do utilize the technology used by International Ozone in the manufacturing of hydroxyl generators. Likewise, there are many manufacturers that build and sell hydroxyl generators using the same or similar technology as HGI. A number of those hydroxyl generators have been designated by the California Air Resource Board as emitting and/or generating ozone.

You next discuss that the Article mentions Alpine/Ecoquest and Sharper Image. Both of these companies represented that their machines were safe for use in inhabited spaces. The machines of the above referenced companies omitted ozone and it was determined that their representations were inaccurate. Both companies paid a price for said misrepresentations.

Mr. McCubbin was in fact contacted by a restoration company who advised that they, "smelled ozone and got a headache" when a hydroxyl generator from an unnamed manufacturer was demonstrated to them. Mr. McCubbin did in fact test this hydroxyl generator for the generation and emission of ozone through both the UV absorption and a sensor method. Both methods registered significant amounts of ozone production on the unit tested. The tests that were performed were accomplished in a scientific manner with a desire to determine whether ozone was being created by the machine tested, and if so, at what levels.

There is no inaccurate factual representation or misleading information contained in the Article.

International Ozone has not violated the Lanham Act nor has it violated such statutes as the Florida Unfair and Deceptive Trade Practices Act. Therefore, International Ozone has no intent to comply with the demands of HGI as set forth in your letter. Your letter seems to be an attempt by

HGI to quash some of their competition through unfair and deceptive trade practices. This in and of itself can be viewed as a violation of the Florida Unfair and Deceptive Trade Practices Act.

Sincerely,

David F. Pleasanton

DFP:dc