

Below are copies of all 42 letters sent to cancer centers (in alphabetical order) alerting them of TINA.org's findings in our deceptive marketing investigation.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Amy Garrigues, CLO, Executive VP
Legal Department
21st Century Oncology, Inc.
2270 Colonial Boulevard
Fort Myers, FL 33907
[REDACTED]

Re: Deceptive Marketing by 21st Century Oncology

Dear Ms. Garrigues:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that 21st Century Oncology is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in 21st Century Oncology's marketing can be found here: <https://www.truthinadvertising.org/21st-century-oncology-cancer-center-database>.

We trust that 21st Century Oncology will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Peter Braveman, Senior VP of Legal Affairs
Cedars-Sinai Medical Center
TSB Ste #290
8700 Beverly Blvd
West Hollywood, CA 90048
[REDACTED]

Re: Deceptive Marketing by Cedars-Sinai Health System

Dear Mr. Braveman:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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TINA.org found that Cedars-Sinai Health System is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Cedars-Sinai Health System's marketing can be found here: <https://www.truthinadvertising.org/cedars-sinai-health-system-database>.

We trust that Cedars-Sinai Health System will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

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Legal Director
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³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Daniel Hackett, General Counsel
Mount Carmel Health System
c/o Columbus Cyberknife
6150 East Broad Street
Columbus, Ohio 43213
[REDACTED]

Re: Deceptive Marketing by Columbus Cyberknife

Dear Mr. Hackett:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Columbus Cyberknife is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Columbus Cyberknife's marketing can be found here: <https://www.truthinadvertising.org/columbus-cyberknife-database>.

We trust that Columbus Cyberknife will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Lara Tobias, Compliance Liaison
Comprehensive Cancer Centers of Nevada
400 N. Stephanie Street, Suite 300
Henderson, NV 89014
[REDACTED]

Re: Deceptive Marketing by Comprehensive Cancer Centers of Nevada

Dear Ms. Tobias:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Comprehensive Cancer Centers of Nevada is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Comprehensive Cancer Centers of Nevada's marketing can be found here:

<https://www.truthinadvertising.org/comprehensive-cancer-center-of-nevada-database>.

We trust that Comprehensive Cancer Centers of Nevada will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

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Legal Director
Truth in Advertising, Inc.

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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Richard Boskey, General Counsel
Dana-Farber Cancer Institute
450 Brookline Ave
Boston, MA 02215
[REDACTED]

Re: Deceptive Marketing by Dana-Farber Cancer Institute

Dear Mr. Boskey:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Dana-Farber Cancer Institute is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Dana-Farber Cancer Institute's marketing can be found here: <https://www.truthinadvertising.org/danafarber-cancer-institute-database>.

We trust that Dana-Farber Cancer Institute will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

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³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Tom Clark, Chief Legal Officer
Florida Cancer Specialists
4371 Veronica S Shoemaker Blvd
Fort Myers, FL 33916
[REDACTED]

Re: Deceptive Marketing by Florida Cancer Specialists

Dear Mr. Clark:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Florida Cancer Specialists is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Florida Cancer Specialists's marketing can be found here: <https://www.truthinadvertising.org/florida-cancer-specialists-database>.

We trust that Florida Cancer Specialists will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Beth Koob, Chief Counsel for Health Sciences
Temple University Health System
c/o Fox Chase Cancer Center
3509 N Broad St 9th FL
Philadelphia, PA 19140
[REDACTED]

Re: Deceptive Marketing by Fox Chase Cancer Center

Dear Ms. Koob:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Fox Chase Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Fox Chase Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/fox-chase-cancer-center-database>.

We trust that Fox Chase Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Doug Shaeffer, General Counsel
Fred Hutchinson Cancer Research Center
J6-105
1100 Fairview Ave. N.
Seattle, WA 98109
[REDACTED]

Re: Deceptive Marketing by Fred Hutchinson Cancer Research Center

Dear Mr. Shaeffer:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Fred Hutchinson Cancer Research Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Fred Hutchinson Cancer Research Center's marketing can be found here: <https://www.truthinadvertising.org/fred-hutchinson-cancer-research-center-database>.

We trust that Fred Hutchinson Cancer Research Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Margaret Marchak, SVP/CLO
Hartford HealthCare Office
One State St, Suite 19
Hartford, CT 06103
[REDACTED]

Re: Deceptive Marketing by Hartford HealthCare

Dear Ms. Marchak:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Hartford HealthCare is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Hartford HealthCare's marketing can be found here: <https://www.truthinadvertising.org/hartford-healthcare-database>.

We trust that Hartford HealthCare will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

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October 22, 2018

VIA EMAIL AND REGULAR MAIL

Ramon Cantu, Chief Legal Officer
Houston Methodist
6565 Fannin St., Ste D200
Houston, TX 77030
[REDACTED]

Re: Deceptive Marketing by Houston Methodist

Dear Mr. Cantu:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Houston Methodist is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Houston Methodist's marketing can be found here: <https://www.truthinadvertising.org/houston-methodist-database>.

We trust that Houston Methodist will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

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³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Ann Gavzy, General Counsel
Health Network
Hackensack Meridian Health Inc.
c/o John Theurer Cancer Center
1350 Campus Parkway, #3A
Wall Township, NJ 07753
[REDACTED]

Re: Deceptive Marketing by John Theurer Cancer Center

Dear Ms. Gavzy:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that John Theurer Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in John Theurer Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/john-theurer-cancer-center-database>.

We trust that John Theurer Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Michael Shpunt, Staff Attorney
McLaren Health Care
c/o Karmanos Cancer Institute
One McLaren Parkway
Grand Blanc, MI 48439
[REDACTED]

Re: Deceptive Marketing by Karmanos Cancer Institute

Dear Mr. Shpunt:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Karmanos Cancer Institute is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Karmanos Cancer Institute's marketing can be found here: <https://www.truthinadvertising.org/karmanos-cancer-institute-database>.

We trust that Karmanos Cancer Institute will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Legal Department
Maryland Proton Treatment Center
850 West Baltimore Street
Baltimore, MD 21201
[REDACTED]

Re: Deceptive Marketing by Maryland Proton Treatment Center

Dear Sir or Madam:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Maryland Proton Treatment Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Maryland Proton Treatment Center's marketing can be found here: <https://www.truthinadvertising.org/maryland-proton-treatment-center-database>.

We trust that Maryland Proton Treatment Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Steve Haydon, CLO and Senior VP of Regulatory Affairs
MD Anderson Cancer Center
PO Box 301407
Legal Services Unit 1674
Houston, TX 77230
[REDACTED]

Re: Deceptive Marketing by MD Anderson Cancer Center

Dear Mr. Haydon:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that MD Anderson Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in MD Anderson Cancer Center's marketing can be found here: <http://www.truthinadvertising.org/mdanderson-cancer-center-database>.

We trust that MD Anderson Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Jorge Lopez Jr., Executive VP/General Counsel
Memorial Sloan-Kettering Cancer Center
1275 York Ave
Office of General Counsel – Box 208
New York, NY 10065
[REDACTED]

Re: Deceptive Marketing by Memorial Sloan-Kettering Cancer Center

Dear Mr. Lopez:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Memorial Sloan-Kettering Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Memorial Sloan-Kettering Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/memorial-sloan-kettering-cancer-center-database>.

We trust that Memorial Sloan-Kettering Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Robert Corrigan, SVP/General Counsel
Baylor College of Medicine
c/o Mesothelioma Treatment Center
1 Baylor Plz Ste 106A
Houston, TX 77030
[REDACTED]

Re: Deceptive Marketing by Mesothelioma Treatment Center

Dear Mr. Corrigan:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Mesothelioma Treatment Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Mesothelioma Treatment Center's marketing can be found here: <https://www.truthinadvertising.org/mesothelioma-treatment-center-database>.

We trust that Mesothelioma Treatment Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Robert Waterman, General Counsel
HCA Healthcare, Inc.
c/o Methodist Cancer Care Center
1 Park Plaza
Nashville, TN 37203
[REDACTED]

Re: Deceptive Marketing by Methodist Cancer Care Center

Dear Mr. Waterman:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Methodist Cancer Care Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Methodist Cancer Care Center's marketing can be found here: <https://www.truthinadvertising.org/methodist-cancer-care-center-database>.

We trust that Methodist Cancer Care Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

David Reece Friedman, Corporate VP/General Counsel
Baptist Health South Florida
c/o Miami Cancer Institute
6855 SW 57th Ave., Ste 500
Coral Gables, FL 33143
[REDACTED]

Re: Deceptive Marketing by Miami Cancer Institute

Dear Mr. Friedman:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Miami Cancer Institute is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Miami Cancer Institute's marketing can be found here: <https://www.truthinadvertising.org/miami-cancer-institute-database>.

We trust that Miami Cancer Institute will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

L. David de La Parte, Exec. VP/General Counsel
H. Lee Moffitt Cancer Center
12902 USF Magnolia Drive #SRB-OGC
Tampa, FL 33612
[REDACTED]

Re: Deceptive Marketing by Moffitt Cancer Center

Dear Mr. de La Parte:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Moffitt Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Moffitt Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/moffitt-cancer-center-database>.

We trust that Moffitt Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA REGULAR MAIL

Legal Department
New England Cancer Specialists
105 Topsham Fair Mall Road
Topsham, ME 04086

Re: Deceptive Marketing by New England Cancer Specialists

Dear Sir or Madam:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that New England Cancer Specialists is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in New England Cancer Specialists's marketing can be found here: <https://www.truthinadvertising.org/new-england-cancer-specialists-database>.

We trust that New England Cancer Specialists will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Annette Johnson, Senior VP and General Counsel
Schwartz Health Care Center 15
c/o New York University
530 First Ave
New York, NY 10016
[REDACTED]

Re: Deceptive Marketing by New York University

Dear Ms. Johnson:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote novel treatments, such as clinical trials, immunotherapy, and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which not only generates false hope but may also persuade patients to leave

their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that New York University is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in New York University's marketing can be found here: <https://www.truthinadvertising.org/new-york-university-database>.

We trust that New York University will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, 176 JAMA Intern Med. 1068 (2016).



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Kristen Murtos, Chief Administrative & Strategy Officer
Northshore University HealthSystem
c/o Northshore Kellogg Cancer Center
1301 Central Street
Evanston, IL 60201
[REDACTED]

Re: Deceptive Marketing by Northshore Kellogg Cancer Center

Dear Ms. Murtos:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Northshore Kellogg Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Northshore Kellogg Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/northshore-kellogg-cancer-center-database>.

We trust that Northshore Kellogg Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Legal Department
Northwestern Medicine Chicago Proton Center
4455 Weaver Parkway
Warrenville, IL 60555
[REDACTED]

Re: Deceptive Marketing by Northwestern Medicine Chicago Proton Center

Dear Sir or Madam:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Northwestern Medicine Chicago Proton Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Northwestern Medicine Chicago Proton Center's marketing can be found here:

<https://www.truthinadvertising.org/northwestern-medicine-chicago-proton-center-database>.

We trust that Northwestern Medicine Chicago Proton Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Stacey Bennett, Assistant General Counsel of Legal Affairs
Office of Legal Affairs
The Ohio State University
1590 N High St Ste 500
Columbus, OH 43201
[REDACTED]

Re: Deceptive Marketing by Ohio State University

Dear Ms. Bennett:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Ohio State University is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Ohio State University's marketing can be found here: <https://www.truthinadvertising.org/ohio-state-university-database>.

We trust that Ohio State University will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Lee Dobkin, General Counsel
University of Pennsylvania
c/o Penn Medicine/Abramson Cancer Center
2929 Walnut St., Ste 400
Philadelphia, PA 19104
[REDACTED]

Re: Deceptive Marketing by Penn Medicine/Abramson Cancer Center

Dear Mr. Dobkin:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Penn Medicine/Abramson Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Penn Medicine/Abramson Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/penn-medicine-abramson-cancer-center-database>.

We trust that Penn Medicine/Abramson Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Michael Sommi, Executive VP and Legal Counsel
Provision Healthcare, LLC
c/o Provision Center for Proton Therapy
1400 Dowell Springs Blvd Ste 350
Knoxville, TN 37909
[REDACTED]

Re: Deceptive Marketing by Provision Center for Proton Therapy

Dear Mr. Sommi:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Provision Center for Proton Therapy is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Provision Center for Proton Therapy's marketing can be found here: <https://www.truthinadvertising.org/provision-center-for-proton-therapy-database>.

We trust that Provision Center for Proton Therapy will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Michael Sexton, General Counsel
Roswell Park Cancer Institute
1 Elm and Carlton Institute
Buffalo, NY 14203
[REDACTED]

Re: Deceptive Marketing by Roswell Park Cancer Institute

Dear Mr. Sexton:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Roswell Park Cancer Institute is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Roswell Park Cancer Institute's marketing can be found here: <https://www.truthinadvertising.org/roswell-park-cancer-institute-database>.

We trust that Roswell Park Cancer Institute will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Carl Bergetz, General Counsel
Rush University Medical Center
c/o Rush University Cancer Center
1700 W. Van Buren Street Suite 301
Chicago, IL 60612
[REDACTED]

Re: Deceptive Marketing by Rush University Cancer Center

Dear Mr. Bergetz:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Rush University Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Rush University Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/rush-university-cancer-center-database>.

We trust that Rush University Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

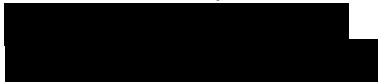
³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

John Hoffman, General Counsel
Rutgers Cancer Institute of New Jersey
Rutgers, The State University of New Jersey
Liberty Plaza
335 George Street, Suite 2160
New Brunswick, NJ 08901



Re: Deceptive Marketing by Rutgers Cancer Institute of New Jersey

Dear Mr. Hoffman:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Rutgers Cancer Institute of New Jersey is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Rutgers Cancer Institute of New Jersey's marketing can be found here: <https://www.truthinadvertising.org/rutgers-cancer-institute-of-new-jersey-database>.

We trust that Rutgers Cancer Institute of New Jersey will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Denise Jones, Assistant VP and Legal Counsel
Sarah Cannon
1100 Charlotte Ave, Suite 800
Nashville, TN 37203
[REDACTED]

Re: Deceptive Marketing by Sarah Cannon Cancer Center

Dear Ms. Jones:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Sarah Cannon Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Sarah Cannon Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/sarah-cannon-cancer-center-database>.

We trust that Sarah Cannon Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Richard Sheridan, General Counsel
Scripps Health
c/o Scripps Proton Therapy Center
10140 Campus Point Dr.
San Diego, CA 92121
[REDACTED]

Re: Deceptive Marketing by Scripps Proton Therapy Center

Dear Mr. Sheridan:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Scripps Proton Therapy Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Scripps Proton Therapy Center's marketing can be found here: <https://www.truthinadvertising.org/scripps-proton-therapy-center-database>.

We trust that Scripps Proton Therapy Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

L. Stephanie Mays, General Counsel
Seattle Cancer Care Alliance
P.O. Box 19023
Seattle, Washington 98109
[REDACTED]

Re: Deceptive Marketing by Seattle Cancer Care

Dear Ms. Mays:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Seattle Cancer Care is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Seattle Cancer Care's marketing can be found here: <https://www.truthinadvertising.org/seattle-cancer-care-database>.

We trust that Seattle Cancer Care will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Monica Allen, General Counsel
Washington University of St. Louis
c/o Siteman Cancer Center
1 Brookings Drive
Campus Box 1058
St. Louis, MO 63130
[REDACTED]

David Aplington, General Counsel
BJC Health System, Inc.
c/o Siteman Cancer Center
4901 Forest Park Ave
St. Louis, MO 63108
[REDACTED]

Re: Deceptive Marketing by Siteman Cancer Center

Dear Ms. Allen and Mr. Aplington:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Siteman Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Siteman Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/siteman-cancer-center-database>.

We trust that Siteman Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

William Aseltyne, General Counsel
Yale New Haven Health System
c/o Smilow Cancer Hospital
789 Howard Ave., CB230
New Haven, CT 06510
[REDACTED]

Re: Deceptive Marketing by Smilow Cancer Hospital

Dear Mr. Aseltyne:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Smilow Cancer Hospital is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Smilow Cancer Hospital's marketing can be found here: <https://www.truthinadvertising.org/smilow-cancer-hospital-database>.

We trust that Smilow Cancer Hospital will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Gretchen Lachance, Assistant General Counsel
Sutter Health
c/o Sutter Cancer Center
2480 Natomas Park Dr., Ste. 150
Sacramento, CA 95833
[REDACTED]

Re: Deceptive Marketing by Sutter Cancer Center

Dear Ms. Lachance:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Sutter Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Sutter Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/sutter-cancer-center-database>.

We trust that Sutter Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Aileen Ugalde, General Counsel
University of Miami
c/o Sylvester Comprehensive Cancer Center
P.O. Box 248052
Coral Gables, FL 33124
[REDACTED]

Re: Deceptive Marketing by Sylvester Comprehensive Cancer Center

Dear Ms. Ugalde:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Sylvester Comprehensive Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Sylvester Comprehensive Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/sylvester-comprehensive-cancer-center-database>.

We trust that Sylvester Comprehensive Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

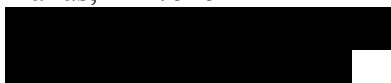
³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Kate Bowen, General Counsel
Texas Oncology Corporate Office
12221 Merit Dr., Suite 500
Dallas, TX 75251



Re: Deceptive Marketing by Texas Oncology

Dear Ms. Bowen:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Texas Oncology is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Texas Oncology's marketing can be found here: <https://www.truthinadvertising.org/texas-oncology-database>.

We trust that Texas Oncology will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Jon DeBardleben, Senior Counsel
UF Health Jacksonville
c/o University of Florida
655 W. 8th St.
Jacksonville, FL 32209
[REDACTED]

Re: Deceptive Marketing by University of Florida

Dear Mr. DeBardleben:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that University of Florida is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in University of Florida's marketing can be found here: <https://www.truthinadvertising.org/university-florida-database/>.

We trust that University of Florida will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Office of General Counsel for University and Medical Center
c/o University of Kansas Cancer Center
Mailstop 2013
3901 Rainbow Boulevard
Kansas City, KS 66160
[REDACTED]

Re: Deceptive Marketing by University of Kansas Cancer Center

Dear Sir or Madam:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that University of Kansas Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in University of Kansas Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/university-kansas-cancer-center-database>.

We trust that University of Kansas Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

W. Thomas McGough, Jr., Executive VP and CLO
University of Pittsburgh Medical Center
600 Grant Street, Suite 6241
Pittsburgh, PA 15219
[REDACTED]

Re: Deceptive Marketing by University of Pittsburgh Medical Center

Dear Mr. McGough:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

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Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that University of Pittsburgh Medical Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in University of Pittsburgh Medical Center's marketing can be found here: <https://www.truthinadvertising.org/university-pittsburgh-medical-center-database>.

We trust that University of Pittsburgh Medical Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Kelly Wilson, Senior VP and CLO
University of Wisconsin Hospitals & Clinics
c/o University of Wisconsin Cancer Center
600 Highland Ave., Rm H4/828
Madison, WI 53792
[REDACTED]

Re: Deceptive Marketing by University of Wisconsin Cancer Center

Dear Ms. Wilson:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes,

families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that University of Wisconsin Cancer Center is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in University of Wisconsin Cancer Center's marketing can be found here: <https://www.truthinadvertising.org/university-wisconsin-cancer-center-database>.

We trust that University of Wisconsin Cancer Center will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.



October 22, 2018

VIA EMAIL AND REGULAR MAIL

Steve Sencer, General Counsel
Emory University
c/o Winship Cancer Institute
101 Administration Building
201 Dowman Drive
Atlanta, GA 30322
[REDACTED]

Re: Deceptive Marketing by Winship Cancer Institute

Dear Mr. Sencer:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising.

We recently conducted a review of patient testimonials used to promote the 50 cancer treatment centers in the U.S. that spent the most money on advertising in 2017.¹ Our results revealed that, of the cancer centers still in business in 2018, 43 out of 48 – or 90% – deceptively used patient testimonials in their marketing materials by promoting anecdotal, atypical patient results without clearly and conspicuously disclosing what the generally expected results for a patient in a similar situation would be. *See* <https://www.truthinadvertising.org/cancer-centers-summary-action/>.

Specifically, TINA.org's investigation found hundreds of testimonials featuring patients with cancer types that have a less than 50 percent five-year survival rate,² being used in direct-to-consumer marketing materials to advance the narrative, either explicitly or implicitly, that treatment at a specific cancer center will provide patients with a therapeutic advantage, allowing them to beat the odds and live beyond five years. Moreover, within this sampling of deceptive testimonials many also promote clinical trials (i.e., research endeavors with no guarantee of therapeutic benefit), as well as novel treatments, such as immunotherapy and/or experimental procedures, without clearly and conspicuously disclosing their limitations, risks and relative rarity.

Cancer patients and their families are uniquely susceptible to this type of deceptive marketing, which may generate false hope and persuade patients to leave their homes, families, and other support systems in their communities in order to pursue the promise of better treatment or a cure that is not likely to exist.³

TINA.org found that Winship Cancer Institute is one of the cancer centers using this type of deceptive marketing tactic. A database containing a sampling of patient testimonials that are being deceptively used in Winship Cancer Institute's marketing can be found here: <https://www.truthinadvertising.org/winship-cancer-institute-database>.

We trust that Winship Cancer Institute will take immediate action to remediate or remove any and all deceptive testimonials from its marketing materials – including its website, social media pages, television, radio, internet, and print advertisements, and anywhere else such deceptive testimonials may be published or aired – as well as ensure that no future marketing materials promote atypical experiences without clearly and conspicuously disclosing what patients in similar situations should generally expect. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

¹ Based on data obtained from Kantar Media.

² TINA.org used the five-year survival statistics published on the NIH National Cancer Institute Surveillance, Epidemiology, and End Results Program website (<https://seer.cancer.gov/statfacts/>) in determining which testimonials portray atypical results and are thus deceptive. In cases where such statistics were not available, TINA.org looked to other sources, including Cancer.org and Cancer.net.

³ Lisa M. Schwartz and Steven Woloshin, *Cancer Center Advertising – Where Hope Meets Hype*, JAMA Intern Med., August 2016, Vol. 176, No. 8.