



March 28, 2016

VIA OVERNIGHT MAIL AND EMAIL

Michael Breshears, Chief Executive Officer
Scott Seedall, General Counsel
Kyani, Inc.
1070 Riverwalk Dr, Suite 350
Idaho Falls, ID 83402



Re: Deceptive Marketing for Kyani Business Opportunity and Products

Dear Mr. Breshears and Mr. Seedall:

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 have found that your company, Kyani, Inc., and its distributors are engaged in a deceptive marketing campaign for the Kyani business opportunity and product lines.

Specifically, Kyani distributors are making a multitude of unsubstantiated disease-treatment claims about Kyani products, such as being able to treat, cure, or alleviate the symptoms of cancer, diabetes, fibromyalgia, arthritis, anxiety, autism, ADHD, migraines, gout, insomnia, shingles, lupus, multiple sclerosis, post-traumatic stress disorder, and a host of other medical ailments. The company and the members of its Scientific Advisory Board also make unsubstantiated health claims and frequently highlight that the name Kyani means “strong medicine” in Native Alaskan, sometimes even suggesting that the product can, and should, replace prescription medications.

TINA.org also found that Kyani and its distributors are using deceptive income claims regarding the financial gains consumers will achieve by becoming distributors. For example, Kyani advertises that it “offers the most aggressive, most lucrative compensation plan in the industry,” and its distributors make a host of unrealistic financial promises, ranging from getting a company car to making millions of dollars. Not only are such results not typical, but the marketing claims that boast such atypical results are made without clearly and conspicuously providing appropriate income disclosures.

Based on this information, we intend to notify the Federal Trade Commission that Kyani and its distributors are engaged in a deceptive marketing campaign unless, by **April 4, 2016**, you show us that you have fully corrected the issues described above, have taken steps to ensure that there are no future misrepresentations, and have made every effort to alert Kyani customers of these issues.

Sincerely,

A handwritten signature in blue ink that reads "L. Smith". The signature is written in a cursive, flowing style.

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