

FBI Exhibit No. 43: FoodQuestTQ LLC June 2011 briefing of the FDA Food Defense Team.

The plaintiff and his business partners presented several briefings to U.S. Government officials that contained proprietary and copyrighted expressions of plaintiff's doctoral dissertation, patented ideas and the trade secrets developed by the plaintiff as he reduced his invention to practice. During each and every interaction with employees of the U.S. Department of Agriculture and the Food and Drug Administration including JIFSAN, U.S. Government employees were reminded of the confidentiality provisions of Title 18 U.S.C. Prior to the presentation of any demonstrations and briefings, the U.S. Government employees verbally consented to protect as business confidential the information being presented to them. All materials presented were clearly marked as containing proprietary information.

The FoodQuestTQ LLC researcher alleges that FDA employees intentionally misappropriated proprietary and copyrighted expressions of his doctoral dissertation, patented ideas and the trade secrets developed as he reduced his invention to practice. Specifically, the FoodQuestTQ LLC researcher alleges that Mr. Jody Menikheim and other members of the FDA Food Defense Team did willfully, knowingly and intentionally misappropriate proprietary and copyrighted expressions of his doctoral dissertation, patented ideas and the trade secrets developed as he reduced his invention to practice in order to duplicate the company's food risk management tools for building food defense plans.

In June 2011 plaintiff presented a demonstration of FoodQuestTQ's automated food risk management software to several members of the FDA Food Defense Team. The FDA Food Defense Team is an organizational unit created to manage FDA activities to protect the food supply. During each and every interaction with employees of the U.S. Department of Agriculture and the Food and Drug Administration including JIFSAN, U.S. Government employees were reminded of the confidentiality provisions of Title 18 U.S.C. Prior to the presentation of any briefings or demonstrations, the U.S. Government employees verbally consented to protect as business confidential the information being presented to them. All materials presented were clearly marked as containing proprietary information.