

# PUBLIC NOTICE

## **Re: Final Notice regarding abandoned equipment left in ETC offices**

A headless Zero Gravity device manufactured by BodyBalance System (Body Balance) was brought into our medical clinic in October 2022 by Dan Lier, Sales Rep for Body Balance on evaluation and services trade.

- ETC never provided a Purchase Order for this device
- ETC never received a written quote from Body Balance for this device
- ETC never received an invoice from Body Balance for this device
- ETC never made any payment to Body Balance for the device
- ETC did, in fact, request the device be removed multiple times over a period of 6 months as the design was a poor match to our clinical needs and presents a list of Personal Injury and Public Safety issues

ETC was told the headless, Zero Gravity device would be removed from ETC offices when the custom fabricated medical device, “Arch System” was completed within 8 weeks (December 2022).

It is our experience that Sales Reps often structure similar as an “Anchor” where they maintain the relationship with a potential client based on the use of an evaluation device. Also, Lier had a medical condition that could be successfully eliminated by our high-end Biophotonics equipment and he - while in the presence of Londo - provided this device at no cost to ETC to use until our custom fabricated device was delivered and approved. We also have security video (video and audio) capturing Lier explaining this “deal” to ETC Staff.

However, the Arch System was finally delivered 8 months later, but still only 2/3<sup>rd</sup>s complete. ETC had made progressive payments to Body Balance for the 2/3<sup>rd</sup>s Arch System (\$54K which is 2/3<sup>rd</sup>s of the agreed upon \$82K purchase price). However, while ETC waited for Body Balance to complete the last 1/3<sup>rd</sup> of the custom fabrication project, Body Balance seized the Arch System from ETC offices providing a receipt for the headless Zero Gravity device, fraudulently re-directing the Arch System payments toward the purchase of the headless Zero Gravity device and falsely claiming debt owed on the Arch System.

There exist 137 written references (text messages) for the custom fabrication of the Arch System, a medical device development project between ETC and Body Balance staff over a period of 8 months. These communications focus on engineering design and the progressive payments. There are no communications regarding any payments for the headless Zero Gravity device.

ETC has 4 years and well over \$1M in research evaluation enabling the design of the custom Arch System including 1,500 patient cases and 150,000 treatments. ETC payments into Body Balance were directed funding ONLY for the Arch System.

**The ETC Chief Legal Officer Brief:**

*“The redirecting of good-faith payments presented for the purchase of a specific product to any other purpose or product constitutes a conspiracy to commit criminal fraud. The seizure of the medical device borne of such a project with the claim that the monies were not paid to support the development and purchase of the device compounds the seriousness of this conspiracy fraud crime and grand theft can be argued. Case Law suggests such a blatant effort to steal an innovative design – the first production unit along with the Intellectual Property - for profit is not only civil, but also criminal in nature.”*

**Conspiracy to Defraud/Grand Theft:**

On the morning of May 25<sup>th</sup>, 2023, Londo and 2 of his staff entered the ETC clinic at 3505 E Flamingo Rd., Ste.3, Las Vegas, NV 89121 and presented a fraudulent Paid Receipt for a headless Zero Gravity device for \$46,000 (\$10,000 more than the \$36,000 verbal quote Dan Lier, Sales Rep for Body Balance, provided many months before) for a device placed in the ETC clinic on evaluation and trade for services. ETC had never received a formal written quote, nor an invoice for this device from Body Balance and ETC had never made any payment for the device. While ETC and Body Balance discussed the possibility of installing one of these headless, Zero Gravity devices in each of our planned 5,000 clinics, to do so required significant design modifications that Body Balance never performed ... there was not even a plan nor an approved design that could be considered a project effort. The headless, Zero Gravity device had been evaluated and rejected and since no plan was embraced, ETC expected the device to be removed from the ETC clinic by Body Balance in late 2022.

In October 2022, ETC hired Body Balance for a custom fabrication project dubbed the “Arch System”. Londo (owner of Body Balance) stated the project would be completed within about 8 weeks (Oct-Dec), but the effort dragged on over 8 months and was never completed. During this time, the Zero Gravity device was referred to repeatedly by Lier and Londo as an “incentive loaner” supporting the fabrication project and ultimately to secure the high-dollar manufacturing contract of the custom Arch System.

All monies paid by ETC to Body Balance – a total of \$54,001 - was directed, per 137 written references, to the Arch System project. There are no written references for any of the \$54,001 monies paid by ETC to Body Balance toward the headless, Zero Gravity device.

After presenting the fraudulent receipt on the morning of May 25<sup>th</sup>, 2023, Londo and his staff then seized the Arch System which ETC had directed timely payments of \$54,001 per the terms of the agreement. ETC designed, purchased and owns the Arch System – this physical 2/3<sup>rds</sup> version - and controls the Intellectual Property of the device (ETC has filed for a U.S. Patent).

Also, Body Balance has not returned the differential balance of \$8,001 per their own out-of-sync scam (the difference between their arbitrary \$46,000 receipt for the Zero Gravity device and the \$54,001 ETC paid for the Arch System). Nor has Body Balance attached this out-of-sync

\$8,001 monies to any other product or service. Body Balance, failing to pick up their rejected headless Zero Gravity device ... a device we have made very clear - by written instrument - we had no interest in purchasing unless modifications were made to support our clinic rollouts, is an all-too convenient ploy to redirect the monies paid for our Arch System development project.

ETC has filed both criminal and civil cases against Body Balance and its principals.

**The headless, Zero Gravity device is declared abandoned as of: 2023.05.15**

Wellness, etc. Corporation  
3505 E Flamingo Rd. Ste.3  
Las Vegas, NV 89121