EXHIBIT 9

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February 21, 2006

BY MESSENGER

Ross E. Kimbarovsky
Ungaretti & Harris LLP
3500 Three First National Plaza
Chicago, IL 60602

Re: *QT v Mayo*

Dear Ross:

During our January 9, 2006, conference, QT requested that Mayo produce the Ionized Bracelet Study records in unredacted form. We understand that QT wants to correlate the various documents with each other, and correlate all study documents related to a given patient. We understand that QT also wants identifying information in order to determine which, if any, patients it might subpoena for deposition.

Mayo is willing to produce the entirety of the study records with fewer redactions than Mayo made in its production responsive to subpoenas in the *Casey v. QT* and *FTC v. QT* matters. For example, Mayo's production for this case will reflect the following additional information that was redacted out in the previous production:

- Patient's study folder
- Patient's bracelet wrapper
- Patient's study number
- Patient's assigned bracelet grouping ("A" or "B")
- Patient's bracelet size
- Patient's date of enrollment
- Study IRB #
- Dates unrelated to identification of the individual patient

To illustrate what we plan to do, I enclose a sample copy of a patient's study file redacted according to this proposal, and on which I have highlighted the above-noted information.

Mayo's production for this case will allow QT to correlate all study documents related to a given patient. If, by some chance, QT should find a document that it believes it cannot correlate to a given patient's study number, Mayo is willing to help QT to identify the patient study number for such document on an as-needed basis.

As soon as possible, Mayo will begin a rolling production of the Ionized Bracelet study documents following the redaction protocol I have described above.

Mayo will not, however, agree to produce completely unredacted patient records. Such a production is contrary to Florida law. Under Florida law, identifiable patient health information for a third party is protected from disclosure and Mayo will not agree to produce it.

If this proposal is unacceptable to you, we are interested in bringing the issue before Judge Moran as soon as possible for resolution. We are willing to meet and confer immediately in order to determine if a compromise is possible and, if not, to narrowly define our dispute and have it ready for Judge Moran's resolution at our March 7, 2006, conference.

Please give me a call to discuss this.

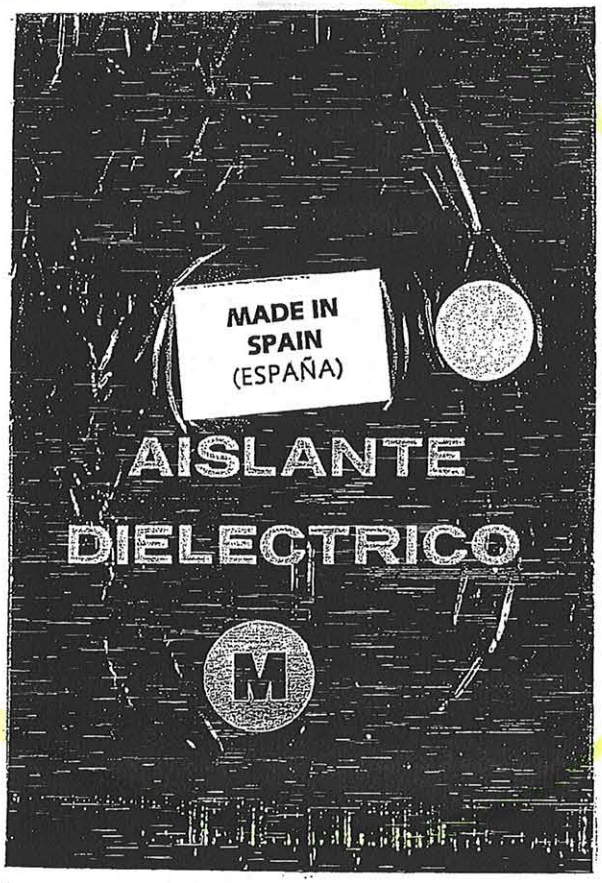
Very truly yours,

Scott

J. Scott McBride

REDACTED

442A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Retain in medical record

Name and Registration No.

MAYO CLINIC JACKSONVILLE

TITLE: "The Benefits of Ionized Wrist Bracelets" IRB B-1086-99 00

INVESTIGATOR: Dr. Robert L. Bratton and Colleagues

APPROVED BY INSTITUTIONAL REVIEW BOARD: October 17, 2000

This is an important form. Please read it carefully. It tells you what you need to know about this study. If you agree to take part in this research study, you need to sign this form. Your signature means that you have been told about the study and what the risks are. Your signature on this form also means that you want to take part in this study.

What are the warnings and restrictions related to this study?

- You cannot participate in this study if you have an implanted electrical device (i.e. pacemaker, electronic defibrillator, etc.).
- You cannot participate in this study if you are pregnant, suspected to be pregnant, or breast-feeding.
- You cannot participate in this study if you take any new medication for joint or muscle pain (ie. anti-inflammatories) during this study.
- You must be at least 18 years of age to participate in this study.
- You cannot expose bracelet to salt water or x-ray equipment for more than 30 minutes, (the manufacturer claims it will deactivate it).
- You must have joint or muscle pain to participate in this study.
- The bracelet should be worn on the right wrist with the two terminals (apart between ½ and 1 ½ inches) in the up position. After 2 weeks, if no change is noticed, the bracelet should be switched to the left wrist, with the terminals in the down (underside) position of the wrist".

Why is this study being done?

This study is being done to determine if the use of ionized wrist bracelets is effective in relieving joint and muscle pain.

How many people will take part in the study?

The plan is to have 610 people take part in this study. 305 will receive an activated bracelet and 305 will receive placebo bracelet.

What will happen in the study?

The study will last 4 weeks. You will be assigned randomly, as in the toss of a coin, to wear a bracelet that has activity or a bracelet with no activity. You will:

- Wear the bracelet 24 hours per day.
- Fill out questionnaires which measures joint and muscle pain at the beginning of the study, then again 1 and 3 days after the starting the bracelet, and then weekly for 4 weeks.
- You will then return your questionnaires at a designated time and location.
- A participant that has to begin taking any new medication for joint or muscle pain (i.e. anti-inflammatories) or has exposure to salt water or x-ray equipment for more than 30 minutes while wearing the bracelet, is asked to return their bracelet and incomplete questionnaires, notifying us of their off study date.

How long will I be in the study?

You will be in the study for 4 weeks.

Will any biological sample(s) be stored and used in the future by Mayo?

No.

What are the risks of the study?

- Irritation from the bracelet. If you experience any pain or discomfort with the use of the bracelet, you should remove the bracelet and contact the study coordinator.
- The bracelet may temporarily discolor the wrist – this will resolve when bracelet is removed.
- This study may be harmful to an unborn or breast-fed child. There is not enough medical information to know what the risk might be to a breast-fed infant or to an unborn child in a woman who takes part in this study. Birth control measures (birth controls pills, condoms, diaphragms, IUD's, Norplant, prior tubal ligation or hysterectomy) must be used by all women who can become pregnant and are sexually active. Breast-feeding mothers must stop breast-feeding to take part in this study.
- The bracelet could potentially interfere with implantable electronic devices; therefore, if you have one you should not participate in this study.

Are there benefits to taking part in this study?

This study may not make your health better; however, possible benefits of this study include reduced pain associated with joints and muscles.

What are the costs of tests and procedures?

There are no test or procedures involved in this study. However, you and/or your health plan will need to pay for all other tests and procedures that you would normally have as a part of your regular medical care.

If you finish the study, you will receive an activated ionized bracelet from Q-ray for your participation at the time you return your completed questionnaires.

Who can answer my questions?

You may talk to Dr. R. L. Bratton and associates at any time about any question you have on this study. You may contact Dr. Bratton by calling the Mayo operator at telephone (904) 953-2000.

What are my rights if I take part in this study?

Taking part in this research study is your decision. You do not have to take part in this study, but if you do, you can stop at any time. Your medical care at Mayo now or in the future will not be affected whether or not you take part in this study.

The investigators or Mayo may stop you from taking part in this study at any time if it is in your best interest, if you do not follow the study rules, or if the study is stopped. You will be told of important new findings or any changes in the study or procedures that may happen.

What happens if I am injured because I took part in this study?

Mayo will not give free medical care or payment for any bad side effects from taking part in this study. Medical services will be given at the usual charge. You can get further information about Mayo policies, the conduct of this study, or the rights of research subjects from Barbara L. Porter, Secretary of the Institutional Review Board, Section of Research Services, Mayo Foundation, telephone (507) 284-2329.

What about confidentiality?

Data from this study may be published. However, your name and other identifying information will not be sent outside of Mayo without written permission unless the law allows it. Your medical record will be used by the investigators in this study. Your medical records may be made available to the Food and Drug Administration as provided in federal regulations.

I have had an opportunity to have my questions answered. I have been given a copy of this form. I agree to take part in this study.

12/20/00 4:10 pm — REDACTED

(Date) (Signed and Printed Name of Participant) (Clinic Number)

12/20/00 4:10 pm Linda Hall Linda Hall

(Date) (Signed and Printed Name of Individual Obtaining Consent)

12-20-00 4:10 pm — REDACTED

(Date) (Signed and Printed Name of Witness)