

EXHIBIT 38

From: Audrae Erickson <aerickson@corn.org>
Sent: Thursday, July 16, 2009 2:43 PM
To: Carol Moreau
Subject: RE: update on various components of our collaboration

Thank you for this very helpful summary of on-going activities Dr. Rippe. I would be happy to discuss this update by phone whenever your schedule permits – no rush!

I heard that the tour was most interesting. Thank you very much for showing your research laboratory to Dr. White.

Best regards,

Audrae

From: Carol Moreau [mailto:cmoreau@rippelifestyle.com]
Sent: Thursday, July 16, 2009 3:19 PM
To: Audrae Erickson
Subject: update on various components of our collaboration

Dear Audrae,

I thought I would drop you a brief note to update you on a number of areas of progress on the collaboration between Rippe Lifestyle Institute and the Corn Refiners Association.

I had an excellent meeting with John White earlier this week when he traveled to our research laboratory in Orlando to discuss a wide variety of issues and also monitor progress on our two CRA sponsored studies. I am sure he will be sending you his report under separate cover. It was a very productive meeting. I very much appreciate John's willingness to travel to our facility to review all of the various areas where his and our work intersects.

Let me briefly review some of the topics that John White and I discussed.

CURRENT STUDIES

We are making excellent progress on all fronts in the current studies. We have a full court press going in both studies to ramp up our recruitment. We are confident that we will have recruitment completed before the end of Calendar Year 2009.

UPCOMING PRESENTATIONS AND ARTICLES

John White and I had an opportunity to review a number of upcoming presentations and articles related to HFCS and sucrose. Here are a few of the highlights:

- **Article in Food Technology** – John White and I are committed to working with Dr. David Klurfeld to generate an article *for Food Technology* that is based on the presentation that the three of us gave at IFT.

- **Article for the American Journal of Lifestyle Medicine** – John will be generating an outline over the next few weeks for this. This is an article that will go to the 15,000 clinicians who are readers of the *American Journal of Lifestyle Medicine*. It will be a clinically oriented article describing the equivalence between HFCS and sucrose by every metabolic parameter yet measured with practical information that clinicians can employ in their daily practices.
- **Physician and Sports Medicine** – Dr. Angelopoulos and I have been invited to write an article for *Physician and Sports Medicine* (a widely circulated journal amongst physicians) on High Fructose Corn Syrup. Our deadline for this is November 15, 2009.
- **Article on Uric Acid and Triglycerides** – As you know, we are in the final stages of preparing the article that is based on our ILSI/USDA presentation showing the equivalence of HFCS and sucrose when it comes to uric acid and postprandial triglycerides.
- **Energy Regulation in Obese Females** – We are also preparing an article on this topic which we will be submitting within the next few months to the *American Journal of Clinical Nutrition*. This is analogous to the article we published several years ago in *Nutrition*. The current article duplicates the experiment in obese females showing no difference in energy regulating hormones when comparing HFCS with sucrose.
- **Presentation at the Obesity Society** – As you know, we have recently received notification that we have had accepted our abstract for the Obesity Society. This abstract reports that there is no difference between High Fructose Corn Syrup and sucrose when it comes to postprandial triglycerides in individuals with insulin resistance.

PHASE II STUDIES

I have had several discussions now with John White about potential new directions for Phase II Studies for the Corn Refiners Association. I very much like your idea of studying normal levels of fructose utilizing new data from Bernadette Marriott. The point of doing this would be to show that fructose at normally consumed levels, whether it comes from High Fructose Corn Syrup or sucrose, does not lead to any metabolic abnormalities.

I believe that this direction of research is all the more important given some of the new information that John White shared with me based on his participation in the recently completed Florida Dietetic Association Meeting. John was there to make a brief presentation about High Fructose Corn Syrup as part of a sponsored breakfast. Peter Havel was also an invited speaker there and he reiterated his assertion that he has received an NIH Grant looking at dose/response in fructose and the potential for metabolic abnormalities. John thought that he would be looking at 10%, 17.5% and 25% of fructose in the diet. It was John's understanding that he would be delivering these not only as pure fructose, but also as High Fructose Corn Syrup and sucrose. Certainly the 17.5% and 25% are way above normal consumption levels. This builds on the line of research that Dr. Havel has been pursuing for a number of years now.

I believe there is real danger for the CRA in this line of work. You know that Dr. Havel is basically pushing in the direction of saying that fructose from any source, whether it be High Fructose Corn Syrup, sucrose or pure fructose, is dangerous. Having our data from Phase II studies to show that at normal levels of fructose consumption this is not the case offers a

rebuttal to Dr. Havel's work since it would indicate that what he is studying an extreme situation rather than the real world situation that most people have in their lives.

I would like to be helpful in any way that I could to push forward a discussion about this potential direction for Phase II research studies. I remain hopeful that we can get enough consensus around this issue so that we can put it in front of the CRA Board at the November 2009 meeting and move onto these studies immediately following completion of our current round of studies. Any significant lag beyond that I believe raises the danger that once again Peter Havel will be the only person out there talking about this issue and he will be saying that fructose from any source is dangerous. (This analysis is part of my job as the "canary" for the CRA, trying to warn of impending danger if proactive steps are not taken.)

I know you are busy with a variety of things right now, but wonder if we could have a brief phone conversation to determine next steps. If you would like me to, I would be happy to put together a reformulated Phase II research concept draft incorporating these ideas so that we can start discussing it with the Health and Wellness Committee. I will ask my assistant Carol Moreau to reach out to Shannon and see if we can arrange a phone call sometime in the next week to ten days.

I hope all is well with you and that you are getting at least a little time to relax and perhaps even have some vacation over the course of the summer. I will look forward to talking with you soon.

With warm regards,

Sincerely,

James M. Rippe, M.D.

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