
From: Bobby Bennett <BobbyBennett@dsdental.net>
To: nfluebke@execpc.com <nfluebke@execpc.com>
CC: Steve Treadway <STreadway@dsdental.net>
Sent: 7/6/2010 9:33:02 AM
Subject: RE: My recent visit

Hello Neill,

Thanks for coming to visit with us and the constructive discussion we were able to begin. Once you have your expense report completed just send it to my attention and as discussed with Fran, I will pick up 50% of the cost. I have listed below a starting point for our future discussions.

- D&S Dental will engage you as an expert consultant on the benefits of advanced technology in endodontic care. We'll need to talk about the scope of your work for D&S Dental, your availability, the term of the consulting contract [say 5 years], and your compensation.

- In a separate agreement D&S Dental will purchase the rights to your inventions and will pay you a royalty on the products we sell that use your technology. This royalty agreement will need to be drafted but there are some issues that can be listed right away:

- a. The royalty percentage; we suggest [2.0%].
- b. The definition of "products using your technology" will need to be refined.
- c. The term of the agreement; we suggest [17] years.
- d. Our ability to patent future inventions that may depend on the art in your present invention.
- e. How we work with the US patent office to resolve your present patent application.

D&S Dental and its founders have a track record of successful commercialization, and I believe that combining our efforts will lead to successful commercialization of our ideas. If you have any questions or if you think I missed something, please call me right away.

Take care
BB

Bobby Bennett
Vice President/General Manager
DS Dental, LLC
3111 Hanover Road
Johnson City, TN 37604

(423) 433-6406 Direct
(423) 928-1299 Ext: 206
(423) 747-5947 Mobile
(423) 928-1266 Fax

<http://dsdental.net>

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GOLD STANDARD EXHIBIT 2038

To: Bobby Bennett
Subject: My recent visit

Bobby,

I just wanted to let you know that I appreciated the opportunity to visit D&S Dental and meet you and the other staff. Of course I enjoyed talking shop with you and the dentist you brought in for the meeting.

Your excellent "shuttle services" were appreciated and I enjoyed dinner with you and your wife Melissa. My wife informed me that ancestry.com, a subscription genealogy site, has some Native American records including databases. I couldn't tell her a name or what tribe her ancestor belonged to, so she only did a word search on Cherokee to see what came up.

I just wanted to let you know that I tried to be as candid as I could under the current constraints and sensed that you probably felt the same way. This is why I suggested that we let our attorneys handle proposals that might emerge from our meeting.

Looking forward to a continued relationship,

Neill