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2007 NOV - 6 PM 3: 14

CLERK U.S. DISTRICT COURT
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SCOTT J. FERRELL, Bar No. 202091
JAMES J. HARDIN, Bar No. 205071
CALL, JENSEN & FERRELL
A Professional Corporation
610 Newport Center Drive, Suite 700
Newport Beach, CA 92660
Tel: (949) 717-3000
Fax: (949) 717-3100
sferrell@calljensen.com
jhardin@calljensen.com;

Attorneys for Plaintiffs
and the proposed class

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL RIVERA and DAN ABELL,
individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

BIO-ENGINEERED SUPPLEMENTS &
NUTRITION, INC., d/b/a BSN, INC., a
Florida Corporation, CHRISTOPHER
FERGUSON, an individual, and DOES 1
through ~~250~~, inclusive;

10

Defendants.

Case No. SACV07-1306 JVS (RNBx)

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

Complaint Filed:

Trial Date:

None Set

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1 Plaintiffs Michael Rivera and Dan Abell ("Plaintiffs"), individually and on behalf
2 of the Class described below, by their attorneys, make the following allegations based
3 upon information and belief, except as to allegations specifically pertaining to Plaintiffs
4 and their counsel, which are based on personal knowledge. Plaintiffs bring this action
5 for damages and injunctive relief against Defendants Bio-Engineered Supplements &
6 Nutrition, Inc. ("BSN") and Chris Ferguson, demanding a trial by jury.

8 NATURE OF THE ACTION

9 1. Plaintiffs bring this class action against Defendants to recover damages and
10 other relief available at law and in equity on behalf of themselves and members of the
11 following class:

12 *All persons located within the United States who purchased*
13 *any BSN product purportedly containing "Creatine Ethyl*
14 *Ester Malate" or "CEM3" from November 6, 2003 to the*
15 *present, including BSN's "Cellmass, "Nitrix," and "N.O.-*
16 *Xplode" products.*

17 2. BSN is one of the leading sellers of various nutritional supplements and
18 claims to be one of the fastest growing private companies in the United States.¹ BSN
19 develops, manufactures, and sells nutritional supplements sold to customers who ingest
20 these products for various reasons, including to try to lose weight, gain muscle, increase
21 strength, or improve physical fitness in other ways.

22
23 3. One of BSN's leading products is called "Cellmass." BSN claims – on its
24 product containers, website, and various advertisements – that Cellmass contains a

25
26 ¹ On its website, BSN claims, among other things, it: (1) has grown at a rate of 3,027.3 % over the last three years; (2) is
27 "ranked No. 27 as one of the "fastest growing privately held compan[ies] in America by Inc. 500"; (3) is "ranked No. 2 as
28 the fastest growing privately held company in the Miami-Ft. Lauderdale metro region by Inc. 500"; and (4) "is to be
featured in Forbes Magazine in the Dec 2007 issue as one of the fastest growing privately held companies in America."
(See www.bsonline.net/programs/articles). True and correct copies of relevant excerpts from BSN's website are attached
as Exhibit A.

1 substance it calls "Creatine Ethyl Ester Malate," otherwise referred to as "CEM3tm."
2 BSN claims CEM3 is a new form of Creatine it created, that it possesses a patent
3 pending for this substance, and that CEM3 is far superior to earlier forms of creatine
4 (such as Creatine Monohydrate and Creatine Ethyl Ester). On its website, BSN claims
5 that CEM3 is "the most technologically advanced form of creatine available, and found
6 only in Cellmass from BSN." BSN claims the primary reason Cellmass is superior to
7 competing products is because of the supposed advantages of CEM3 over other, earlier
8 forms of Creatine, including that it supposedly: (a) is "acid resistant" and causes less
9 water retention, cramps, and diarrhea, and (b) offers "unique lipid – and water –
10 'friendly properties which allow it to quickly enter your bloodstream'" and therefore
11 "requires no loading (i.e. high doses of creatine taken for several days)." (See relevant
12 excerpts from BSN's website attached as Exhibit A).

13
14 4. However, the truth is that Cellmass does **not contain any** Creatine Ethyl
15 Ester Malate, despite BSN's claim that CEM3 comprises 18% of each Cellmass bottle.
16 Therefore, BSN's claim that Cellmass contains CEM3 is false, as are its associated
17 claims of superior performance stemming from this non-existent substance. BSN's
18 claim to a patent-pending for CEM3 is also false. In reality, BSN has no patent or
19 patent pending for this non-existent substance. Yet, BSN continues to make these
20 clearly false claims in its advertisements, on its website, and on product labels even
21 though it knows such statements are false.

22
23 5. BSN promotes and sells tens of thousands of Cellmass products at more
24 than \$40 per bottle based on the fundamental claim that each bottle contains a
25 significant amount of a substance – a supposedly new and superior form of creatine that
26 BSN claims to have created – that is in fact completely absent from the Cellmass sold to
27 thousands of customers. Accordingly, BSN's many claims regarding the purported
28 superiority of the Cellmass product due to the alleged properties of CEM3 are also

1 patently false given the complete absence of such a substance in its product. As a
2 result, thousands of consumers have purchased the Cellmass product lacking the
3 primary ingredient BSN claims will offer them superior physical fitness and
4 performance.

5
6 6. Plaintiffs are also informed and believe and thereon allege that BSN falsely
7 claims that other products besides Cellmass contain CEM3, including its "Nitrix," and
8 "N.O.-Xplode" products, when in fact this supposed substance is also completely absent
9 from such products. Accordingly, BSN's many claims regarding the purported
10 superiority of its Nitrix and N.O.-Xplode products due to the alleged properties of
11 CEM3 are also patently false given the complete absence of such a substance in its
12 product. As a result, thousands of consumers have purchased these products lacking the
13 primary ingredient BSN promises will offer them superior physical fitness and
14 performance.

15 16 THE PARTIES

17 7. Plaintiff Michael Rivera is a resident of Orange County, California and has
18 previously purchased and used Cellmass from BSN or its distributors.

19
20 8. Plaintiff Dan Abell is a resident of Orange County, California and has
21 previously purchased and used Cellmass from BSN or its distributors.

22
23 9. Plaintiffs are informed and believe that defendant Bio-Engineered
24 Supplements & Nutrition, Inc. dba BSN, Inc. ("BSN") is a Florida corporation doing
25 business in the State of California. BSN's principal place of business and corporate
26 headquarters is located at 5901 Broken Sound Parkway, Boca Raton, Florida, 33487-
27 2773.

28 ///

10. Plaintiffs are informed and believe that defendant Christopher Ferguson ("Ferguson") is the founder, Chief Executive Officer, and President of BSN and is a resident of Boca Raton, Florida. Plaintiffs are informed and believe that Ferguson is a managing agent and/or principal of or in defendant BSN and that Ferguson and BSN are alter egos.

11. Plaintiffs are informed and believe and thereon allege that at all times herein mentioned, there existed, a unity of interest and ownership between Ferguson and BSN such that any individuality and separateness between them have ceased; that BSN was and/or is dominated and controlled by Ferguson, such that the assets of the corporation were treated as property of Ferguson; that they disregarded corporate formalities, and commingled assets and records to suit their convenience and whim; and that fraud and injustice would thus be promoted by adhering to the fictions of Ferguson and BSN remaining separate and apart from each other, and they should not be allowed to evade justice by asserting the corporate or other limited liability veil.

12. Plaintiffs do not know the true names or capacities of the persons or entities sued herein as DOES 1 to 250, inclusive, and therefore sue such defendants by such fictitious names. Plaintiffs are informed and believe and thereon allege that each of the DOE defendants is in some manner legally responsible for the damages suffered by Plaintiffs and the members of the class as alleged herein. Plaintiffs will amend this complaint to set forth the true names and capacities of these defendants when they have been ascertained, along with appropriate charging allegations, as may be necessary.

JURISDICTION AND VENUE

13. Pursuant to 28 U.S.C. Section 1332, as amended by the Class Action Fairness Act of 2005, this Court has subject matter jurisdiction over this nationwide class action because the matter in controversy exceeds \$5,000,000, exclusive of interest

1 and costs, and some members of the Class are residents of, or entities formed under,
2 states other than California. (See 28 U.S.C. Section 1332(d)(2)(A).)
3

4 14. This Court has personal jurisdiction over each defendant, and venue is
5 proper in this district, pursuant to 28 U.S.C. Section 1391, subsections (a) and (c),
6 because, among other things, Defendants have purposefully availed themselves of the
7 privilege of conducting business activities in California, where they sell the products at
8 issue in this lawsuit to Plaintiffs and other members of the proposed class. Venue is
9 also proper in this district, as the transactions at issue arose in this district and many
10 class members are residents of this district.
11

12 FACTUAL ALLEGATIONS

13 15. Although the claims of various supplement makers vary, in general these
14 products are touted as promoting users' physical fitness in various ways, such as
15 purportedly causing users to lose weight, gain muscle, increase strength, or improve
16 stamina. Supplements are used by athletes of all types, including bodybuilders,
17 recreational weightlifters, and others interested in improving their athletic performance,
18 or physical appearance.
19

20 16. BSN is one of the leading sellers and distributors of nutritional
21 supplements and one of the fastest growing, as indicated by the various claims on its
22 website. For example, BSN claims it: (1) has grown at a rate of 3,027.3 % over the last
23 three years; (2) is "ranked No. 27 as one of the "fastest growing privately held
24 compan[ies] in America by Inc. 500"; (3) is "ranked No. 2 as the fastest growing
25 privately held company in the Miami-Ft. Lauderdale metro region by Inc. 500"; and (4)
26 "is to be featured in Forbes Magazine in the Dec 2007 issue as one of the fastest
27 growing privately held companies in America." (See [www.bsnonline.net/programs/](http://www.bsnonline.net/programs/articles)
28 [articles](http://www.bsnonline.net/programs/articles)). A key reason for BSN's meteoric growth is its claim that its products are

1 technologically superior to those of competitors and will lead to better results or
2 performance.

3
4 17. BSN currently sells nutritional supplements of various titles, including
5 "Cellmass," "Nitrix," "N.O.-Xplode," "True Mass," "Syntha-6," and others. Of these
6 products, BSN claims that at least the Cellmass, Nitrix, and N.O.-Xplode products
7 contain CEM3. However, Plaintiffs are informed and believe and therein alleges that
8 such claims are patently false, and instead these products contain only an earlier, less
9 advanced form of Creatine (Creatine Monohydrate) that has been used in competing
10 products for many years and is not "state-of-the art" in any respect.

11
12 18. Thus, in a classic "bait-and-switch," BSN promises that its products
13 contain a new and improved form of Creatine that it supposedly invented, while in fact
14 selling products that contain only basic Creatine. In reality, there is no CEM3 in these
15 products and thus BSN's claims that its products are superior to competitors' products
16 due to the existence of CEM3 are false, misleading, and fraudulent. Moreover, these
17 false claims are made knowingly and willfully by BSN, who claims to be the creator
18 and owner of alleged patent rights in this product.

19 CLASS ACTION ALLEGATIONS

20
21 19. Description of the Class: Plaintiffs bring this nationwide class action on
22 behalf of themselves and a Class defined as follows:

23 *All persons located within the United States who purchased any BSN product*
24 *purportedly containing "Creatine Ethyl Ester Malate" or "CEM3" from*
25 *November 6, 2003 to the present, including BSN's "Cellmass, "Nitrix," and*
26 *"N.O.-Xplode" products ("Class").*
27

1 20. Excluded from the Class are governmental entities, Defendants, any entity
2 in which Defendants have a controlling interest, and Defendants' officers, directors,
3 affiliates, legal representatives, employees, co-conspirators, successors, subsidiaries,
4 and assigns. Also excluded from the Class is any judge, justice, or judicial officer
5 presiding over this matter and the members of their immediate families and judicial
6 staff.

7
8 21. Plaintiffs reserve the right to modify the Class description and the Class
9 period based on the results of discovery.

10
11 22. Plaintiffs and the Class bring this action for equitable, injunctive, and
12 declaratory relief pursuant to subdivisions (b)(1), (b)(2), and (b)(3) of Rule 23 of the
13 Federal Rules of Civil Procedure.

14
15 23. **Numerosity:** The proposed Class is so numerous that individual joinder of
16 all its members is impracticable. Due to the nature of the trade and commerce
17 involved, however, Plaintiffs believe that the total number of Class members is at least
18 in the tens of thousands and members of the Class as numerous and geographically
19 dispersed across the United States. While the exact number and identities of the Class
20 members are unknown at this time, such information can be ascertained through
21 appropriate investigation and discovery. The disposition of the claims of the Class
22 members in a single class action will provide substantial benefits to all parties and to
23 the Court.

24
25 24. **Common Questions of Law and Fact Predominate:** There are many
26 questions of law and fact common to the representative Plaintiff and the Class, and
27 those questions substantially predominate over any questions that may affect individual
28

1 Class members. Common questions of fact and law include, but are not limited to, the
2 following:

- 3
- 4 a. Whether Defendants claim or have claimed that CEM3 is present in
5 certain products they sell including the Cellmass, Nitrix, and N.O.-
6 Xplode products;
- 7
- 8 b. Whether any CEM3 is present in any of these products Defendants
9 claim contain CEM3;
- 10
- 11 c. Whether or not Plaintiffs and the members of the Class have been
12 damaged by the wrongs complained of herein, and if so, the measure
13 of those damages and the nature and extent of other relief that should
14 be afforded;
- 15
- 16 d. Whether Defendants have engaged in unfair, unlawful and/or
17 fraudulent business practices;
- 18
- 19 e. Whether Defendants have failed to disclose material facts about its
20 products purportedly containing CEM3; and
- 21
- 22 f. Whether Defendants have breached the implied covenant of good
23 faith and fair dealing with Plaintiffs and the Class.

24 25. **Typicality:** Plaintiffs' claims are typical of the claims of the members of
25 the Class. Plaintiffs and all members of the Class have been similarly affected by
26 Defendants' common course of conduct since the BSN products they bought all lacked
27 CEM3 despite BSN's claims to the contrary.

28 ///

1 26. **Adequacy of Representation:** Plaintiffs will fairly and adequately
2 represent and protect the interests of the Class. Plaintiffs have retained counsel with
3 substantial experience in handling complex class action litigation. Plaintiffs and their
4 counsel are committed to vigorously prosecuting this action on behalf of the Class and
5 have the financial resources to do so. Neither Plaintiffs nor their counsel have any
6 interests adverse to those of the Class.

7
8 27. **Superiority of a Class Action:** Plaintiffs and the members of the Class
9 suffered, and will continue to suffer, harm as a result of Defendants' unlawful and
10 wrongful conduct. A class action is superior to other available methods for the fair and
11 efficient adjudication of the present controversy. Individual joinder of all members of
12 the class is impractical. Even if individual class members had the resources to pursue
13 individual litigation, it would be unduly burdensome to the courts in which the
14 individual litigation would proceed. Individual litigation magnifies the delay and
15 expense to all parties in the court system of resolving the controversies engendered by
16 Defendants' common course of conduct. The class action device allows a single court
17 to provide the benefits of unitary adjudication, judicial economy, and the fair and
18 efficient handling of all class members' claims in a single forum. The conduct of this
19 action as a class action conserves the resources of the parties and of the judicial system
20 and protects the rights of the class member. Furthermore, for many, if not most, a class
21 action is the only feasible mechanism that allows therein an opportunity for legal
22 redress and justice.

23
24 28. Adjudication of individual class members' claims with respect to the
25 Defendants would, as a practical matter, be dispositive of the interests of other
26 members not parties to the adjudication, and could substantially impair or impede the
27 ability of other class members to protect their interests.

28 ///

1 **CAUSES OF ACTION**

2 **FIRST CAUSE OF ACTION: UNJUST ENRICHMENT**

3 **(On behalf of the Entire Plaintiff Class)**

4 29. Plaintiffs incorporate by this reference the preceding allegations as if fully
5 set forth herein and, to the extent necessary, plead this cause of action in the alternative.
6

7 30. Through the conduct described herein, Defendants have received money
8 belonging to Plaintiffs and the Class through the sale of supplements such as the
9 Cellmass, Nitrix, and N.O.-Xplode products which do not contain any of the supposed
10 new and improved Creatine called Creatine Ethyl Ester Malate or CEM3.
11

12 31. Defendants have reaped substantial profit by misrepresenting and/or
13 concealing the fact that some of their products that purportedly contain CEM3 do not in
14 fact contain this substance. Ultimately, this has resulted in Defendants' wrongful
15 receipt of profits and injury to Plaintiffs and the Class. Defendants have benefited from
16 the receipt of such money that they would not have received but for their
17 misrepresentation and/or concealment.
18

19 32. As a direct and proximate result of Defendants' misconduct as set forth
20 herein, Defendants have been unjustly enriched.
21

22 33. Under principles of equity and good conscience, Defendants should not be
23 permitted to keep the money belonging to Plaintiffs and the Class which Defendants
24 have unjustly received as a result of their actions.
25

26 ///

27 ///

28 ///

29 ///

1 **SECOND CAUSE OF ACTION: FRAUD**
2 **(On behalf of the Entire Plaintiff Class)**

3 34. Plaintiffs incorporate by this reference the preceding allegations as if fully
4 set forth herein and, to the extent necessary, plead this cause of action in the alternative.
5

6 35. As alleged herein, Plaintiffs are informed and believe and thereon allege
7 that Defendants have made at least the following uniform material misrepresentations
8 to Plaintiffs and the Class:
9

10 a. Defendants claim that certain products they manufacture and sell,
11 including their Cellmass, Nitrix, and N.O.-Xplode products, contain
12 a significant amount of Creatine Ethyl Ester Malate when in fact
13 these products **do not** contain any such substance; and
14

15 b. Defendants claim that they possess patent or patent pending rights
16 for Creatine Ethyl Ester Malate when in fact Defendants possess no
17 such rights in this non-existent substance.
18

19 36. Plaintiffs are informed and believe and thereon allege, that in doing the
20 things alleged above, Defendants acted fraudulently and deceitfully with knowledge
21 that Plaintiffs and the Class would rely on their actions and omissions. Defendants
22 made the aforesaid material representations and/or concealed material facts to induce
23 Plaintiffs and the Class to act in reliance on the misrepresentations and statements.
24

25 37. Plaintiffs and the Class at all times did reasonably and justifiably rely both
26 directly and indirectly on the actions and representations of Defendants.
27

27 ///

28 ///

1 38. As a direct and proximate result of Defendants' fraud, Plaintiffs and the
2 Class have suffered actual damages in an amount not presently known, but which will
3 be shown by proof at time of trial, including incidental and consequential damages,
4 interest, and reasonable attorneys' fees.

5
6 39. Plaintiffs are informed and believe and thereon allege that Defendants
7 undertook the aforesaid illegal acts intentionally or with conscious disregard of the
8 rights of Plaintiffs and the Class, and did so with fraud, oppression, and malice.
9 Therefore, Plaintiffs and the Class are also entitled to punitive damages against
10 Defendants in an amount that will be shown by proof at trial.

11
12 **THIRD CAUSE OF ACTION: VIOLATION OF CALIFORNIA BUSINESS AND**
13 **PROFESSIONS CODE SECTIONS 17200 ET SEQ.**

14 **(On behalf of the Entire Plaintiff Class)**

15 40. Plaintiffs incorporate by this reference the preceding allegations as if fully
16 set forth herein and, to the extent necessary, plead this cause of action in the alternative.

17
18 41. Plaintiffs have standing to pursue this claim as Plaintiffs have suffered
19 injury in fact and have lost money or property as a result of Defendants' actions as set
20 forth herein.

21
22 42. This cause of action is brought on behalf of all people of the State of
23 California in accordance with the provisions of California Business and Professions
24 Code section 17204. Class members have lost money or property as a result of
25 Defendants' actions as set forth herein.

26
27 43. Defendants' actions as alleged in this complaint constitute an unfair or
28 deceptive business practice within the meaning of California Business and Professions

1 Code section 17200 in that Defendants' actions are unfair, unlawful, and fraudulent,
2 and because Defendants have made unfair, deceptive, untrue or misleading statements
3 in advertising media, including the Internet, within the meaning of California Business
4 and Professions Code sections 17500, et seq.

5
6 44. Defendants' business practices, as alleged herein, are unfair because they
7 offend established public policy and/or are immoral, unethical, oppressive,
8 unscrupulous and/or substantially injurious to consumers in that consumers potentially
9 mislead by Defendants' misrepresentation and/or concealment of the fact that some of
10 the products they claim contain a significant amount of CEM3 do not in fact contain
11 this substance.

12
13 45. Defendants' business practices as alleged herein are unlawful because the
14 conduct constitutes false marketing and advertising and other causes of action alleged
15 herein.

16
17 46. Defendants' business practices as alleged herein are fraudulent because
18 they are likely to deceive customers into believing that the products contain a
19 significant amount of CEM3 when in fact they do not contain any of the alleged
20 substance.

21
22 47. Defendants' wrongful business practices constituted, and constitute, a
23 continuing course of conduct of unfair competition since Defendants are marketing and
24 selling their products in a manner likely to deceive the public.

25
26 48. Defendants' wrongful business practices have caused injury to Plaintiffs
27 and the Class.

28 ///

49. Pursuant to section 17203 of the California Business and Professions Code, Plaintiffs and the Class seek an order of this court enjoining Defendants from continuing to engage in unlawful, unfair, or deceptive business practices and any other act prohibited by law, including those set forth in the complaint. Plaintiffs and the Class also seek an order requiring Defendants to make full restitution of all moneys it wrongfully obtained from Plaintiffs and the Class.

PRAYER FOR RELIEF

Wherefore, Plaintiffs and members of the Class request that the Court enter an order or judgment against Defendants as follows:

1. Certification of the proposed class and notice thereto to be paid by Defendants;
2. Adjudge and decree that Defendants have engaged in the conduct alleged herein;
3. For restitution and disgorgement on certain causes of action;
4. For an injunction ordering Defendants to cease and desist from engaging in the unfair, unlawful, and/or fraudulent practices alleged in the Complaint;
5. For compensatory and general damages according to proof on certain causes of action;
6. For both pre and post-judgment interest at the maximum allowable rate on any amounts awarded;

- 1 7. Costs of the proceedings herein;
- 2
- 3 8. Reasonable attorneys' fees as allowed by statute; and
- 4
- 5 9. Any and all such other and further relief that this Court may deem
- 6 just and proper, including but not limited to punitive damages.
- 7

8 **DEMAND FOR JURY TRIAL**

9 Pursuant to Federal Rule of Civil procedure Section 38(b), Plaintiff and the Class

10 demand a trial by jury on all issues so triable.

11

12 Dated: November 6, 2007

CALL, JENSEN & FERRELL
A Professional Corporation
SCOTT J. FERRELL
JAMES B. HARDIN

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16 By:  _____

JAMES B. HARDIN

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18 Attorneys for Plaintiffs and proposed class

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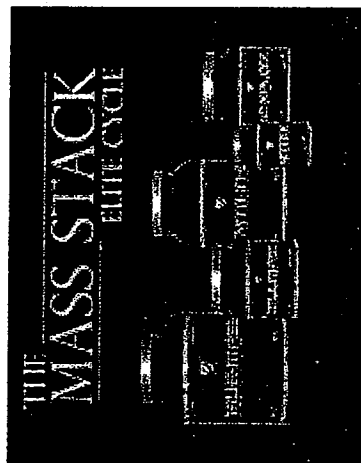
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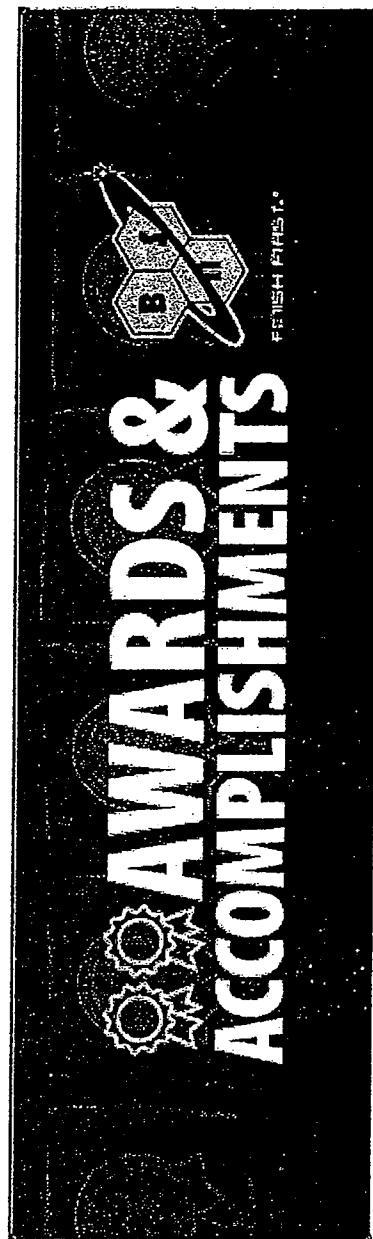
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ARTICLES

Training - Supplement - Dieting - Diet Plans



2007 Awards / Accomplishments:

North American Awards/Accomplishments

- 3,027.3% Growth in the last three years
- BSN ranked No. 27 as the fastest growing privately held company in America by Inc 500.
- BSN ranked No. 2 as the fastest growing privately held company the Miami-Ft. Lauderdale, FL metro region by Inc 500.
- BSN ranked No. 4 as the fastest growing privately held company in the health industry by Inc 500.
- BSN Is to be featured in Forbes Magazine in the Dec. 2007 issue as one of the fastest growing privately held companies in America.
- Chris Ferguson BSN President and CEO named one of the most influential people in sports nutrition by DBL XL Magazine.
- Brand of the Year: BSN – 1st* Place (2nd Year in A Row)
- Best Ads Of The Year: BSN – 1st* Place

- Best Labels Of The Year: BSN - 1st* Place (Also, 3rd Year In A Row)
- Muscle Builder Of The Year: N.O.-XPLODE™ - BSN - 1st* Place (3rd Year In A Row) and CELLMASS® - 2nd* Place (Also, 2nd Year In A Row)
- Nitric Oxide Product Of The Year: N.O.-XPLODE™ - BSN - 1st* Place (3rd year in a row) and NITRIX® - 2nd* Place (Also, 3rd Year In A Row)
- Creatine Product Of The Year: CELLMASS® - BSN - 1st* Place (Also, 3rd Year In A Row)
- Weight Gainer Of The Year: TRUE MASS™ - 1st* Place
- Supplement Of The Year: N.O.-XPLODE™ - 2nd* Place (2nd Year In A Row)
- Protein Powder Of The Year: SYNTHA-6™ - 2nd* Place

European Awards / Accomplishments

- The Fighting Spirit Award Product Of The Year: N.O.-XPLODE™***
- Power Sport Product Of The Year: N.O.-XPLODE™**** (The Most Used Product And The Most Fitting Product Within The Mixed Martial Arts [MMA] Market In The UK).

****As determined by an Independent consumer poll - Source: AverageJoessupplements.com. **Nominated by an Independent consumer poll - Source: Bodybuilding.com. As determined by the Seni Award for Europe. ****As determined by an Independent consumer poll - Source: MMA Dojos throughout the UK.*

2006 Awards / Accomplishments:

North American Awards / Accomplishments

- Brand Of The Year: BSN - 1st* Place
- Muscle Builder Of The Year: N.O.-XPLODE™ and CELLMASS® - 1st* and 2nd* Place
- Creatine Product Of The Year: CELLMASS® - 1st* Place
- Nitric Oxide Product Of The Year: N.O.-XPLODE™ - 1st and NITRIX® - 2nd* Place
- Best Labels Of The Year: BSN - 1st* Place
- Overall Supplement Of The Year: N.O.-XPLODE™ - 2nd* Place
- New Product Of The Year: TRUE MASS™ - 2nd* Place
- Best Ads Of The Year: BSN - 2nd* Place
- Breakout Brand Of The Year: BSN - 3rd* Place

European Awards / Accomplishments

- Best Brand Of The Year: BSN – 1st** Place
- Creatine Product Of The Year: CELLMASS® – 1st** Place
- Nitric Oxide Product Of The Year: N.O.-XPLODE – 1st** Place

***As determined by an independent consumer poll – Source: Bodybuilding.com. **As determined by an independent consumer poll – Source: Giganutrition.com*

2005 Awards / Accomplishments:

North American Awards / Accomplishments

- GNC Rising Star Award
- Muscle Builder Of The Year: N.O.-XPLODE™ and CELLMASS® – 1st* and 2nd* Place
- Creatine Product Of The Year: CELLMASS® – 1st* Place
- Nitric Oxide Product Of The Year: N.O.-XPLODE™ – 1st* and NITRIX® – 2nd* Place
- Best Labels Of The Year: BSN – 1st* Place

***As determined by an independent consumer poll – Source: Bodybuilding.com*

HOME - AWARDS - MISSION - BLOGS - NEWS - EVENTS - EMPLOYMENT - TRADEMARK USE POLICY - PRIVACY POLICY - RETURN POLICY - MYSTERY COUPON
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Chris Ferguson, CEO and Chief Product Formulator For BSN

A NEW PRODUCT CATEGORY. A NEW CATEGORY LEADER.

CELLMASS™ wasn't forced into this industry. Consumers had their hands up for it. I formulated CELLMASS™ to serve a pressing need, that of covering the "back" end of your training session. This is when you punch out your last set, grab your towel and head for the gym door. But if that's all you do at the end of each session then can expect a less than full return on your training investment.

THE DAYS OF SARSAPARILLA

I was 14 years old when I began training. I weighed barely a buck thirty at five-foot six inches in height. I was so small I could hide behind a cornstalk and still have room to spare. My solution was to begin lifting weights like a maniac and stick to a strict bodybuilding diet.

My solution turned into an uphill battle. It would also become my career. Gaining mass was really tough for me, you see. I soon began looking for products that might speed things up. Back then the options pretty much consisted of protein powders, amino acids and Sarsaparilla root. They all tasted like crap and worked about as well.

Things are a lot different today. I've got a lot more muscle mass, and I'm a lot wiser for it. I now realize that I could have made the same progress in half or even a third of the time it actually took me if I simply had access to the right training supplements. Providing them is now my passion, and my business.

Until recently, two of the biggest holes in the supplement marketplace concerned the front ("pre-") and back ("post-") ends of training. I filled the pre-training hole with N.O.-XPLODE™, the world's first and now best-selling pre-training igniter. Filling the post-training hole is CELLMASS™, the ultimate product for super-fast recovery and muscle mass accrual.

THE SECRET TO MASS: METABOLIC "DISCOMFORT"

In order to increase in mass, your muscles must first experience enough metabolic "discomfort". If they do, then they'll be stimulated to increase in mass. I call this the "growth response".

If you perform enough sets with enough weight, then you will stimulate a growth response and your muscles will increase in mass. This allows your muscles to perform the same workload with less metabolic discomfort. That's why you must subject your muscles to a greater workload each time you train if you want them to keep increasing in mass.

The trouble is that your muscles are very efficient. Soon you find yourself having to perform more and more sets only to see smaller and smaller gains in mass. Until recently, there was no solution to this problem. This changed when I designed CELLMASS™.

CELLMASS™: MAGNIFYING THE GROWTH RESPONSE

Several years ago it occurred to me that there was critical need for a post-training product capable of activating the growth response. This product would act like a magnifying glass on a small flame, turning it into an inferno. It would allow you to get more mass-building "bang" out of fewer sets. No longer would you have to train a single body part for countless sets and hours only to see marginal gains. This product would be taken right after training and again before bed so that you could saturate and volumize your muscle cells with every known factor that is limiting to recovery and mass accretion.

At this point, there were no post-training mass and recovery activators like I just described. The category didn't exist! I filled this hole with the release of CELLMASS™. It is the first, and now the most popular, Post-Training Mass & Recovery Activator. It is also the most advanced.

WHAT'S IN CELLMASS™ ?

At the core of CELLMASS™ is the patent-pending Creatine-Ethyl-Ester-Malate, or CEM3™. CEM3™ is made by a unique process that provides the following advantages over other creatines:

(1) CEM3™ is "acid resistant": Your stomach contains very strong acid. When creatine passes through your stomach the acid causes much of it to be converted into creatinine, a waste product. Creatinine can accumulate in your intestines causing bloating (water retention), cramps and osmotic diarrhea. The risk of these side effects is greatly reduced with CEM3™.

(2) CEM3™ offers unique lipid - and water - "friendly" properties which allow it to quickly enter your bloodstream. Further distinguishing CEM3™ from its ancient creatine and esterified creatine ancestors is its bond to Malic Acid which aids in the absorption process and also supports the ATP-generating power of the Krebs Cycle.

The end result is that CEM3™ requires no loading phase (i.e. high doses of creatine taken for several days), nor does it cause stomach bloating or other undesirable side effects.

CELLMASS™ ALSO CONTAINS:

GLUTAMINE AKG (Alpha-Ketoglutarate): This is the only ultra-premium form of glutamine available. Glutamine is one of the most important amino acids in your body. GLUTAMINE-AKG supports recovery of muscle glycogen (stored sugar) levels following training and muscle mass gains overall. Low levels of glutamine are associated with overtraining, and overtraining is associated with loss of muscle mass.

MUSCLE CELL UPTAKE PROPRIETARY MATRIX™ consisting of:

CINNULIN-PF®: This powerful extract of cinnamon is rich in uniquely linked proanthocyanidins. These insulin-like compounds have been studied by the government and pharmaceutical companies. Insulin is essential to muscle mass gains. It is one of the most anabolic hormones in nature and significantly aids in nutrient transport and their uptake at the cellular level. CINNULIN-PF® doesn't just drive nutrients to the muscle cell - it kicks down the door once it gets there.

DI-CALCIUM, DI-SODIUM, AND DI-POTASSIUM PHOSPHATES: Muscle tissue contains large amounts of phosphate, such as in the form of creatine phosphate. As your muscle mass increases so too does your need for phosphate. Calcium, sodium, and potassium play critical roles in muscle contraction and protein anabolism. Phosphate supplementation therefore supports muscle mass gains and muscle performance overall and promotes the storage of powerful muscle building nutrients within the muscle cell.

DON'T LEAVE YOUR NEXT TRAINING SESSION "OPEN-ENDED"!

That you're reading this article means you take your training very seriously. Now is the time to get very serious about achieving the best mass gains possible - A FULLY ACTIVATED GROWTH RESPONSE - from every single training session. Now is the time to experience epic muscle volumization and anabolism with the most advanced post-training mass and recovery activator ever created. Make sure you've got the "back" of every training session covered with the first and only Post-Training Mass & Recovery Activator available, CELLMASS™.

Don't leave your mass gains to chance. Guarantee them. Add CELLMASS™ to your mass-building program immediately. Stack with NITRIX, N.O.-XPLODE and TRUE-MASS.

CELLMASS™ supports the following segments of the BSN SUPPLEMENT PYRAMID™: Muscle Support, Recovery Support, Performance Support.

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

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For most of our journey as a species, the only way to get creatine from the diet was to eat the muscle tissue of animals, a.k.a. "meat". Muscle, you see, contains quite a bit creatine – more than any other tissue in the body, in fact. Great. So eat lots of meat and you will reap all the benefits that have been scientifically documented for creatine supplementation, like increased lean body mass; greater muscle size, strength, and power; and resistance to fatigue, right?

Aye, and there's the rub. In order to enjoy these benefits, you really do need to eat "lots" of meat – several pounds, quite possibly. Even then, there's no guarantee of success. After all, no study has ever been done to prove that this "cave man" approach to creatine supplementation will actually work. Chances are, it won't. Eating that much meat is neither practical nor affordable. It means consuming a lot of calories, many of which can come from fat. All things considered, it would be far easier and more effective to supplement your diet with pure creatine.

So along came creatine monohydrate, a "pure" (or very nearly so) creatine supplement. Goodbye meat, hello massive muscles, right? Sort of. Unfortunately, creatine presents a problem of its own kind: It doesn't dissolve very well in water. In scientific lingo, it is said to have poor water solubility. That's why it settles in the bottom of your glass like grains of sand even after several minutes of vigorous stirring. Creatine's poor water-solubility causes less of it to be absorbed --an estimated 10-20% according to some scientists. Thus, 80-90% of your creatine investment may be wasted. The unabsorbed creatine, moreover, accumulates in your intestine. This can cause water retention (bloating), diarrhea, and cramps. Not fun.

Learning To Swim

In an attempt to solve this problem supplement companies began marketing "water-soluble" creatine formulations. Problem fixed, right? Well, not exactly. There's more to absorption than water solubility, you see. Here's what I'm talking about. Your stomach and intestines contain fluid, largely water. In order to be absorbed, nutrients such as creatine need to be dissolved in this fluid. Otherwise, the cells lining your intestine won't be able pick them up and transfer them into the bloodstream.

Every cell is surrounded by a membrane. The cell membrane is made of "fat", a.k.a. lipid. To enjoy fast and complete absorption a substance needs to strike a good balance between water solubility and lipid solubility. The latter allows it to pass efficiently across the cells lining your intestine and into the bloodstream.

Which brings us to esterified creatines. The addition of the ethyl ester group to creatine is theorized to make it more lipid soluble, thereby enhancing its ability to pass through the intestinal lining. What about water solubility?

CEM3™: Modern Pharmacology At Its Best!

That's where CEM3™ really comes in handy (sorry, I couldn't resist). Creatine Ethyl-Ester-Malate, or CEM3™, consists of an esterified creatine to which Malic Acid has been chemically bonded. CEM3™'s ethyl-ester linkage makes it more lipid soluble than regular creatines. Taking CEM3™ to the forefront of creatine evolution is its patent-pending bond to Malic Acid. Malic acid is an intermediate in the ATP re-synthesizing Krebs cycle. CEM3™ thereby supports and enhances muscle ATP levels and overall exercise performance beyond normal esterified creatines. The Malate bond in CEM3™ also makes the creatine more soluble in water. That means better absorption, less wastage, and fewer stomach upsets. (Yeah!)

Making CEM3™ even more "cutting-edge" is the proprietary process by which it is made. Unlike other esterified creatines, the production of CEM3™ begins with anhydrous creatine (creatine from which water has been removed). Only then is esterification begun. This ensures superior product stability and longevity.

If you truly want your body to evolve, don't you think it's time you started using the most evolved creatine the world has to offer? Of course, we're talking about CEM3™...the most technologically advanced form of creatine available, and found only in CellMass from BSN.

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