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BY PETER CHAPMAN ON SEPTEMBER 28, 2021 | [UNCATEGORIZED](#)

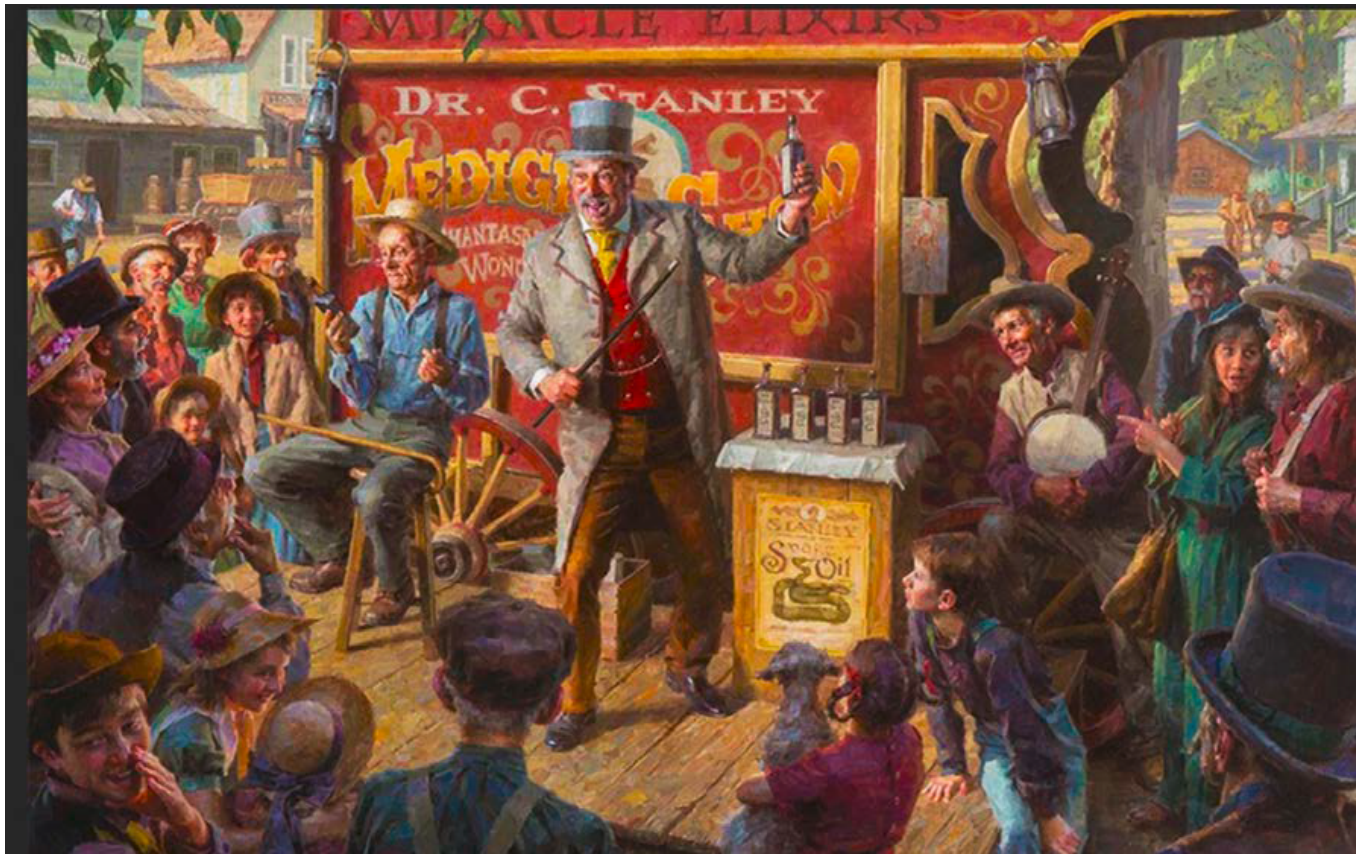
Global Plasma Solutions, Inc., and IEE Indoor Environmental Engineering both want to have the last word before the Honorable Jeffrey S. White decides if GPS' lawsuit will proceed to trial or be stricken. IEE says the lawsuit is bogus, factually flawed, legally unsupportable, and an improper attempt by GPS to silence it and its President Francis (Bud) J. Offerman from sharing important information. GPS says IEE and Mr. Offerman improperly stretch and twist facts and opinions about GPS' products and have caused economic damage to IEE for which it's entitled to compensation.

Having reviewed all of the materials submitted by IEE and Mr. Offerman, Global Plasma's legal team at McGuireWoods LLP has identified a variety of documents IEE has slipped into the record before the court and to which GPS hasn't had the opportunity to respond. GPS' laundry list appears in an [objection](#) filed last week containing a request for permission to file a sur-reply before Judge White rules following oral argument scheduled for 9:00 a.m. in Oakland, Calif., on Nov. 19, 2021.

The documents GPS is complaining about are referenced in a [reply](#) filed by IEE earlier this month to which a [declaration by Mr. Offerman](#) and a [declaration by a lawyer representing IEE](#) were attached.

On Mar. 22, *UV Reporter* related, Global Plasma's team of lawyers at MCGUIREWOODS LLP, sued IEE, complaining about a Nov. 2020 piece by IEE titled *Beware: The COVID-19 Snake Oil Salesmen Are Here*.

[READ THE DOCUMENT GLOBAL PLASMA DOESN'T LIKE 21-cv-01059-0001-A-2-9-1](#)



IEE Indoor Environmental Engineering's President Francis (Bud) J. Offerman has told the Court his publicly stated and published opinions denigrating air cleaning products sold by Global Plasma Solutions, Inc., are backed by science, laboratory tests and decades of professional experience, and are intended to dissuade schools from wasting public funds on useless air cleaning products. That's why IEE wants Judge White to strike GPS' complaint from the court's docket.

Who Is Mr. Offerman?

In its response to Global's lawsuit, IEE explains Mr. Offermann is president of IEE, a San Francisco based Indoor Air Quality (IAQ) consulting firm and the Defendant in this action. He has 30 years of experience as an IAQ scientist, following his graduation from Rensselaer Polytechnic Institute in 1976 (B.S. – Mechanical Engineering) and from Stanford University in 1985 (M.S. – Mechanical Engineering). He is an active member of numerous professional engineering organizations, including the indoor air quality committees of the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) and Cal-OSHA. Before starting up IEE, Mr. Offermann worked as an engineer for several engineering companies and was a Staff Scientist with the Building Ventilation and Indoor Air Quality Program at Lawrence Berkeley Laboratory. He has published extensively and lectured frequently about IAQ, ventilation, air cleaning, and product emission testing. In short, Mr. Offermann has spent almost the last half century immersed in the exploration and improvement of indoor air quality

for people in commercial, school and home environments.

Mr. Offerman's Skepticism

With the start of the COVID-19 pandemic, Mr. Offermann, along with many other IAC scientists, noticed an explosion of manufacturers purporting to have air cleaners that they contended could remove greater than 98% of airborne virus and bacteria. Having studied and tested air cleaners for decades, Mr. Offermann knew that (1) these "air cleaners" were not new and had been reincarnated many times since the early 1900's, and (2) based on his review of test data from many of these types of devices in the past, he had never found that they significantly removed air contaminants from indoor air and sometimes actually produced dangerous chemicals such as ozone, formaldehyde and ultra-fine particles.

Many of the new COVID era manufacturers, often armed with misleading "laboratory test data", directed their marketing campaigns at School Districts, which were desperately looking for ways to return students to classrooms safely and which had significant Federal and State COVID-19 remediation funding. As a lifelong scientist dedicated to real improvements in indoor air quality, Mr. Offermann decided to investigate these claims of using additive devices, including ionizers, to reduce indoor concentrations of air contaminants, including bacteria and virus, with the goal of educating parents and school administrators on this matter of great public interest. He decided to focus his investigation on the products advertised and sold to school districts by Global Plasma Technologies ("GPS"), the Plaintiff in this case, because he had access to the data from six laboratory tests and six customer site tests, which GPS had posted on their website as part of their marketing campaign.

Mr. Offerman's Conclusions

After reviewing this GPS test data, Mr. Offermann reached the following conclusions: (1) four chamber tests to measure the GPS device's ability to remove harmful particles showed a Clean Air Delivery Rate (CADR) that ranged from 6 to 31 cubic ft/minute, which under industry standards translates into removal of harmful particles from tiny rooms ranging in size from 9 square feet to 35 square feet, a fraction of the size of a typical bedroom, let alone a class room; (2) in two tests conducted to determine the inactivation rate of virus and bacteria in petri dishes, GPS revealed a virus reduction of 87-94% but only when the GPS device was positioned 1 inch above the petri dish for 30 minutes; the virus reduction rate was 0.002% when adjusted for real life application of a GPS device inside an HVAC system, where airborne bacteria and virus pass through the GPS device at high speeds and are only exposed for less than 0.1 second; and (3) six "Customer Site Testing Reports" purportedly showed that GPS devices were working well at real customer sites, but they all lacked the necessary test controls for an accurate measurement of the improvement of air quality.

Mr. Offerman Takes Action

Knowing that school districts were spending millions of taxpayer dollars on air cleaning devices that provide very minimal removal of harmful particles, Mr. Offermann wrote an article entitled *Beware The COVID-19 Snake Oil Salesmen Are Here*, which simply sets forth the results of his evaluation and calculations of the test results posted by GPS on their website. There were no false, misleading, or otherwise defamatory statements in the article; it simply presented Mr. Offermann's opinion that many of the advertised air cleaning devices simply did not work, and, in the case of GPS, their own test data shows how ineffective their products are at keeping children safe from harmful air particles in classrooms.

In writing the article, Mr. Offermann had no goal other than to shine a light on this critical issue of public importance. There was no profit motive as IEE does not manufacture any air cleaning devices, nor is it affiliated with any manufacturers of air cleaning devices and is not a competitor of GPS. For this act of civic and professional responsibility, Mr. Offermann tells the Court he was rewarded with this well-funded lawsuit by GPS, in a clear and determined effort to silence him.

IEE is represented by Arif Virji, Esq., and James V. Sansone, Esq., at CARLE, MACKIE, POWER & ROSS LLP in Santa Rosa, Calif.

A copy of [IEE's response to GPS' lawsuit](#) and [Mr. Offerman's 94-page declaration in support](#) are available to *UV Reporter* subscribers via PacerMonitor.com at no charge. Mr. Offerman's Declaration includes a copy of his resume, lab test reports and other literature he considered.

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