



December 8, 2009

MADIGAN FILES LAWSUIT AGAINST CHICAGO AREA MEDICAL SPAS***Attorney General Alleges Nu U Performed Unapproved Procedures Without Physician Supervision, Used Deceptive Marketing to Lure Patients***

Chicago — Attorney General Lisa Madigan today filed a lawsuit in Cook County Circuit Court against Nu U Med Spas for deceptively marketing and performing unapproved, unsupervised cosmetic treatments that caused some patients to experience extreme pain and lasting injuries.

"These procedures have yet to be thoroughly researched and sanctioned by the proper medical authorities," Madigan said. "Despite lacking concrete scientific evidence, Nu U purposefully misleads consumers into believing that their medical spa treatments are safe and effective. I'm very concerned that the health and safety of Illinois consumers who visit Nu U Med Spas are at risk."

The Chicago-based medical spa chain allegedly uses high-pressure sales tactics based on deceptive marketing claims to induce consumers into purchasing a series of medical and beauty treatments, including Lipodissolve, which is an injected therapy used to dissolve fat cells, according to Madigan's complaint. Nu U allegedly claims its treatments will "liquefy fat quicker" and can "rid your system of that life long battle of the bulge," but Nu U fails to inform consumers that its treatments haven't been approved by the U.S. Food and Drug Administration (FDA) as safe and effective treatments. Both the American Society for Aesthetic Plastic Surgery and the American Society of Plastic Surgeons do not recommend using Lipodissolve for fat reduction due to the lack of research that shows its effectiveness.

Further, because Lipodissolve is an injected treatment, it requires a physician's order, but Nu U allegedly administers the fat-reducing treatment without a doctor's order. In fact, despite its outward claims, Nu U allegedly fails altogether to monitor and evaluate patients by licensed physicians at all seven of its Chicago area locations.

Madigan's complaint further alleges that the Nu U personnel rush consumers into signing contracts, medical consent forms and financing documentation for treatments but fail to review the documents with consumers. The defendants allegedly pressure consumers to sign up for health care financing but fail to inform consumers that by signing the financial documentation they are authorizing an automatic credit card charge. Nu U allegedly refuses to provide refunds when requested, even in the event that a consumer has not received all of the contracted treatments.

Madigan's lawsuit charges Nu U with violating the Illinois Food, Drug and Cosmetic Act, the Illinois Medical Practice Act and the Illinois Consumer Fraud and Deceptive Business Practices Act. It asks the court to permanently enjoin the defendants from owning or operating medical or beauty clinics in Illinois and to order the company to pay civil penalties of \$50,000, an additional \$50,000 penalty for each violation committed with the intent to defraud, an additional \$10,000 penalty for each violation committed against a senior citizen 65 years of age or older, and the costs associated with the investigation and prosecution of the lawsuit.

Bureau Chief Raymond Threlkeld, Assistant Attorneys General Judith Parker, Susan Danial and Vaishali Rao are handling the case for the Attorney General's Health Care Bureau.

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