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March 5, 2008

AmericanTCB  
6731 Whittier Avenue  
McLean VA 22101

Attn: Director of Certification

Dear Sir or Madam:

We, Nonin Medical, Inc, 13700 1<sup>st</sup> Avenue North, Plymouth, MN, hereby authorize TÜV America Inc [19333 Wild Mountain Road, Taylors Falls, MN USA 55084-1786] to act as our agent in preparation of this application for equipment certification, including the signing of all documents relating to these matters. I certify that submitted documents properly describe the device or system for which equipment certification is sought. I also certify that each unit manufactured, imported or marketed, as required by FCC's and Industry Canada's regulations will have affixed to it a label identical to that submitted for approval with this application.

For instances where our authorized agent signs the application for certification on our behalf, I acknowledge that all responsibility for complying with the terms and conditions for Certification, as specified by AmericanTCB, still resides with Nonin Medical, Inc, 13700 1<sup>st</sup> Avenue North, Plymouth, MN.

I further certify that the applicant nor any party to the application is subject to a denial of Federal benefits, that includes FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

This authorization expires on March 5, 2009.

Sincerely,

Harold Rudnick, NCE  
Sr. Quality Engineer  
TEL 763-553-9968  
FAX 763-553-7807  
harold.rudnick@nonin.com



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## Anti-Drug Abuse Act Certification

This certification must be signed by an officer of the corporation or organization.

Answer YES if all parties to the application are in compliance with Section 5301 of the *Anti-Drug Abuse Act of 1988*, 21 U.S.C. Section 862, the federal law which provides federal and state court judges the discretion to deny federal benefits to individuals convicted of offenses consisting of the distribution of controlled substances. For a definition of "party" for these purposes, see 47 C.F.R. Section 1.2002(b). See also *Amendment of Part 1 of the Commission's Rules to Implement Section 5301 of the Anti-Drug Abuse Act of 1988*, 6 FCC Rcd 7551, 57 Fed. Reg. 00186 (1991).

Yes  No

By checking yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a party for these purposes, see 47 C.F.R. Section 1.2002(b).

I certify that the statements made in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Nonin Medical, Inc

Name of Applicant (Company Name)



Signature

March 5, 2008

Date

Harold Rudnick

Printed Name of Person Signing

Sr. Quality Engineer

Title of Person Signing



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47 C.F.R. Section 1.2002(b)

A party to the application, as used in paragraph (a) of this section shall include: (1) if the applicant is an individual, that individual; (2) if the applicant is a corporation or unincorporated association, all officers, directors, or persons holding 5% or more of the outstanding stock or shares (voting and/or non-voting) of the applicant; and (3) if the applicant is a partnership, all non-limited partners and any limited partners holding a 5% or more interest in the partnership.