7 Gloucester Drive Franklin, MA 02038 March 1, 2023

RE: An Open Letter of Acknowledgement and Apology by Dr. Thierry Maison to Brainwave Science and its Directors,

Management, Business Associates and Clients.

My name is Dr. Thierry Maison. I am a computer programmer and systems architect by profession. I previously maintained a business relationship with Brainwave Science, Inc. in Southborough, Massachusetts. I am writing this open letter of acknowledgement and apology to address certain wrongful actions directed toward Brainwave by myself which have harmed Brainwave and its Management, Directors, Business Associates and Clients.

I served as Chief Technology Officer for Brainwave Science, Inc. ("Brainwave") from June 2013 until February 2019. Brainwave is a Southborough, Massachusetts company which has developed a technology which it hopes will assist authorities in conducting humane questioning of subjects and exonerating wrongfully accused or convicted persons. This "Brain Fingerprinting" technology (now called iCognative®) involves measuring brainwave ("P300") responses to ascertain whether certain information is or is not present within a person's brain. From June 2013 until February 2019, I led Brainwave's Development Team's efforts in refining the source code used by Brainwave's system. I also provided "back end" programming and served as the architect for Brainwave's user interfaces.

Upon my hire, I entered into an Employment Agreement, Non-Disclosure and Non-Competition Agreement and Confidentiality and Rights Agreement with Brainwave. Upon separation, I entered into a Separation Agreement with Brainwave wherein I explicitly acknowledged my ongoing obligations under the Employment Agreement, Non-Disclosure and Non-Competition Agreement and Confidentiality and Rights Agreements.

Dr. Thierry Maison Acknowledgement Initial: Date: 2/25

In early 2017, while I was still employed with Brainwave, I received a request from

Brainwave's then-former Scientific Advisor, Dr. Lawrence A. Farwell, for assistance in

developing his own version of the "Brain Fingerprinting" software. Dr. Farwell had been removed

from company management in late 2016. I thereafter provided Dr. Farwell with copies of code I

developed or improved while working for Brainwave. In 2019, following my separation from

Brainwave, I was again contacted by Dr. Farwell with a request that I assist him with developing

his own code. I thereafter implemented substantial portions of Brainwave's software in creating

modifications to, and improvements of, Dr. Farwell's program.

In 2021, I was contacted by Brainwave in connection with their investigation regarding the

theft of its intellectual property and trade secrets. During the course of their investigation, I

admitted to providing Dr. Farwell with Brainwave's code in violation of my employment

agreements. However, even after being confronted with evidence of my wrongdoing, I

misrepresented the timing, manner and degree of my transgressions in an effort to minimize my

own wrongful conduct.

My actions in providing all or portions of Brainwave's code to Dr. Farwell, as well as my

misrepresenting and minimizing my own misconduct, were dishonest, unlawful and harmful to

Brainwave and its management. I recognize and hereby acknowledge the wrongfulness of my

actions. I deeply regret and hereby apologize for the harm I caused to Brainwave and its

management, business associates and clients by my misrepresentations and violations of my

contractual and legal obligations.

Sincerely,

Dr. Thierry Maison

Dr. Thierry Maison Acknowledgement Initial: Date: 7/2 \$

State of MA County of NOV FOIL

Satisfactory proof of identification having been produced to me by the undersigned, the foregoing document and signature was acknowledged before me on this 25 day of 60, 2023 by Dr. Thierry Maison.

Notary Public Signature

VICTORIA SULLIVAN
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES
MARCH 8, 2024

Dr. Thierry Maison Acknowledgement Initial: Date: 2/25

Release and Acknowledgement

I, Dr. Thierry Maison, do hereby acknowledge, represent and agree that:

- 1. My name is Dr. Thierry Maison. I am an adult male residing in the State of Massachusetts. I am not incapacitated by way of infancy or mental disease.
- 2. I hereby acknowledge the authenticity of the attached "Open Letter of Acknowledgement and Apology to Brainwave Science and its Directors, Management, Business Associates and Clients" ("Acknowledgement Statement"). I further acknowledge the truthfulness of the statements therein.
- 3. I have provided the attached Acknowledgement Statement to Brainwave's representatives with the understanding that it will be published to third parties by Brainwave.
- 4. I hereby acknowledge and agree that Brainwave, and any third-party agent designated by Brainwave, may publish the attached Acknowledgement, in whole or in part, at such times, and by such methods and manners, as may be deemed appropriate by Brainwave in its sole discretion.
- 5. I hereby agree and hereby do completely release and forever discharge Brainwave, any third party acting at the direction of Brainwave and/or any third party individual or entity acting as a publisher and/or publication medium (including their respective present and future officers, directors, stockholders, attorneys, agents, servants, representatives, employees, subsidiaries, affiliates, partners, predecessors and successors in interest, and assigns and all other persons, firms or corporations with whom any of the former have been, are now, or may hereafter be affiliated) from any and all past, present future claims, demands, obligations, actions, causes of action, rights, damages, costs, losses of services, expenses and compensation of any nature whatsoever, whether based on a tort, contract or any other theory of recovery, relating, directly or indirectly, to the publication of the attached Acknowledgement Statement.

Dr. Thierry Maison Pate

State of MA County of NCTOK
Satisfactory proof of identification having been produced to me by the undersigned, the foregoing document and signature was acknowledged before me on this 25 day

of Cio, 2023 by Dr. Thierry Maison

Notary Public Signature

Dr. Thierry Maison Acknowledgement

al: <u>7/7</u> Date: <u>7/7</u> S