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CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

5 Attorneys for Plaintiff
6 FEDERAL TRADE COMMISSION

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 FEDERAL TRADE COMMISSION,
11 Plaintiff,
12 v.
13 NATURAL PRODUCTS, LLC;
14 ALL NATURAL 4 U, LLC; and
15 ANA M. SOLKAMANS,
16 Defendants.
17

SAC V 04-1279 AHS

MLGx

COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER EQUITABLE
RELIEF

18
19 Plaintiff, the Federal Trade Commission ("FTC" or
20 "Commission"), through its undersigned attorneys, for its
21 Complaint alleges:

22 1. Plaintiff FTC brings this action under Section 13(b) of
23 the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b),
24 to secure a permanent injunction, rescission of contracts and
25 restitution, disgorgement of ill-gotten gains, and other equitable
26 relief against the Defendants for engaging in deceptive acts or
27 practices and false advertisements for food, drugs, devices,
28 services or cosmetics, in or affecting commerce in connection with

1 the advertising, marketing and sale of Bio Trim, also known as
2 Body-Trim/Bio-Trim or Body-Trim, in violation of Sections 5(a) and
3 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

4 JURISDICTION AND VENUE

5 2. This Court has jurisdiction over this matter pursuant to
6 15 U.S.C. §§ 45(a), 52, 53(b) and 28 U.S.C. §§ 1331, 1337(a), and
7 1345.

8 3. Venue in this District is proper under 15 U.S.C. § 53(b)
9 and 28 U.S.C. § 1391(b) and (c).

10 THE PARTIES

11 4. Plaintiff, the Federal Trade Commission, is an
12 independent agency of the United States Government created by
13 statute. 15 U.S.C. §§ 41-58. The Commission enforces Section
14 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or
15 deceptive acts or practices in or affecting commerce. The
16 Commission also enforces Section 12 of the FTC Act, 15 U.S.C. §
17 52, which prohibits false advertisements for food, drugs, devices,
18 services or cosmetics in or affecting commerce. The Commission,
19 through its own attorneys, may initiate federal district court
20 proceedings to enjoin violations of the FTC Act and to secure such
21 equitable relief, including rescission of contracts and
22 restitution, and the disgorgement of ill-gotten gains caused by
23 Defendants' law violations, as may be appropriate in each case.
24 15 U.S.C. § 53(b).

25 5. Defendant Natural Products, LLC ("Natural Products") is
26 a California limited liability company which has done business as
27 Natural Products World. Natural Products receives mail at a
28 private mail box located at 13681 Newport Ave., Suite 8, PMB 421,

1 Tustin, California 92780. Natural Products transacts or has
2 transacted business in the Central District of California.

3 6. Defendant All Natural 4 U, LLC ("All Natural") is a
4 California limited liability company which receives mail at a
5 private mail box located at 4790 Irvine Blvd., Suite 105, PMB 158,
6 Irvine, California 92620. All Natural transacts or has transacted
7 business in the Central District of California.

8 7. Defendant Ana M. Solkamans ("Solkamans") is registered
9 as the sole "member" and "manager" of Defendants Natural Products
10 and All Natural. She also filed a fictitious business name
11 statement in Orange County, California claiming that she, herself,
12 does business as "Natural Products World." She resides at 2092
13 Fallen Leaf Place, Tustin, California 92780 and operates
14 Defendants Natural Products and All Natural out of this location.
15 At all times relevant to this Complaint, acting individually or in
16 concert with others, she has formulated, directed, controlled, or
17 participated in the acts or practices of Natural Products and All
18 Natural, including the acts or practices alleged in this
19 Complaint. She resides in and transacts or has transacted
20 business in the Central District of California.

21 COMMERCE

22 8. The acts and practices of Defendants alleged in this
23 Complaint are in or affecting commerce, as "commerce" is defined
24 in Section 4 of the FTC Act, 15 U.S.C. § 44.

25 DEFENDANTS' COURSE OF CONDUCT

26 9. Since 2003, Defendants have advertised, promoted,
27 offered for sale, and sold products to the public throughout the
28 United States, including a purported weight loss product called

1 "Bio Trim" or "Body-Trim/Bio-Trim" or "Body-Trim" (hereafter "Bio
2 Trim").

3 10. Bio Trim is a dietary supplement which is sold in
4 capsule or powder form and which allegedly contains only
5 glucomannan, a dietary fiber derived from the konjac root. Users
6 are instructed to take two 500 mg capsules with an eight ounce
7 glass of water, one half hour before lunch and dinner, or before
8 the user's two biggest meals. For the powder, users are advised
9 to take one half teaspoon of the powder mixed in eight ounces of
10 "cold juice" fifteen minutes before two meals. A thirty day
11 supply of Bio Trim, or one hundred twenty capsules, is \$39.95 plus
12 shipping and handling, while 2.3 ounces of powder, or sixty
13 servings, costs \$32.95 plus shipping and handling.

14 11. Defendants advertise and offer Bio Trim for sale through
15 national magazines, the Internet, and major local newspapers.
16 Consumers purchase the product directly from the company by
17 calling a toll-free number listed in the advertisements or by
18 ordering it from Defendants' websites, formerly
19 <http://naturalproducts.ws>, now <http://allnatural4u.com>.

20 12. To induce consumers to purchase Bio Trim, Defendants
21 have disseminated, or caused to be disseminated, advertisements
22 for Bio Trim, including but not limited to the attached Exhibit 1
23 from the January 2004 issue of *Woman's Own* magazine and Exhibit 2
24 from the naturalproducts.ws website. These advertisements contain
25 the following statements or depictions, among others:

- 26 a. "Thrilling Japanese Diet Pill
27 Guarantees Rapid Weight Loss!" Ex. 1 (magazine ad).
28 b. "There now exists an all natural, bio-active weight-loss

1 compound so powerful, so effective, so relentless in its
2 awesome attack on bulging fatty deposits that it has
3 virtually eliminated the need to diet. . . The product
4 is called Bio Trim and it's dynamite! In fact thousands
5 of people are now trying Bio Trim and losing weight
6 faster than ever before! FLUSHES CALORIES RIGHT OUT OF
7 YOUR BODY!" Id. (capitalization in original). Adjacent
8 to these statements are what purport to be before and
9 after photos of Kelly B. The before picture has the
10 caption "BEFORE 140 lbs." The after picture has the
11 caption "AFTER 6 weeks - 103 lbs." Id.

12 c. "When a person ate a small amount of this unique plant
13 extract they would miraculously lose weight! The
14 researchers investigated this phenomenon discovered
15 through sophisticated testing, that the plant extract
16 did indeed cause the human body to bring about rapid
17 weight-loss." Id.

18 d. "EAT ALL YOU WANT AND STILL LOSE WEIGHT (PILL DOES ALL
19 THE WORK)" Id. (capitalization in original).

20 e. "You can continue to enjoy all those foods you love to
21 eat. Bio Trim simply does not allow your body to
22 consume and absorb excess calories . . . Period!" Id.

23 f. "Each day you'll notice absolute visible results as your
24 unwanted pounds of fat flab and cellulite completely
25 disappear. . . . Natural Products . . . [has] examined
26 the clinical proof conducted on the Bio Trim ingredients
27 thoroughly and [is] convinced that with Bio Trim you can
28 achieve the body of your dreams. They don't care if

1 you've tried to lose weight before and failed. . . Bio
2 Trim means it when they say you can lose a maximum
3 amount of fat in record time. . . . If you've tried to
4 lose weight before and failed you no longer have an
5 excuse." Id.

6 g. "[Bio Trim] encircles the fats, as a net would, and
7 excretes them out of the body, averting fat absorption
8 into the blood." Ex. 2 (3/30/04 naturalproducts.ws
9 website).

10 h. "Q: Can I eat what I want? A: Of course you can! . . ."
11 Id. (FAQs).

12 THE FTC ACT

13 13. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a),
14 prohibits unfair or deceptive acts or practices in or affecting
15 commerce. Section 12(a) of the FTC Act, 15 U.S.C. § 52(a),
16 prohibits the dissemination of any false advertisement in or
17 affecting commerce for the purpose of inducing, or which is likely
18 to induce, the purchase of food, drugs, devices, services, or
19 cosmetics. For the purposes of Section 12 of the FTC Act, 15
20 U.S.C. § 52, Bio Trim is a "food" or "drug" as defined in Sections
21 15(b) and (c) of the FTC Act, 15 U.S.C. §§ 55(b) and (c). As set
22 forth below, Defendants have engaged and continue to engage in
23 violations of Sections 5(a) and 12 of the FTC Act in connection
24 with the advertising, marketing and sale of Bio Trim.

25 COUNT ONE

26 FALSE CLAIMS FOR BIO TRIM

27 14. Through the means described in Paragraph 12, including
28 through the statements and depictions contained in the

1 advertisements attached as Exhibits 1-2, Defendants have
2 represented, expressly or by implication, that:

- 3 (a) Bio Trim causes users to lose substantial weight,
4 including as much as six pounds or more per week over
5 multiple weeks, while eating unlimited amounts of food;
- 6 (b) Bio Trim causes substantial weight loss, including as
7 much as six pounds or more per week over multiple weeks,
8 by blocking the absorption of fat or calories;
- 9 (c) Bio Trim works for all overweight users; and
- 10 (d) Bio Trim is clinically proven to cause rapid and
11 substantial weight loss, including as much as six pounds
12 or more per week over multiple weeks, without reducing
13 caloric intake.

14 15. In truth and in fact:

- 15 (a) Bio Trim does not cause users to lose substantial
16 weight, including as much as six pounds or more per week
17 over multiple weeks, while eating unlimited amounts of
18 food;
- 19 (b) Bio Trim does not cause substantial weight loss,
20 including as much as six pounds or more per week over
21 multiple weeks, by blocking the absorption of fat or
22 calories;
- 23 (c) Bio Trim does not work for all overweight users; and
- 24 (d) Bio Trim is not clinically proven to cause rapid and
25 substantial weight loss, including as much as six pounds
26 per week over multiple weeks, without reducing caloric
27 intake.

28 16. Therefore, Defendants' representations as set forth in

1 Paragraph 14, above, are false or misleading and constitute a
2 deceptive practice, and the making of false advertisements, in or
3 affecting commerce, in violation of Sections 5(a) and 12 of the
4 FTC Act, 15 U.S.C. §§ 45(a) and 52.

5 COUNT TWO

6 UNSUBSTANTIATED CLAIMS FOR BIO TRIM

7 17. Through the means described in Paragraph 12, including
8 through the statements contained in the advertisements attached as
9 Exhibits 1-2, Defendants have represented, expressly or by
10 implication, that:

- 11 (a) Bio Trim causes users to lose substantial weight,
12 including as much as six pounds or more per week over
13 multiple weeks, while eating unlimited amounts of food;
14 (b) Bio Trim causes substantial weight loss, including as
15 much as six pounds or more per week over multiple weeks,
16 by blocking the absorption of fat or calories;
17 (c) Bio Trim works for all overweight users; and
18 (d) Bio Trim causes rapid and substantial weight loss,
19 including as much as six pounds or more per week over
20 multiple weeks, without reducing caloric intake.

21 18. In truth and in fact, Defendants did not possess and
22 rely upon a reasonable basis that substantiated the
23 representations set forth in Paragraph 17, above, at the time the
24 representations were made.

25 19. Therefore, the making of the representations as set
26 forth in Paragraph 17, above, constitutes a deceptive practice,
27 and the making of false advertisements, in or affecting commerce,
28 in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§

1 45(a) and 52.

2 INJURY

3 20. Consumers throughout the United States have suffered and
4 continue to suffer substantial monetary loss as a result of
5 Defendants' unlawful acts or practices. In addition, the
6 Defendants have been unjustly enriched as a result of their
7 unlawful practices. Absent injunctive relief by this Court, the
8 Defendants are likely to continue to injure consumers, reap unjust
9 enrichment, and harm the public interest.

10 THIS COURT'S POWER TO GRANT RELIEF

11 21. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b),
12 empowers this Court to grant injunctive and such other relief as
13 the Court may deem appropriate to halt and redress violations of
14 the FTC Act. The Court, in the exercise of its equitable
15 jurisdiction, may award other ancillary relief, including but not
16 limited to, rescission of contracts and restitution, and the
17 disgorgement of ill-gotten gains, to prevent and remedy injury
18 caused by Defendants' law violations.

19 PRAYER FOR RELIEF

20 Wherefore, Plaintiff FTC, pursuant to Section 13(b) of the
21 FTC Act, 15 U.S.C. § 53(b), and the Court's equitable powers,
22 requests that this Court:

23 (a) Award the Plaintiff such preliminary injunctive and
24 ancillary relief as may be necessary to avert the likelihood of
25 consumer injury during the pendency of this action and to preserve
26 the possibility of effective final relief, including, but not
27 limited to temporary and preliminary injunctions;

28 (b) Permanently enjoin Defendants from violating the FTC Act

1 as alleged herein;

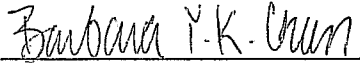
2 (c) Award such equitable relief as the Court finds necessary
3 to redress injury to consumers resulting from Defendants'
4 violations of Sections 5(a) and 12 of the FTC Act, including, but
5 not limited to, rescission of contracts and restitution, and the
6 disgorgement of ill-gotten gains by the Defendants; and

7 (d) Award the Plaintiff the costs of bringing this action,
8 and such other equitable relief as the Court may determine to be
9 just and proper.

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Dated: November 3, 2004 Respectfully Submitted:

WILLIAM E. KOVACIC
General Counsel



BARBARA Y.K. CHUN
Attorneys for Plaintiff

NO EPHEDRINE

Thrilling Japanese Diet Pill Guarantees Rapid Weight Loss!

There now exists an all natural, bio-active weight-loss compound so powerful, so effective, so relentless in its awesome attack on bulging fatty deposits that it has virtually eliminated the need to diet. News of this super pill from Asia is sweeping the country. The product is called Bio Trim and it's dynamite! In fact, thousands of people are now trying Bio Trim and losing weight faster than ever before!

FLUSHES CALORIES RIGHT OUT OF YOUR BODY!

Bio Trim ingredients were developed in Japan by medical researchers. The product contains no drugs whatsoever. It's ingredients are derived from a certain plant that grows primarily in Southern Asia. The technical name is Amorphophallus Konjac which comes from the Konjac root. Why the Konjac root? For years it was a widely held belief that extracts of the Konjac root had magical properties. When a person ate a small amount of this unique plant extract they would miraculously lose weight! The researchers investigated this phenomenon discovered through sophisticated testing, that the plant extract did indeed cause the human body to bring about rapid weight-loss.

Actually the way it works is truly extraordinary. Shortly after taking small portions of the plant extract it dissolves into a completely natural gel which surrounds excess figure-destroying calories and prevents them from forming body fat. This action actually alters the time contact is made with the intestinal membrane! In addition this remarkable plant gives you a feeling of fullness so you're not hungry while your excess weight comes tumbling off.

The research team were so impressed with the plant extract's abilities that they produced an amazing weight-loss pill which uses the key ingredients of this plant extract. But what's even more impressive, the Bio Trim pill actually surpasses the incredible powers of this plant extract because the Bio Trim ingredients are so highly concentrated. In fact, Bio Trim is so effective at producing massive weight-loss in record time that it was even awarded a patent by the United States Patent Authorities, Patent # 3,973,008.

Bio Trim's ingredients were awarded patents in other countries as well including Japan, France, Germany and the United Kingdom. Japanese medical Doctor Mutsuhiko Kuroki explains "when Konjac enters into the small intestine it blocks cholesterol absorption, reducing the amount of fat absorbed, preventing a sudden increase in blood glucose level and normalizes the body's cholesterol level." Clinical studies on amorphophallus konjac have been conducted in some of the world's leading medical schools and universities.

EAT ALL YOU WANT AND STILL LOSE WEIGHT (PILL DOES ALL THE WORK)

By now it should be obvious the Bio Trim is no ordinary diet pill. Unlike other diet programs, once you've taken Bio Trim there is really nothing else to do. You'll marvel at the way Bio Trim literally reverses years of overeating. You need only follow the simple instructions. That's it! You can continue to enjoy all those foods you love to eat. Bio Trim simply does not allow your body to consume and absorb excess calories...Period!

Each day you'll notice absolute visible results as your unwanted pounds of fat flab and cellulite completely disappear. However, a word of caution is in order. Because Bio Trim is so effective at removing years of ugly fatty deposits and because Bio Trim has absolutely no side effects, there is a tendency for some people to overdo it. Do not allow yourself to become too thin, even though you may experience a decrease in appetite you must remember to eat.

If you start to lose weight too rapidly limit your pill intake, or even skip a day or two. Have a goal in mind and try not to go beyond it. Also, before starting this or any weight loss program you should check with a physician to determine that you are in normal health!

COMPANY OFFERS EXTRAORDINARY GUARANTEE!

Natural Products is the only company in the United States authorized to sell Bio Trim. They have examined the clinical proof conducted on the Bio Trim ingredients thoroughly and are convinced that with Bio Trim you can achieve the body of your dreams. They don't care if you've tried to lose weight before and failed. They have documented the results of skeptical people who now swear by Bio Trim. Bio Trim means it when they say you can lose a maximum amount of fat in record time.

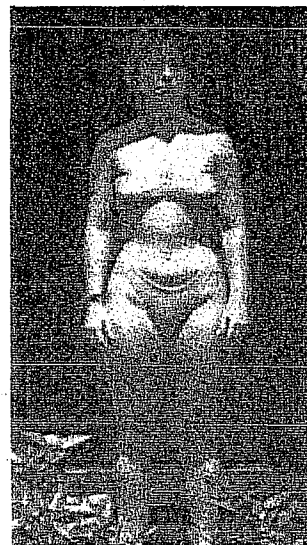
In fact, as proof that they believe Bio Trim is everything they say it is they offer an extraordinary guarantee, one they wouldn't dare make if they had even a single doubt! If you place your order now and then follow the simple instructions for a period of 30 days, you must be completely satisfied with the dramatic results or just return the empty container and Bio Trim will send you your entire purchase price. No questions asked!

If you've tried to lose weight before and failed you no longer have an excuse. Bio Trim is available, it's easy and it works! Best of all...ordering Bio Trim is simple, fast and reliable! Simply call 1-800-809-7364 ext. W1 and order. Personal checks and credit cards are both accepted by phone. Or visit our website: www.naturalproducts.ws

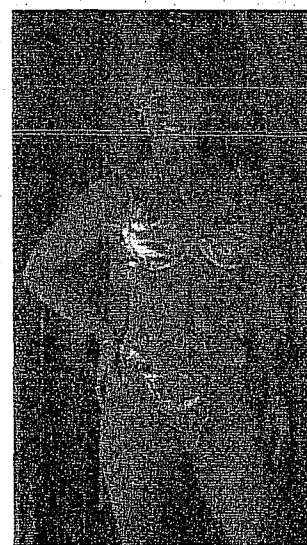
Supply options: \$39.95 for a full 30-day supply, \$69.90 for a full 60-day supply (you save \$10) and a full 90-day supply is \$99.85 (you save \$20.00). Additional \$7.95 per order for shipping and handling.

Please don't wait to order. You really do deserve to be thin!

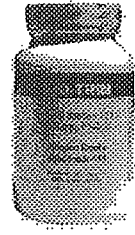
BEFORE 140 lbs.



AFTER 6 weeks - 103 lbs.



"It is truly amazing how fast and effective Bio Trim worked for me. I used to dread trying on clothes, now I can't wait to shop!"
Kelly B., FL



BIO-TRIM

Bio-Trim is a 100% natural water-soluble dietary fiber which contains no calories. Its only ingredient is the Konjac Root's Glucomannan, an excellent source of dietary fiber that assists in weight control.

When ingested, Bio-Trim turns into a gel-like substance able to expand up to 100 times its weight, causing a feeling of fullness, which prevents over eating. It encircles the fats, as a net would, and excretes them out of the body, averting fat absorption into the blood.

In addition, because glucomannan helps prevent absorption of fats into the blood, it is able to keep blood cholesterol levels from escalating into dangerously high ranges. High blood cholesterol is a precursor to cardiovascular diseases such as arteriosclerosis, the hardening and thickening of artery walls, resulting from a build-up of fats in the veins. Arteriosclerosis or any condition that restricts blood circulation can lead to sudden and fatal cardiac arrest.

While restricting fats, it also monitors sugars consumed in the diet by releasing them into the blood gradually. This protects the pancreas, which produces the insulin necessary for breaking down the sugars en route to the tissues, from over-exertion. By normalizing blood sugar levels, this is not only helpful for diabetics, but it may also help prevent the development of diabetes and hypoglycemia.

Acting as a cleanser, glucomannan absorbs and then expels toxins from the intestines quickly. This process safeguards against gastrointestinal diseases and disorders. Results from laboratory studies attribute a low development of colon tumors to glucomannan, as well as acting as an inhibitor to spontaneous liver tumorigenesis. Additionally, it has demonstrated an ability to alleviate constipation, which may be as a result of the gel-like texture glucomannan assumes when digested.

Offering protection against obesity, heart diseases, diabetes and gastrointestinal carcinogens, while lowering cholesterol and normalizing blood sugar levels, Glucomannan should be supplemented in the diet of everyone interested in maintaining a healthy lifestyle, while slimming down. Glucomannan is a completely natural and safe dietary supplement. Produced by a patented technology, this pure powdered extract is of superior quality.

As a dietary supplement take two capsules 1/2 hour before lunch and two capsules 1/2 hour before dinner with an 8 oz. glass of water. Best results achieved when used with a low calorie, low fat diet. It is also recommended that you drink at least 8 glasses of water daily.

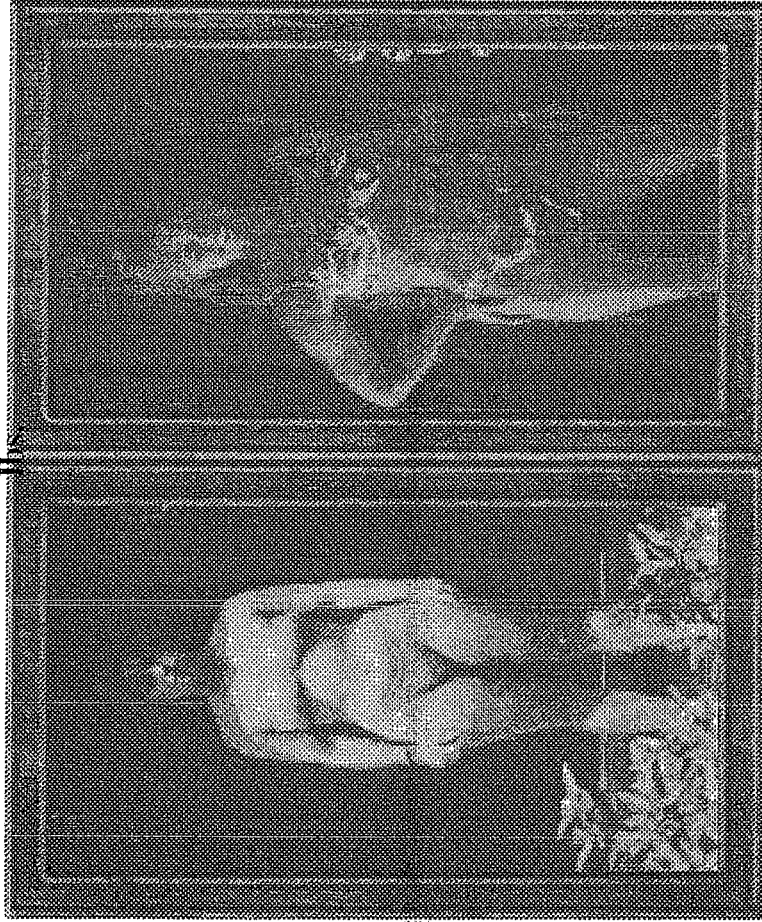
Pregnant or lactating women, people with pre-existing illness or pre-adolescent children should consult with a physician before adding this or any supplement to their diet.



Testimonials for Bio-Trim

Kelly before: 140 lbs.

Kelly 6 weeks later: 103 lbs.



Clarita before: 180 lbs.

**Clarita 6 weeks later:
140 lbs.**



"In two words: IT WORKS! And I had fun losing the weight. I have lost over 40 pounds and I have 18 more to go to reach my goal. I have tried all kinds of diet programs before and I have never seen one work this well, I am keeping the weight off! It's amazing! This truly works and has changed my life." **Clarita R., FL**

"Thank you! Losing weight was easy, and best of all safe. It was amazing how fast I lost the weight. It was simple, easy, and truly wonderful!" **Janise T., FL**

"This is the best thing that has ever happened to me. It's the easiest diet I have ever tried and the best thing of all, the weight stays off! My friends can't believe this is the new me!" **Anne F., CA**

It is truly amazing how fast and effective Bio Trim worked for me. I used to dread trying on clothes, now I can't wait to shop!" **Kelly B., FL**

Frequently Asked Questions

About Bio-Trim

Q. What is Bio-Trim?

A. Bio-Trim is made out of Konjac Root, an all natural water soluble fiber from Japan.

Q. How does Bio-Trim work?

A. It works by expanding in your stomach about 100 times its original size. This gives you a feeling of fullness, therefore you don't eat as much.

Q. How do I take Bio-Trim?

A. You take two gel caps 30 minutes before lunch and dinner with a full glass of water.

Q. How long will it be before I see any effects?

A. You should see a difference in the amount of food you eat at each meal almost immediately. For your body to start showing results it will be about 2 weeks. Most people report a noticeable difference in about 4-6 weeks.

Q. Can I eat what I want?

A. Of course you can! But as with any diet, the healthier you eat the better. A healthy diet is one that includes a wide range of foods, you can basically still eat what you want, just pay attention to the amounts you eat if you want to lose weight faster.

Q. Is Bio-Trim suitable if I am on medication or have a medical condition?

A. We recommend you take any medication and/or vitamins at a separate time from your Bio-Trim. Since Bio-Trim swells up in your stomach it would not let the other medicines and/or vitamins work like they are supposed to. However, if you have a medical condition we encourage you to consult with your physician before starting this or any other diet program.

Q. You offer a 30-day money back guarantee. How does that work?

A. You have 30 days to try out our product. If by the end of the 30 days you are not satisfied with the results, simply mail the empty bottle back to us at PO Box 378, Richmond, MO 64085. You should see a credit on your account, or a check (depending how you originally paid for it) in approximately 3 weeks from the time you return it.