

## BUTTON PUSHER SWEEP CASE LIST

Case Name	Type of case	Matter Information	Status	Responsible Agency	Press Contact
FTC v. Zachary A. Kinion	Civil case alleging the following violations of the CAN-SPAM Act: (1) use of false header information; (2) use of false subject lines; (3) failure to include clear and conspicuous opt-out mechanism; and (4) failure to include physical address of the sender.	Complaint filed in federal court in Chicago on 11/29/05	Court entered Temporary Restraining Order and asset freeze on 12/7/05. Hearing regarding preliminary injunction on 12/21/05.	Federal Trade Commission	Claudia Bourne Farrell (202) 326-2181 or Steven Wernikoff (312) 960-5634
FTC v. Brian McMullen	Civil case alleging the following violates of the CAN-SPAM Act: (1) use of false header information; (2) use of false subject lines; (3) failure to include clear and conspicuous opt-out mechanism; and (4) failure to include physical address of the sender.	Complaint filed in federal court in Chicago on 12/8/05	Hearing on motion for Temporary Restraining Order on 12/21/05	Federal Trade Commission	Claudia Bourne Farrell (202) 326-2181 or William Hodor (312) 960-5592
FTC v. Matt Olson and Jennifer LeRoy	Civil case alleging the following violates of the CAN-SPAM Act: (1) use of false header information; (2) use of false subject lines; (3) failure to include clear and conspicuous opt-out mechanism; and (4) failure to include physical address of the sender.	Complaint filed in federal court in Seattle on 11/28/05	Stipulated preliminary injunction with asset freeze entered on 12/7/05.	Federal Trade Commission	Claudia Bourne Farrell (202) 326-2181

The Commissioner of Competition v. Mike Stothers	Civil case alleging reviewable conduct under the deceptive marketing practices provisions of the <i>Competition Act</i> (section 74.01(1))		Consent agreement filed with the Competition Tribunal on 12/16/05.	Canadian Competition Bureau	Maureen McGrath (819) 953-8982
The Commissioner of Competition v. Cory Grattan and Tracey Grattan	Civil case alleging reviewable conduct under the deceptive marketing practices provisions of the <i>Competition Act</i> (section 74.01(1))		Consent agreement filed with the Competition Tribunal on 12/19/05.	Canadian Competition Bureau	Maureen McGrath (819) 953-8982
State of Florida, Department of Legal Affairs, Office of the Attorney General v. Rik Rodriguez	Civil case alleging: (1) conduct violating the CAN-SPAM Act as a per se violation of Chapter 501, Part II, Florida Statutes, Florida's Deceptive and Unfair Trade Practices Act ("DUTPA"); and (2) conduct violating the DUTPA generally.	Complaint filed in Circuit Court of the Nineteenth Judicial Circuit in and for Indian River County, Vero Beach, Florida on 12/14/05		Florida Attorney General's Office	Sandi Copes or Jon Peck (850) 245-0150
State of North Carolina ex rel Roy Cooper, Attorney General v. Michael Abbott	Civil case alleging unfair or deceptive business practices in violation of N.C.S.C. § 75-1.1 through violations of the CAN-SPAM Act	Complaint filed in Wake County North Carolina Superior Court on 12/13/05		North Carolina Attorney General's Office	Noelle Tally (919) 716-6484
State of Texas v. Billy W. Williams	Civil case alleging violations of: (1) the CAN-SPAM Act; (2) the Texas Electronic Mail Solicitation Act; and (3) the Texas Deceptive Trade Practices Act	Complaint filed in federal court in Dallas on 12/16/05		Texas Attorney General's Office	Tom Kelley (512) 936-1858