

**QUARTERLY FEDERAL COURT
LITIGATION STATUS REPORT**

Office of the General Counsel
Bureau of Competition
Bureau of Consumer Protection
Regional Offices

June 30, 2009

No. 100

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SUMMARY OF CASES

	D. Ct.	Ct. App.*	S. Ct.	Total
PETITIONS FOR REVIEW				0
INJUNCTION AND CONSUMER REDRESS CASES	91	13		104
CIVIL PENALTY AND ENFORCEMENT CASES	18			18
SUBPOENA AND CID ENFORCEMENTS		1		1
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	4	1		5
AMICUS CURIAE BRIEFS		1	2	3
TOTALS	113	16	2	131

*Includes all cases in which appellate proceedings have taken place during the reporting period or are pending; these cases are not counted in the District Court column, even if such proceedings are going on simultaneously.

PETITIONS FOR REVIEW

(A) Orders to Cease and Desist

(None Pending)

(B) Rulemakings

(None pending)

INJUNCTION AND CONSUMER REDRESS CASES

(A) Preliminary Injunctions (Mergers/Acquisitions)

FTC v. CCC HOLDINGS, INC., No 1:08-CV-02043 (D.D.C.)

Parties: CCC Holdings, Inc.
Aurora Equity Partners III L.P.

Assigned Attorneys: Catherine M. Moscatelli (BC)
J. Robert Robertson
Casey R. Triggs

Alleged Conduct: Petition for a preliminary injunction enjoining defendants from taking any steps to consummate a merger pending resolution of a Commission proceeding to consider anticompetitive effects.

Status: Complaint filed 11/26/08.
Hearings held 1/8-23/09.
Post-trial briefs filed 2/2/09.
Order granting preliminary injunction entered 3/9/09.

FTC v. CSL LIMITED, No. 1:09-CV-01000 (D.D.C.)

Parties: CSL Limited
Cerberus-Plasma Holdings, LLC

Assigned Attorneys: Matthew J. Reilly (BC)

Alleged Conduct: Petition for a preliminary injunction enjoining defendants from taking any steps to consummate a sale and acquisition pending resolution of a Commission proceeding to consider anticompetitive effects.

Status: Sealed complaint filed 5/28/09.
TRO entered 6/1/09.
Redacted public complaint filed 6/2/09.
Order granting joint motion to dismiss complaint entered 6/10/09.

(B) Preliminary Injunctions (Other)

(None pending)

(C) Permanent Injunctions/Consumer Redress*

FTC v. 1522838 ONTARIO INC., No. 1:06-CV-05378 (N.D. Ill.)

Parties: 1522838 Ontario Inc., d/b/a International Industrial Trade Directory
Gerhard Mintz, a/k/a Gerry Mintz
William George Fisk, a/k/a Michael Kelly and Michael Robert Petreikis
Emma G. Wanjiku

Assigned Attorney: David A. O'Toole (MWR)

Alleged Conduct: Violations of Section 5 in connection with sending fake invoices to consumers for business directory and office supply services and goods never ordered or purchased.

Status: Complaint filed 10/4/06.
Ex parte TRO entered 10/4/06.
Stipulated preliminary injunction with asset freeze and other equitable relief against defendants 1522838 Ontario Inc. and Gerhard Mintz entered 10/20/06.
Stipulated order for permanent injunction and final judgment as to defendants 1522838 Ontario Inc. and Gerhard Mintz entered 3/21/07.
Stipulated order for permanent injunction and final judgment as to defendant Emma G. Wanjiku entered 4/15/08.
Commission's motion for summary judgment as to defendant Michael Robert Petreikis filed 7/7/08; order granting summary judgment entered 3/3/09.
Final judgment as to defendant Michael Robert Petreikis entered 3/24/09.

* Unless otherwise noted, cases involve suits for permanent injunction and other equitable relief. Post-judgment proceedings in district court are not generally reported.

FTC v. 6253547 CANADA, INC., No. 1:09-CV-01211 (N.D. Ohio)

Parties: 6253547 Canada, Inc., d/b/a Thompson Hill Publishing, The Official
Yellow Pages, and The Oyp Group
Opus Media, Inc.
Karl Garon
Claude E. Berthiaume

Assigned Attorney: Michael Milgrom (ECR)
Larissa L. Bungo
Jon M. Steiger

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
the sale and billing of business directory listings.

Status: Complaint filed 5/27/09.
TRO with asset freeze and other equitable relief entered 6/2/09.
Preliminary injunction entered 7/1/09.

FTC v. 6554962 CANADA INC., No. 1:08-CV-02309 (N.D. Ill.)

Parties: 6554962 Canada Inc., d/b/a Union Consumers Benefits
Naeem Alvi

Assigned Attorney: Guy G. Ward (MWR)

Alleged Conduct: Violation of Section 5 and the Telemarketing Sales Rule in connection
with a false and deceptive telemarketing campaign purporting to offer
medical discount packages.

Status: Complaint filed 4/23/08.
TRO with asset freeze entered 4/24/08.
Order extending TRO entered 5/1/08.
Stipulated preliminary injunction entered 6/9/08.

FTC v. 6555381 CANADA INC., No. 1:09-CV-03158 (N.D. Ill.)

Parties: 6555381 Canada Inc., d/b/a Reed Publishing
3189651 Canada Inc., d/b/a Reed Publishing

Assigned Attorneys: Gary L. Ivens (BCP/MP)
Guy Ward (MWR)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the sale and billing of business directory listings.

Status: Complaint filed 5/27/09.
TRO with asset freeze and other equitable relief entered 6/1/09.
Preliminary injunction entered 6/11/09.

FTC v. 6654916 CANADA INC., No. 1:09-CV-03159 (N.D. Ill.)

Parties: 6654916 Canada Inc., d/b/a National Yellow Pages Online Inc.
9187-4131 Quebec Inc., d/b/a Sharing Telecom Solutions
National Yellow Pages Online, LLC
DRS Without Prejudice, Inc.
Riaz A. Butt
Faheem Ahmed Mughal
Nabeel Azmat
Sohail Azmat
Bilal Ahmed Malik, a/k/a Bobby Malik

Assigned Attorneys: William J. Hodor (MWR)
Theresa M. McGrew

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the sale and billing of business directory listings.

Status: Complaint filed 5/27/09.
TRO with asset freeze and other equitable relief entered 5/27/09.
Preliminary injunction with asset freeze and other equitable relief as to defendants 6654916 Canada Inc., 9187-4131 Quebec Inc., and Bilal Ahmed Malik entered 6/10/09.
Preliminary injunction with asset freeze and other equitable relief as to defendants National Yellow Pages Online, LLC, DRS Without Prejudice, Inc., Riaz A. Butt, and Faheem Ahmed Mughal entered 6/22/09.
Stipulated preliminary injunction with asset freeze and other equitable relief as to defendants Nabeel Azmat and Sohail Azmat entered 6/22/09.

FTC v. 9107-4021 QUEBEC, INC., No. 1:08-CV-01051 (N.D. Ohio)

Parties: 9107-4201 Quebec, Inc., d/b/a Med Provisions, Pronto Meds
9107-5424 Quebec, Inc.
Zonecon Technologies
Pooja Malhotra
Sameer Palhotra
Ravinder Chawla
Amit Malhotra

Assigned Attorneys: Michael Milgrom (ECR)
Sara C. De Paul

Alleged Conduct: Violation of Section 5 and the Telemarketing Sales Rule in connection with unfair and deceptive practices purporting to offer savings on prescription drug costs.

Status: Complaint filed 4/24/08.
TRO entered 4/25/08.
Stipulated order extending TRO entered 5/5/08.
Stipulated preliminary injunction entered 6/5/08.
Amended complaint adding defendants filed 8/15/08.
Stipulated preliminary injunction as to new defendants entered 9/29/08.

FTC v. 9163-7710 QUEBEC, INC., No. 3:08-CV-02161 (D.P.R.)

Parties: 9163-7710 Quebec, Inc., d/b/a Enterprise Who's Who, PCM Collections
Rodolfo Garcia Rodriguez

Assigned Attorneys: Lemuel W. Dowdy (BCP/ENF)
James A. Prunty

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the sale of internet business directory listing and web page hosting services.

Status: Complaint filed 10/9/08.
TRO with asset freeze entered 10/9/08.
Preliminary injunction entered 10/17/08.
Default entered 11/18/08.
Default final judgment and order for permanent injunction and other relief entered 3/6/09.

FTC v. ACCUSEARCH, INC., No. 08-8003 (10th Cir.); No. 2:06-CV-00105 (D. Wyo.)

Parties: Accusearch, Inc., d/b/a Abika.com
Jay Patel

Assigned Attorneys: Tracy Thorleifson (NWR)
Lawrence DeMille-Wagman (OGC)

Alleged Conduct: Unfair practices in violation of Section 5 in connection with the sale of confidential consumer phone records.

Status: Complaint filed 5/1/06.
Defendants' motion to dismiss for failure to state a claim filed 6/6/06;
Commission's response to motion to dismiss filed 6/20/06;
defendants' reply filed 6/28/06; motion denied 7/13/06.
Commission's motion to strike affirmative defenses filed 8/24/06.
Defendants' motions for summary judgment filed 12/8/06; Commission's
opposition filed 12/26/06.
Commission's motion for summary judgment filed 1/22/07; defendants'
opposition filed 2/5/07.
Hearing on summary judgment motions held 2/28/07.
Order vacating trial date of 4/9/07, pending ruling on cross-motions for
summary judgment, entered 3/21/07.
Order granting in part and denying in part Commission's motion to strike
affirmative defenses entered 3/28/07.
Commission's motion for summary judgment granted 9/28/07.
Defendants' motions for summary judgment denied 9/28/07.
Order and judgment for permanent injunction and other equitable relief
entered 12/20/07.
Notice of appeal filed 1/9/08.
Appellants' brief filed 4/21/08.
Commission's brief filed 6/6/08.
Appellants' reply brief filed 6/18/08.
Amicus brief of Canadian Privacy Commissioner filed 6/26/08; response
by appellants filed 7/10/08.
Oral argument held 11/17/08.
Opinion affirming District Court judgment entered 6/29/09.

FTC v. ACE GROUP, INC., No. 0:08-CV-61686 (S.D. Fla.)

Parties: Ace Group, Inc., d/b/a American Credit Experts, Inc., The Ace Group, Inc., The Ace Group, Ace Legal Credit Repair Center, Inc., d/b/a LCRC
Michael Singer
Melvin Kessler
Gerald Roth

Assigned Attorneys: Michele Stolls (NER)
Robin E. Eichen

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/20/08.
Stipulated preliminary injunction entered 12/4/08.
Stipulated final judgment and order for permanent injunction and other equitable relief against all defendants except Melvin Kessler entered 6/2/09.
Stipulated final judgment and order for permanent injunction and other equitable relief against defendant Melvin Kessler entered 6/12/09.

FTC v. ADVANTAGE CREDIT REPAIR LLC, No. 1:08-CV-05994 (N.D. Ill.)

Parties: Advantage Credit Repair LLC
Mark D. Solomon

Assigned Attorneys: Marissa J. Reich (MWR)
David O'Toole

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/20/08.
TRO with asset freeze entered 10/23/08.
Stipulated preliminary injunction entered 1/27/09.

FTC v. ALTERNATEL, INC., No. 1:08-CV-21433 (S.D. Fla.)

Parties: Alternatel, Inc.
G.F.G. Enterprises LLC, d/b/a Mystic Prepaid
Voice Prepaid, Inc.
Telecom Express, Inc.
Voice Distributors, Inc.
Lucas Friedlander
Moses Greenfield
Nicholas Gulakos
Frank Wendorff

Assigned Attorneys: Janis Claire Kestenbaum (BCP/MP)
Roberto Anguizola
Arturo Anton DeCastro
Lisa Schifferle

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving prepaid phone cards, misrepresentation of call minutes, and failure to disclose fees.

Status: Complaint filed 5/19/08.
TRO entered 5/23/08.
Defendants' Rule 12(b)(2) motions to dismiss filed 5/23/08;
Commission's opposition to motion filed 6/9/08; defendants' reply filed 6/19/08; Commission's sur-reply filed 7/10/08.
Defendants' Rule 12(b)(1), 12(b)(6), and 12(b)(7) motions to dismiss filed 7/1/08; Commission's opposition to motions filed 7/21/08, defendants' reply filed 7/31/08.
Orders denying defendants' Rule 12(b)(2) motions entered 10/22/08 and 10/27/08.
Order denying defendants' remaining Rule 12 motions entered 12/4/08.
Order granting motion to stay pending approval of settlement entered 12/11/08.
Stipulated final judgment and order entered 4/1/09.

FTC v. AMERICAN ENTERTAINMENT DISTRIBUTORS, INC., No. 1:04-CV-22431 (S.D. Fla.)

Parties: American Entertainment Distributors, Inc.
Automated Entertainment Dispensers, Inc.
Automated Entertainment Machines, Inc.
Universal Technical Support, Inc.
Universal Cybercom Corporation
Russell G. MacArthur, Jr.
Anthony Rocco Andreoni
James R. MacArthur
Mauricio A. Paz
Miriam Smolyansky, a/k/a Masha Tango

Assigned Attorneys: Michael Tankersley (BCP/MP)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the sale of a business opportunity venture involving automated DVD and VHS movie rental machines.

Status: Complaint for injunctive and other equitable relief filed 9/28/04.
TRO entered 9/29/04.
Stipulated preliminary injunction as to defendants American Entertainment Distributors, Inc. and James R. MacArthur entered 10/21/04.
Stipulated preliminary injunction as to defendants Universal Cybercom Corporation and Mauricio A. Paz entered 11/24/04.
Order modifying TRO entered 12/29/04.
Stipulated preliminary injunction as to defendants Automated Entertainment Dispensers, Inc., Universal Technical Support, Inc., Anthony Rocco Andreoni and Miriam Smolyansky entered 1/5/05.
Stipulated amendment of preliminary injunction as to defendant Anthony Rocco Andreoni entered 1/5/05.
Stipulated preliminary injunction with asset freeze as to defendant Russell G. MacArthur, Jr. entered 1/21/05.
Default judgment and final order for permanent injunction as to American Entertainment Distributors, Inc., Automated Entertainment Machines, Inc. and James R. MacArthur entered 2/22/05.
Commission's motion to stay discovery until criminal proceedings are completed filed 8/30/05; defendants' response filed 9/6/05; Commission's response filed 9/9/05; order granting motion to stay entered 10/17/05.
Order reopening case and lifting stay entered 5/13/08.
Stipulated proposed final orders as to Mauricio A. Paz, Universal Cybercom Corporation, Automated Entertainment Distributors, Inc., and Universal Technical Support, Inc. filed 1/16/09.

FTC v. AMERICAN VETERANS RELIEF FOUNDATION, INC., No. 2:09-CV-03533
(C.D. Cal.)

Parties: American Veterans Relief Foundation, Inc.
Coalition of Police and Sheriffs, Inc.
Disabled Firefighters Fund
Jeffrey Dean Duncan
Kathy Clinkenbeard
William Rose

Assigned Attorneys: Tracy Thorleifson (NWR)
David M. Horn
Miry Kim
Jennifer M. Brennan (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the solicitation of charitable
donations.

Status: Complaint filed 5/18/09.
Final judgment and order for permanent injunction entered 6/3/09.

FTC v. ATKINSON, No. 1:08-CV-05666 (N.D. Ill.)

Parties: Lance Thomas Atkinson
Inet Ventures Pty Ltd
Tango Pay Inc.
Click Fusion Inc.
TwoBucks Tracking Limited
Jody Michael Smith

Assigned Attorney: Steven M. Wernikoff (MWR)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the CAN-SPAM
Act in connection with the marketing and sale of herbal products,
pharmaceutical medications, and replica watches.

Status: Complaint filed 10/6/08.
TRO with asset freeze entered 10/6/08.
Preliminary injunction as to defendants Lance Thomas Atkinson, Inet
Ventures Pty Ltd, Tango Pay Inc., Click Fusion Inc., and
TwoBucks Tracking Limited entered 10/21/08.
Stipulated preliminary injunction as to defendant Jody Michael Smith
entered 1/13/09.

FTC v. BAY AREA BUSINESS COUNCIL, INC., No. 1:02-CV-05762 (N.D. Ill.)

Parties: Bay Area Business Council, Inc.
Peter J. Porcelli, II.
Bonnie A. Werner, f/k/a Bonnie A. Harris
Christopher Tomasulo
Safe Harbour Foundation of Florida, Inc.
Silverstone Lending, LLC
Silverstone Financial, LLC
Thomas Little

Assigned Attorneys: David A. O'Toole (MWR)
Guy G. Ward
Marissa Reich

Alleged Conduct: Civil contempt action for violations of a 2004 litigated judgment as to Peter Porcelli and Bonnie A. Harris and a 2005 consent order as to Christopher Tomasulo that prohibited defendants from selling credit-related products or services.

Status: Complaint filed 8/13/02.
Order granting Commission's summary judgment as to all defendants entered 4/9/04.
Commission's motion for order to show cause why defendants Peter J. Porcelli, II, Bonnie A. Harris, Christopher Tomasulo, and respondents Safe Harbour Foundation of Florida, Inc., Silverstone Lending, LLC, Silverstone Financial, LLC, and Thomas Little should not be held in contempt filed 2/27/08.
Commission's motion to consolidate case with *FTC v. Safe Harbour Foundation of Florida, Inc.*, No. 08-1185 (N.D. Ill.) filed 2/27/08; granted 5/1/08.
Order granting motion for an order to show cause entered 8/27/08.
Stipulated order for permanent injunction and final judgment as to defendant Christopher Tomasulo entered 4/27/09.
Stipulated order for permanent injunction and final judgment as to defendant Bonnie A. Werner entered 4/27/09.
Stipulated final judgment regarding respondent Thomas C. Little entered 4/27/09.

FTC v. BC, LTD., No. 2:07-CV-01755 (W.D.Wash.)

Parties: BC, Ltd. d/b/a Cash Corner Services, Inc.
BC, Ltd. d/b/a Family Choice Store, Inc.
Odowa Roland Okuomose, individually and d/b/a Cash Corner Services,
Inc. and Family Choice Store, Inc.
Evelyn Okuomose, individually and d/b/a Family Choice Store, Inc.

Assigned Attorneys: Kathryn C. Decker (NWR)
Eleanor Durham

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection
with a deceptive lottery scheme.

Status: Complaint filed 10/31/07.
Ex parte TRO and asset freeze entered 10/31/07.
Preliminary injunction and other equitable relief entered 11/13/07.
Clerk's entry of default against all defendants 5/9/08.
Motion for default judgment and order for permanent injunction filed
12/9/08.
Default judgment and order for permanent injunction and monetary relief
entered 1/30/09.

FTC v. BORGES, No. 8:09-CV-01634 (D. Md.)

Parties: Wagner Ramon Borges, d/b/a Job Safety USA, Sparkle Industrial, Sparkle
Maintenance, Star Maintenance, Aim Janitorial & Flooring, United
Maintenance

Assigned Attorneys: Arturo A. DeCastro (BCP/MP)
Collot Guerard
LaShawn M. Johnson

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
maintenance and cleaning job offers to consumers.

Status: Complaint filed 6/22/09.

FTC v. BREITLING, No. 5:08-CV-00494 (W.D. Okla.)

Parties: Steven Anthony Breitling, d/b/a ICS Financial Group, ICS Financial Firm, ICS A Financial Co., ICS Financial Services, Integrated Credit Services, ICS Financial Associates

Assigned Attorneys: Emily B. Robinson (SWR)
James E. Hunnicutt

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 and the Telemarketing Sales Rule involving alleged guaranteed advance-fee loans.

Status: Complaint filed 5/12/08.
TRO with asset freeze entered 5/12/08.
Stipulated preliminary injunction entered 5/21/08.
Order denying defendant's motion for TRO or alternatively for preliminary injunction, denying Commission's motion for order to return frozen funds, and clarifying and modifying stipulated preliminary injunction entered 6/11/08.
Orders staying proceedings and partially lifting asset freeze entered 2/24/09.
Stipulated final judgment and order for permanent injunction entered 4/27/09.

FTC v. BRONSON PARTNERS, LLC, No. 3:04-CV-01866 (D. Conn.)

Parties: Bronson Partners, LLC, d/b/a New England Diet Center and Bronson Day Spa
Martin Howard
H&H Marketing, LLC (relief defendant)
Sandra Howard (relief defendant)

Assigned Attorney: Robin E. Eichen (NER)
Deborah A. Marrone
Michele Stolls

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 of the FTC Act in connection with the sale of purported weight-loss products.

Status: Complaint filed 11/4/04.
Stipulated preliminary injunction entered 2/24/05.
Amended complaint for permanent injunction and other equitable relief, adding relief defendants H&H Marketing, LLC and Sandra Howard, filed 6/13/05.
Commission's motion for contempt filed 9/23/05; response filed 10/14/05.
Order granting Commission's motion for contempt entered 3/1/06.
Commission's motion for summary judgment filed 11/1/06; defendants' opposition filed 12/28/06; Commission's reply filed 2/8/07.
Oral argument on motion for summary judgment held 9/19/07.
Decision granting Commission's motion for summary judgment as to liability entered 7/10/08.
Evidentiary hearing on monetary relief held 6/2/09.

FTC v. BURNLOUNGE, INC., No. 2:07-CV-03654 (C.D. Cal.)

Parties: BurnLounge, Inc.
Juan Alexander Arnold
John Taylor
Rob DeBoer
Scott Elliott

Assigned Attorneys: Chris M. Couillou (SER)
Gerald S. Sachs
David C. Fix (BCP/MP)
Kenneth Abbe (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the advertising, marketing, and sale of opportunities to operate on-line digital music stores.

Status: Complaint filed 6/6/07.
Stipulated preliminary injunction as to defendant Scott Elliott entered 7/2/07.
Stipulated preliminary injunction as to defendant BurnLounge, Inc. entered 7/3/07.
Stipulated preliminary injunction as to defendant Rob DeBoer entered 8/7/07.
Stipulated preliminary injunction as to defendant John Taylor entered 8/8/07.
Stipulated preliminary injunction as to defendant Juan Alexander Arnold entered 8/21/07.
Commission's motion to show cause why defendants BurnLounge and Juan Alexander Arnold should not be held in contempt for violation of stipulated preliminary injunction filed 4/24/08; defendants' opposition filed 5/7/08; Commission's reply filed 5/8/08; order granting motion to show cause entered 5/19/08.
Stipulated final order for permanent injunction and other equitable relief as to defendant Scott Elliott entered 6/16/08.
Defendants BurnLounge and Juan Alexander Arnold opposition to order to show cause filed 6/24/08; Commission's response filed 7/7/08; defendants' reply filed 7/8/08.
Order finding BurnLounge in violation of court injunction entered 8/4/08.
Trial held 12/9/08 to 12/22/08.
Post-trial briefs filed 3/6/09.
Closing arguments held 3/30/09.

FTC v. CANTKIER, No. 1:09-CV-00894 (D.D.C.)

Parties: Sean Cantkier
Scot Lady
Jeffrey Altmire
Michael Haller
Lisa Roye
Alan Lestourgeon
Kean Lee Lim
Greg Rivera
Neil Sperry

Assigned Attorneys: Lawrence Hodapp (BCP/FP)
Gregory A. Ashe
Ronald G. Isaac

Alleged Conduct: Deceptive acts or practices in violation of Section 5 in connection with misrepresentations of United States government affiliation to consumers seeking mortgage relief.

Status: Complaint (originally filed as *FTC v. One or More Unknown Parties Misrepresenting Their Affiliation with the Making Home Affordable Program*) filed 5/14/09.
TRO entered 5/15/09.
Amended complaint naming defendants filed 6/18/09.
Stipulated preliminary injunction as to defendant Lisa Roye entered 6/24/09.
Stipulated preliminary injunctions as to defendants Sean Cantkier, Michael Haller, and Greg Rivera entered 6/25/09.
Preliminary injunction as to defendants Scot Lady, Jeffrey Altmire, Alan Lestourgeon, and Kean Lee Lim entered 6/25/09.

FTC v. CASH TODAY, LTD, No. 3:08-CV-00590 (D. Nev.)

Parties: Cash Today, Ltd
The Heathmill Village, Ltd.
Leads Global, Inc.
Waterfront Investments, Inc.
ACH Cash, Inc.
HBS Services, Inc.
Rovinge International, Inc.
Lotus Leads, Inc.
First4Leads, Inc.
The Harris Holding, Ltd., d/b/a Cash Today, route 66 Funding, Global
Financial Services, Ltd., Interim Cash, Ltd., BIG-INT, Ltd.
Aaron Gershfield
Ivor Gershfield
Jim Harris

Assigned Attorneys: Nadine S. Samter (NWR)
Julie K. Mayer

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Truth in Lending Act, and Regulation Z in connection with the offering, extension, and collection of payday loans.

Status: Complaint filed 11/6/08.
Stipulated preliminary injunction and order for other equitable relief as to defendants Leads Global, Inc.; Waterfront Investments, Inc.; HBS Services, Inc.; Rovinge International, Inc.; ACH Cash, Inc.; First4Leads, Inc.; and Lotus Leads, Inc. entered 1/5/09.
Preliminary injunction and order for other equitable relief as to defendant Jim Harris entered 1/12/09.

FTC v. CEPHALON, INC., No. 2:08-CV-02141 (E.D. Pa.), formerly No. 1:08-CV-00244
(D.D.C.)

Parties: Cephalon, Inc.

Assigned Attorneys: Markus H. Meier (BC)
Saralisa C. Brau
Bradley S. Albert
Mark J. Woodward

Alleged Conduct: Violations of Section 5 in connection with inducing generic companies to abandon patent challenge and agreeing to refrain from producing a generic form of the drug Provigil.

Status: Complaint for injunctive relief in D.D.C. filed 2/13/08.
Order granting defendant's motion to transfer case to E.D. Pa. entered 4/28/08.
Defendant's motion to dismiss filed 5/2/08; Commission's opposition to motion filed 6/2/08; defendant's reply filed 6/20/08.

FTC v. CHASE FINANCIAL FUNDING, INC., No. 8:04-CV-00549 (C.D. Cal.)

Parties: Chase Financial Funding, Inc.
James F. Berry
Suzanne Admire
Jeremy Alexander
Chase Enterprises, LLC (relief defendant)
WCM QSUB-34, Inc. (relief defendant)

Assigned Attorneys: Katherine Worthman (BCP/FP)
Faye Chen Barnouw (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5, the Truth in Lending Act and Regulation Z in connection with mortgage loans.

Status: Complaint filed 5/12/04.
Stipulated preliminary injunction entered 5/28/04.
First amended complaint for injunctive and other equitable relief, adding relief defendants Chase Enterprises, LLC and WCM QSUB-34, Inc., filed 12/14/04.
Order to show cause why defendant James F. Berry should not be held in contempt for violating the May 28, 2004 Stipulated Preliminary Injunction and December 15, 2004 Stipulation and Order entered 7/1/05.
Order for issuance of bench warrant for arrest of James F. Berry entered 8/15/05.
Defendants Chase Financial Funding and Chase Enterprises' Chapter 7 bankruptcy protection filed 9/26/05.
James F. Berry arrested, pursuant to bench warrant, 10/31/05.
Stipulation and order regarding contempt of James F. Berry, releasing him from custody, entered 12/8/05.
Defendant James F. Berry's Chapter 7 bankruptcy petition filed 5/5/06.

FTC v. CHINERY, No. 3:05-CV-03460 (D.N.J.)

Parties: Robert Chinery, Jr.
Tracy A. Chinery
RTC Research & Development, LLC

Assigned Attorneys: David Frankel (BCP/AP)
Karen Mandel

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 of the FTC Act in connection with the sale of the dietary supplement Xenadrine EFX.

Status: Complaint filed 7/11/05.
Defendants Tracy Chinery and RTC's motions to dismiss and in the alternative for summary judgment filed 9/6/05.
Defendant Robert Chinery's motion to dismiss and in the alternative for summary judgment filed 9/9/05.
Order referring the case to mediation entered 9/26/05.
Commission's oppositions to all motions to dismiss filed 10/3/05.
Order staying litigation pending resolution of ongoing mediation entered 10/29/05.
Consent order withdrawing pending motions without prejudice entered 3/31/06.
Stipulated final order for permanent injunction and settlement of claims for monetary relief, as to defendants Robert Chinery, Jr. and RTC Research & Development, LLC, providing for consumer redress of \$8 - \$12.8 million, entered 12/26/06.
Order lifting litigation stay as to defendant Tracy Chinery entered 3/2/07.
Defendant Tracy Chinery's motion to dismiss or, in the alternative, for summary judgment filed 3/7/07; Commission's opposition filed 4/16/07; reply filed 5/8/07.
Order denying motion to dismiss and dismissing motion for summary judgment without prejudice entered 7/5/07.
Defendant Tracy Chinery's motion for summary judgment filed 9/2/08; Commission's response in opposition filed 10/6/08; reply filed 11/10/08; order denying summary judgment entered 3/23/09.
Stipulated order for permanent injunction and settlement of claims for monetary relief as to all defendants entered 3/31/09.

FTC v. CITY WEST ADVANTAGE, INC., No. 2:08-CV-00609 (D. Nev.)

Parties: City West Advantage, Inc., d/b/a Unified Services
James S. Slemboski

Assigned Attorneys: Kenneth H. Abbe (WR-SF)
Eric D. Edmondson
Blaine T. Welsh (AUSA)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 involving offers of shopping sprees or free gifts in return for providing bank account information.

Status: Complaint filed 5/13/08.
Order denying motion for TRO entered 5/20/08.
Preliminary injunction hearing held 6/12/08.
Preliminary injunction entered 7/22/08.

FTC v. CLASSIC CLOSEOUTS, LLC, No. 2:09-CV-02692 (E.D. N.Y.)

Parties: Classic Closeouts LLC, d/b/a Classiccloseouts.com
Daniel J. Greenberg, d/b/a ThirdFree.com

Assigned Attorneys: Robin E. Eichen (NER)
William H. Efron
Carole A. Paynter

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with charging consumers' credit cards or debiting consumers' bank accounts without authorization.

Status: Complaint filed 6/24/09.
TRO entered 6/29/09.

FTC v. CLEAN CREDIT REPORT SERVICES, INC., No. 1:08-CV-22922 (S.D. Fla.)

Parties: Clean Credit Report Services, Inc.
Ricardo A. Miranda
Daniel R. Miranda
Ruthy Villabona

Assigned Attorney: Robin L. Rock (SER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/21/08.
TRO with asset freeze entered 10/23/08.
Preliminary injunction entered 11/3/08.

FTC v. CLIFTON TELECARD ALLIANCE ONE LLC, No. 2:08-CV-01480 (D.N.J.)

Parties: Clifton Telecard Alliance One LLC, d/b/a Clifton Telecard Alliance and
CTA, Inc.
Mustafa Qattous

Assigned Attorneys: Colleen B. Robbins (BCP/MP)
LaShawn M. Johnson
Tracey Thomas

Alleged Conduct: Violations of Section 5 in connection with deceptive marketing practices in selling prepaid phone cards to consumers.

Status: Complaint filed 3/25/08.
TRO entered 3/28/08.
Order granting stay pending approval of stipulated final order entered 11/14/08.
Stipulated final order for permanent injunction and monetary judgment entered 6/18/09.

FTC v. CRUZ, No. 3:08-CV-01877 (D.P.R.)

Parties: Zolio Cruz, a/k/a Zolio Cruz-Carrion, d/b/a International Marketing

Assigned Attorneys: Edwin Rodriguez (BCP/ENF)
Matthew Wilshire

Alleged Conduct: Deceptive acts and practices in violation of Section 5 related to marketing of work at home opportunities.

Status: Complaint filed 8/7/08.
Order for default judgment and permanent injunction entered 12/18/08.
Final monetary judgment entered 6/5/09.

FTC v. CYBERSPY SOFTWARE, LLC, No. 6:08-CV- 01872 (M.D. Fla.)

Parties: CyberSpy Software, LLC
Tracer R. Spence

Assigned Attorneys: David K. Koehler (BCP/AP)
Tracy R. Shapiro
James A. Trilling
Carl H. Settlemyer

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 in connection with the sale of software and the unauthorized collection and disclosure of consumers' personal information.

Status: Complaint filed 11/5/08.
TRO entered 11/6/08.
Preliminary injunction entered 11/25/08.
Order denying defendants' motion for summary judgment entered 2/23/09.
Trial scheduled for 9/14/09.

FTC v. DATA BUSINESS SOLUTIONS INC., No. 1:08-CV-02783 (N.D. Ill.)

Parties: Data Business Solutions Inc., d/b/a Internet Listing Service Corp., ILS Corp., ILSCORP.NET, Domain Listing Service Corp., DLSCORP.NET, DLS Corp.
1646153 Ontario Inc., d/b/a Internet Listing Service Corp., ILS Corp., ILSCORP.NET, Domain Listing Service Corp., DLSCORP.NET, DLS Corp.
Ari Balabanian
Isaac Benlolo
Kirk Mulveney
Steven E. Dale
Pearl Keslassy

Assigned Attorneys: Marissa J. Reich (MWR)
Karen D. Dodge

Alleged Conduct: Deceptive practices in violation of Section 5 involving domain name registrars and billing for search optimization services not provided.

Status: Complaint filed 5/14/08.
TRO with asset freeze entered 5/14/08.
Order extending TRO entered 5/22/08.
Stipulated order extending TRO entered 6/11/08.
Stipulated preliminary injunctions against defendants Ari Balabanian, Data Business Solutions Inc., Kirk Mulveney, and Isaac Benlolo entered 6/30/08.
Amended complaint adding defendants filed 8/11/08.
Preliminary injunction against Steven E. Dale entered 9/30/08.
Stipulated preliminary injunctions against Pearl Keslassy and 1646153 Ontario Inc. entered 9/30/08.
Default against Steven E. Dale entered 5/7/09.

FTC v. DATA MEDICAL CAPITAL, INC., No. 8:99-CV-01266 (C.D. Cal.)

Parties: Data Medical Capital, Inc.
Bryan D'Antonio
The Rodis Law Group, Inc.
America's Law Group
The Financial Group Inc., d/b/a Tax Relief ASAP

Assigned Attorneys: Gregory J. Madden (BCP/ENF)
Kristin M. Williams
Barbara Y.K. Chun (WR-LA)
Jennifer Larabee
Linda M. Stock

Alleged Conduct: Contempt proceedings for violating a telemarketing ban in a stipulated final order and permanent injunction.

Status: Complaint filed 10/14/99.
Stipulated final judgment and order entered 7/13/01.
Motions for contempt order, TRO, and modification of permanent injunction filed 5/27/09.
TRO with asset freeze and other equitable relief entered 5/27/09.
Preliminary injunction entered 6/22/09.
Order for defendants to show cause entered 6/22/09.

FTC v. DINAMICA FINANCIERA LLC, No. 2:09-CV-03554 (C.D. Cal.)

Parties: Dinamica Financiera LLC
Soluciones Dinamicas, Inc.
Jose Mario Esquer
Rosa Esquer
Valentin Benitez

Assigned Attorneys: Thomas Syta (WR-LA)
Stacy R. Procter
Maricela Segura
Jennifer M. Brennan

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving mortgage loan foreclosure services.

Status: Complaint filed 5/19/09.
TRO with asset freeze and other equitable relief entered 5/20/09.
Preliminary injunction entered 6/3/09.

FTC v. DIRECT CONNECTION CONSULTING, INC., No. 1:08-CV-01739 (N.D. Ga.)

Parties: Direct Connection Consulting, Inc., d/b/a Sure Touch Long Distance
Digicom, LLC, d/b/a DigiTouch Long Distance
Elliott Borenstein
Joann R. Winter

Assigned Attorney: Valerie M. Verduce (SER)

Alleged Conduct: False and deceptive practices in violation of Section 5 involving telemarketers offering free goods and services not provided and billing of credit cards and bank accounts.

Status: Complaint filed 5/14/08.
Order granting motion for TRO entered 5/14/08.
Order extending TRO entered 5/23/08.
Order extending TRO through 7/25/08 entered 6/5/08.
Orders granting motions for relief from TRO entered 6/16/08 and 6/20/08.
Preliminary injunction entered 7/25/08.
Final judgment and order for permanent injunction against defendants Direct Connection Consulting, Inc., Digicom, LLC, and Elliott Borenstein entered 3/23/09.

FTC v. DIRECT MARKETING CONCEPTS, INC., No. 1:04-CV-11136 (D. Mass.)

Parties: Direct Marketing Concepts, Inc., d/b/a Today's Health and Direct Fulfillment
ITV Direct, Inc., d/b/a Direct Fulfillment
Healthy Solutions, LLC, d/b/a Direct Business Concepts
Health Solutions, Inc.
Donald W. Barrett
Alejandro Guerrero, a/k/a Alex Guerrero
Michael Howell
Greg Geremesz
Triad ML Marketing, Inc.
King Media, Inc.
Allen Stern
Robert Maihos
Lisa Stern (relief defendant)
Steven Ritchey (relief defendant)
BP International, Inc.(relief defendant)

Assigned Attorneys: Edward Glennon (BCP/AP)
Shira D. Modell
Heather Hipsley
James A. Trilling
Kial S. Young

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of two dietary supplement products.

Status: Complaint filed 6/1/04.
Preliminary injunction as to defendants Direct Marketing Concepts, Inc., ITV Direct, Inc. and Donald W. Barrett entered 6/23/04.
Amended complaint for permanent injunction and other equitable relief adding defendant Robert Maihos and relief defendants Lisa Stern, Steven Richey and BP International, Inc., filed 4/20/05.
Stipulated final order for permanent injunction and settlement of claims for monetary relief as to defendants Health Solutions, Inc. and Alejandro Guerrero entered 9/28/05.
Stipulated final order for permanent injunction and settlement of claims for monetary relief as to defendants Healthy Solutions, LLC, Gregory Geremesz and Michael Howell entered 9/29/05.
Commission's motion for summary judgment as to remaining defendants filed 12/15/05; defendants' responses in opposition filed 2/10/06; Commission's reply filed 3/3/06.
Hearing on motion for summary judgment held 7/6/06.
Order granting in part and denying in part Commission's motion for summary judgment entered 7/14/08.

Trial on remaining counts held 11/18-21/08.
Closing arguments held 5/6/09.

FTC v. DIRECT MARKETING CONCEPTS, INC., No. 1:07-CV-11870 (D. Mass.)

Parties: Direct Marketing Concepts, Inc.
ITV Direct, Inc.
ITV Global, Inc.
Donald W. Barrett
Robert Maihos

Assigned Attorneys: Edward Glennon (BCP/AP)
Shira D. Modell
Heather Hipsley

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act in connection with the advertising, promotion, and sale of a book entitled “The Weight Loss Cure ‘They’ Don’t Want You to Know About.”

Status: Complaint filed 10/4/07.
Amended complaint adding defendant ITV Global, Inc. filed 10/17/07.
Defendants’ motion to dismiss filed 11/15/07; Commission’s opposition filed 11/29/07.
Order denying defendants’ motion to dismiss entered 7/9/08.

FTC v. DUTCHMAN ENTERPRISES, LLC, No. 2:09-CV- 00141 (D.N.J.)

Parties: Dutchman Enterprises, LLC
United Community Services of America, Inc., d/b/a UCSA Dealers Group
Dennis Lee

Assigned Attorneys: Joshua S. Millard (BCP/ENF)
Kimberly L. Nelson

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with claims of an automobile fuel-savings device.

Status: Complaint filed 1/12/09.
TRO with asset freeze and other equitable relief entered 1/14/09.
Preliminary injunction with asset freeze entered 6/9/09.

FTC v. FEDERAL LOAN MODIFICATION LAW CENTER, LLP, No. 8:09-CV-00401 (C.D. Cal.)

Parties: Federal Loan Modification Law Center, LLP
Anz & Associates, PLC
Venture Legal Support, PLC
LegalTurn, Inc., a/k/a Legal Turn, Inc.
Federal Loan Modification, LLC
Federal Loan Modifications
SBSC Corporation, d/b/a Federal Loan Modification
Nabile “Bill” Anz
Boah Minitzer
Jeffrey Broughton
Steven Oscherowitz
Legal Turn. LLC (relief defendant)
MGO Capital (relief defendant)

Assigned Attorneys: Laura M. Sullivan (BCP/FP)
Leah Frazier
James L. Chen
John D. Jacobs (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with mortgage loan modification services and purported affiliation with United States government programs.

Status: Complaint filed 4/3/09.
TRO entered 4/10/09.
Preliminary injunction with asset freeze entered 4/24/09, amended 5/11/09.
Amended complaint adding defendants filed 6/24/09.

FTC v. FIVE STAR AUTO CLUB INC., No. 7:99-CV-01693 (S.D. N.Y.)

Parties: Five Star Auto Club Inc.
Michael Sullivan
Hydrogen Fusion Engine Company

Assigned Attorneys: Mark Morelli (BCP/ENF)
Amanda Basta

Alleged Conduct: Contempt proceedings for violations of a final judgment and order for permanent injunction in connection with the marketing of devices to power cars.

Status: Complaint filed 3/8/99.
Final judgment and order for permanent injunction against defendants Five Star Auto Club Inc., Michael Sullivan, and Angela Sullivan entered 6/9/00.
Motion for contempt and for order to show cause as to Michael Sullivan and Hydrogen Fusion Engine Company filed 12/15/08.
TRO against defendant Michael Sullivan entered 12/15/08.
Preliminary injunction against defendant Michael Sullivan entered 2/23/09.

FTC v. FORECLOSURE SOLUTIONS, LLC, No. 1:08-CV-01075 (N.D. Ohio)

Parties: Foreclosure Solutions, LLC
Timothy A. Buckley

Assigned Attorneys: Jonathan L. Kessler (ECR)
Larissa L. Bungo

Alleged conduct: Deceptive practices in violation of Section 5 in connection with the selling of mortgage foreclosure rescue services.

Status: Complaint filed 4/29/08.
Preliminary injunction hearing held 6/17/08.
Preliminary injunction with asset freeze entered 11/21/08.

FTC v. FREEDOM FORECLOSURE PREVENTION SERVICES, LLC, No. 2:09-CV-01167
(D. Ariz.)

Parties: Freedom Foreclosure Prevention Services, LLC
Loss Mitigation Training Centers of America, LLC, d/b/a Mastermind
Consulting Group
Jeffrey C. Segal
Michael R. Workman

Assigned Attorneys: Colleen B. Robbins (BCP/MP)
Lisa W. Schifferle

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
mortgage loan modification services, refunds, and consultant business
opportunities.

Status: Complaint filed 6/1/09.
TRO with asset freeze against defendants Freedom Foreclosure Prevention
Services, LLC; Loss Mitigation Training Center of America, LLC;
and Jeffrey C. Segal entered 6/1/09, extended 6/8/09.
Stipulated preliminary injunction entered 6/17/09.

FTC v. GLOBAL MARKETING GROUP, INC., No. 8:06-CV-02272 (M.D. Fla.)

Parties: Global Marketing Group, Inc.
Global Business Solutions, LLC
GlobalPay, Inc.
GlobalPay, LLC
GlobalPay BV
Synergy Consulting Services, LLC
First Processing Corporation
Ira N. Rubin
Phoelicia Daniels (relief defendant)
Elite Funding Group, Inc.
One World Group, LLC
One World Corporation
EFT Commerce, LLC
Celsius International, LLC
Celsius, LLC, d/b/a Global Productions
Gemini Trading Group, LLC
Gemini Trading Group, Inc., d/b/a Gembill
Kwikbill.Com, LTD.
Ewallet Express, Inc.
One Pharm Services, Inc.
17407, LLLP
555018, LLC
Marketing Services, LLC, d/b/a Med-Cost
Merchant Provider Solutions, LLC
Merchant Provider Solutions, LTD., d/b/a MPS, LTD.
Unitrade Business, LLC
Kevin D. Astl

Assigned Attorneys: James H. Davis (MWR)
David O'Toole
Theresa McGrew

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with processing electronic debits and credits from consumer bank accounts and facilitating advance fee credit card telemarketing fraud.

Status: Complaint filed 12/11/06.
Ex parte TRO, asset freeze and order to show cause why a preliminary injunction should not issue entered 12/12/06.
Stipulated preliminary injunction against the original defendants entered 1/11/07.
First amended complaint, adding defendant Kevin D. Astl and 17 corporate defendants, filed 3/19/07.
Motion for preliminary injunction against defendants named in first

amended complaint filed 4/9/07; granted 6/19/07.
Joint motion to modify the stipulated preliminary injunction as to
defendant Ira Rubin filed 6/25/07; granted 7/9/07.
Motion for order to show cause why defendant Ira Rubin should not be
held in contempt filed 12/14/07.
Order granting motion for order to show cause entered 1/15/08.
Order finding defendant Ira Rubin in contempt and issuing bench warrant
for his arrest entered 1/30/08.
Amended preliminary injunction extending receivership to defendant Ira
Rubin personally entered 3/30/08.
Clerk's entry of default against all corporate defendants 8/21/08.
Default judgment against all corporate defendants entered 12/19/08.
Summary judgment and final order against Ira Rubin entered 12/24/08.
Order dismissing U.S. Financial Life Insurance Company entered 1/30/09.
Order for permanent injunction and final judgment against defendant
Kevin D. Astl entered 2/13/09.
Trial scheduled to commence 11/2/09.

FTC v. GOLDEN EMPIRE MORTGAGE, INC., No. 2:09-CV-03227 (C.D. Cal.)

Parties: Golden Empire Mortgage, Inc.
Howard D. Kootstra

Assigned Attorneys: Katherine M. Worthman (BCP/FP)
Julie G. Bush
David I. Monteiro
Raymond McKown (WR-LA)

Alleged Conduct: Discriminatory acts and practices in violation of Section 5, the Equal
Credit Opportunity Act, and Regulation B in connection with mortgage
loans to Hispanic applicants.

Status: Complaint filed 5/7/09.

FTC v. GROUP ONE NETWORKS, INC., No. 8:09-CV-00352 (M.D. Fla.)

Parties: Group One Networks, Inc., d/b/a Credit Line Gold Card, The USA Workers, TheUSAWork.com, TheUSAWorkers.com
US GoldLine, LLC, d/b/a USGoldLine.com, Gainesway Credit, GaineswayCredit.com
My Online Credit Store, LLC, d/b/a MyOnlineCredit Store.com, MYOnlinecr.com, Diamond Executive, NewECredit, NewECredit.com
James Nicholson
Brett Fisher
Credit First Financial Solution, LLC, d/b/a Credit First Financials, LowerMyInterestToday.com
Group One Administrative, Inc.
Tall Pine Administrative Services, LLC
Suncoast Data Services, LLC

Assigned Attorneys: J. Ronald Brooke, Jr. (BCP/MP)
Stephen L. Cohen

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with marketing of advance-fee credit cards and Do Not Call violations.

Status: Complaint filed 2/25/09.
TRO with asset freeze entered 2/25/09.
Stipulated preliminary injunction entered 3/25/09.
Amended complaint adding counts and defendants Credit First Financial Solution, LLC; Group One Administrative, Inc.; Tall Pine Administrative Services, LLC; and Suncoast Data Services, LLC filed 4/14/09.
Defendants' motion to modify stipulated preliminary injunction filed 4/29/09; Commission's response in opposition filed 5/6/09; order granting in part and denying in part motion entered 5/8/09.

FTC v. HELPING HANDS OF HOPE, INC., No. 2:08-CV-00909 (D. Ariz.)

Parties: Helping Hands of Hope, Inc.
U.S. Blind Services, Inc.
Employment Opportunities of America, Inc.
Third Strike Employment, Inc.
Robyn Mayhan

Assigned Attorneys: John D. Jacobs (WR-LA)
Barbara Chun

Alleged Conduct: Violations of Section 5, the Telemarketing Sales Rule, and the Unordered Merchandise Statute involving the sale of products to ostensibly benefit the disabled and sending consumers products not ordered.

Status: Complaint filed 5/13/08.
TRO with asset freeze entered 5/13/08.
Stipulated order extending TRO entered 5/21/08.
Preliminary injunction entered 6/13/08.

FTC v. HOME ASSURE, LLC, No. 09-13098 (11th Cir.); No. 8:09-CV-00547 (M.D. Fla.)

Parties: Home Assure, LLC
B Home Associates, LLC, d/b/a Expert Foreclosures
Brain Blanchard
Michael Grieco
Michael Trimarco
Nicolas Molina

Assigned Attorneys: Ann F. Weintraub (NER)
David W. Dulabon
Darren Lubetsky
Leslie R. Melman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with mortgage foreclosure relief services and refunds of consumers' fees.

Status: Complaint filed 3/24/09.
TRO with asset freeze entered 3/26/09.
Order adopting Magistrate Judge's report and imposing asset freeze and preliminary injunction as to defendants Home Assure, LLC; B Home Associates, LLC; Michael Trimarco; and Nicholas Molina entered 4/16/09.
Stipulated preliminary injunction as to defendant Michael Grieco entered 5/1/09.
Stipulated preliminary injunction as to defendant Brian Blanchard entered 5/19/09.
Notice of appeal from preliminary injunction filed 6/15/09.

FTC v. HOPE NOW MODIFICATIONS, LLC, No. 1:09-CV-01204 (D.N.J.)

Parties: Hope Now Modifications, LLC
Hope Now Financial Services Corp., d/b/a Hope Now Modifications
Nick Puglia
Salvatore Puglia

Assigned Attorneys: Gregory Ashe (BCP/FP)
Lawrence Hodapp
Stephanie Rosenthal

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with mortgage loan modification services, refunds, and affiliation with another organization.

Status: Complaint filed 3/17/09.
TRO entered 3/19/09.
Stipulated preliminary injunction entered 4/28/09.

FTC v. IMPROVITA HEALTH PRODUCTS, INC., No. 1:09-CV-00858 (N.D. Ohio)

Parties: Improvita Health Products, Inc.
Thomas B. Klamet
Daniel P. Kohler

Assigned Attorneys: Gregory W. Fortsch (BCP/AP)
Carol J. Jennings
Karen J. Mandel
Jonathan Kessler (ECR)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing of cold and flu prevention and treatment products.

Status: Complaint filed 4/15/09.

FTC v. IN DEEP SERVICES, INC., No. 5:09-CV-01193 (C.D. Cal.)

Parties: In Deep Services, Inc., d/b/a Grants for You Now, Grant One Day, and
Easy Grant Access
Ryan Champion
Joseph C. Fleming IV

Assigned Attorneys: Collot Guerard (BCP/MP)
Stephen Gurwitz
Ruth Yodaiken
Barbara Chun (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Electronic Fund
Transfer Act, and Regulation E in connection with consumer products to
obtain free money in the form of government grants.

Status: Complaint filed 6/23/09.
TRO with asset freeze and other equitable relief entered 6/23/09.

FTC v. INFUSION MEDIA, INC., No. 2:09-CV-01112 (D. Nev.)

Parties: Infusion Media, Inc., d/b/a Google Money Tree, Google Pro, Internet
Income Pro, and Google Treasure Chest
West Coast Internet Media, Inc., d/b/a Google Money Tree, Google Pro,
Internet Income Pro, and Google Treasure Chest
Two Warnings, LLC
Two Part Investments, LLC
Platinum Teleservices, Inc.
Jonathan Eborn
Stephanie Burnside
Michael McLain Miller
Tony Norton

Assigned Attorneys: Daniel O. Hanks (BCP/MP)
Kathleen Benway

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Electronic Fund
Transfer Act, and Regulation E in connection with the marketing and sale
of work at home opportunities and the debiting of consumers' bank
accounts.

Status: Complaint filed 6/22/09.
TRO with asset freeze and other equitable relief entered 6/23/09.

FTC v. INNOVATIVE MARKETING, INC., No. 1:08-CV-03233 (D. Md.)

Parties: Innovative Marketing, Inc., d/b/a Billingnow, BillPlanet PTE Ltd.,
Globedat, Innovative Marketing Ukraine, Revenue Response
Sunwell, Synergy Software BV, Winpayment Consultancy SPC,
Winsecure Solutions, Winsolutions FZ-LLC
ByteHosting Internet Services, LLC
James Reno, d/b/a Setupahost.net
Sam Jain
Daniel Sundlin, d/b/a Vantage Software, Winsoftware, Ltd.
Marc D'Souza, d/b/a Web Integrated Net Solutions
Kristy Ross
Maurice D'Souza (relief defendant)

Assigned Attorneys: Ethan Arenson (BCP/MP)
Colleen B. Robbins
Carmen L. Christopher

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving computer
security software purchases, scans, and advertising.

Status: Complaint filed 12/2/08.
TRO entered 12/2/08.
Preliminary injunction entered 12/12/08.
Civil contempt order against Innovative Marketing for violation of TRO
entered 12/19/08.
Stipulated final order for permanent injunction and monetary judgment
against defendants James M. Reno and ByteHosting Internet
Services, LLC entered 6/23/09.

FTC v. INTEGRATION MEDIA INC., No. 1:09-CV-03160 (N.D. Ill.)

Parties: Integration Media Inc., d/b/a GoAm Media
Stephane LaChapelle

Assigned Attorneys: Guy G. Ward (MWR)
Irene I. Liu

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
the sale and billing of business directory listings.

Status: Complaint filed 5/27/09.
TRO with asset freeze and other equitable relief entered 5/28/09.
Preliminary injunction with asset freeze and other equitable relief entered
6/23/09.

FTC v. INTERBILL, LTD., No. 09-16179 (9th Cir.); No. 2:06-CV-01644 (D. Nev.)

Parties: InterBill, Ltd.
Thomas Wells

Assigned Attorneys: Tracy Thorleifson (NWR)
Mary Benfield
Blaine T. Welsh (AUSA)
Michele Arington (OGC)

Alleged Conduct: Violations of Section 5 in connection with providing payment processing services that debited consumers' checking accounts, without authorization, for fraudulent medical discount cards.

Status: Complaint filed 12/26/06.
Defendants' answer impleading Wells Fargo Bank as third party defendant filed 4/23/07.
Third party defendant Wells Fargo answer filed 7/16/07
Third party defendant Wells Fargo motion to dismiss filed 12/05/07; defendants' response filed 2/19/08; third party defendant Wells Fargo's reply filed 3/4/08.
Commission's motion for summary judgment filed 1/17/08; defendants' response filed 2/19/08; Commission's reply filed 3/4/08.
Joint motion to stay proceedings pending ruling on motion for summary judgment filed 2/22/08.
Oral argument on Commission's motion for summary judgment held 4/9/08.
Order granting summary judgment, directing Commission to submit proposed order, and granting motion to dismiss of third party defendant Wells Fargo entered 4/9/08.
Commission proposed order and supplemental memorandum on injunctive relief filed 4/17/08; defendants' response and objections filed 5/5/08; Commission's reply filed 5/12/08.
Order dismissing defendants' third party complaint against Wells Fargo entered 4/30/08.
Final judgment and order for permanent injunction and other equitable relief entered 4/30/09.
Notice of appeal filed 5/30/09.
Appellants' brief due 9/14/09; Commission's answering brief due 10/14/09.

FTC v. JOHN BECK AMAZING PROFITS, LLC, No. 2:09-CV-04719 (C.D. Cal.)

Parties: John Beck Amazing Profits, LLC
John Alexander, LLC
Jeff Paul, LLC, d/b/a Shortcuts to Millions, LLC
Mentoring of America, LLC
Family Products, LLC
Douglas Gravink
Gary Hewitt
John Beck
John Alexander
Jeff Paul

Assigned Attorneys: Jennifer M. Brennan (WR-LA)
Stacy R. Procter
John D. Jacobs
Evan Rose (WR-SF)
Kenneth H. Abbe
Matthew Gold

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the marketing and sale of get
rich quick programs and the billing of consumers' accounts.

Status: Complaint filed 6/30/09.

FTC v. LANE LABS-USA, INC., No. 2:00-CV-03174 (D.N.J.)

Parties: Lane Labs-USA, Inc.
Cartilage Consultants, Inc.
Andrew J. Lane
I. William Lane

Assigned Attorneys: Elsie Kappler (BCP/ENF)
Connie Vecellio
Amanda C. Basta
Susan J. Steele (DOJ/CIV)

Alleged Conduct: Violations of stipulated final orders in relation to the marketing and sale of two dietary supplements.

Status: Complaint filed 6/28/00.
Stipulation and final order as to defendants Cartilage Consultants and I. William Lane entered 6/30/00.
Notice of refiling of stipulation and final order as to defendants Lane Labs-USA and Andrew J. Lane entered 9/27/00.
Stipulation and final order for consumer redress and disbursement of funds entered 10/17/00.
Motion to hold Lane Labs-USA, Andrew Lane, and I. William Lane in contempt filed 1/12/07; opposition filed 3/19/07; order granting motion to hold defendants in contempt entered 12/18/07.
Trial on liability held 4/20/09 to 4/24/09.
Commission's post-trial brief filed 5/21/09; defendants' answering briefs filed 6/5/09; Commission's reply brief filed 6/11/09.

FTC v. LATRESE & KEVIN ENTERPRISES, INC., No. 3:08-CV-01001 (M.D. Fla.)

Parties: Latrese & Kevin Enterprises, Inc., d/b/a Hargrave & Associates, Financial Solutions
Latrese Hargrave, a/k/a Latrese V. Williams
Kevin Hargrave Sr.

Assigned Attorney: Jessica D. Gray (SER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/20/08.
Order granting in part and denying in part TRO entered 10/23/08.
Stipulated preliminary injunction with asset freeze entered 11/3/08.
Commission's motion for summary judgment filed 6/30/09.

FTC v. LESHIN, Nos. 09-12003, 09-11679 (11th Cir.); No. 0:06-CV-61851 (S.D. Fla.)

Parties: Randall Leshin
Randall L. Leshin, P.A., d/b/a Express Consolidation, Express
Consolidation, Inc., and Consumer Credit Consolidation, Inc.
Maureen A. Gaviola
Charles Ferdon

Assigned Attorneys: Michael Tankersley (BCP/MP)
Philip P. Tumminio
David Sieradzki (OGC)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in making
misrepresentations about non-profit status and the fees and benefits of the
defendants' debt consolidation programs.

Status: Complaint filed 12/11/06.
Stipulated interim order entered 1/26/07.
Amended complaint, adding defendant Charles Ferdon and an additional
Section 5 misrepresentation count, filed 3/21/07.
Commission's motion for order to show cause why Defendants Leshin,
Randall L. Leshin, P.A., and Express Consolidation, Inc. should
not be held in contempt for violating stipulated interim order filed
5/11/07.
Motion for partial summary judgment on Section 5 and TSR counts filed
6/5/07; denied 1/7/08.
Stipulated permanent injunctions and judgment as to all defendants
entered 5/5/08.
Motion for relief from final judgment by Randall L. Leshin, Randall
L. Leshin, P.A., Express Consolidation, Inc., and Charles Ferdon
filed 6/30/08.
Order denying motion for relief from final judgment entered 8/5/08.
Commission motion for contempt as to defendants Randall Leshin,
Randall Leshin, P.A., Express Consolidation, Inc., Charles
Ferndon, and non-party Debt Management Counseling Center, Inc.
filed 1/28/09; response filed 2/9/09; hearing held 2/13/09 and
2/17/09.
Order granting motion for contempt for violating stipulated permanent
injunction entered 3/27/09; amended 4/3/09.
Notice of appeal (09-11679) filed 4/1/09.
Defendants' emergency motions to stay modified injunction and for
hearing filed 4/10/09; order denying motions entered 4/14/09.
Order modifying stipulated permanent injunctions entered 4/15/09.
Appellants' emergency motion for stay pending appeal filed 4/17/09;
Commission's opposition filed 4/20/09; order denying motion
entered 4/21/09.

Notice of appeal (09-12003) filed 4/20/09.
Order requesting parties' views on jurisdiction entered 4/17/09;
Appellants' and Commission's responses filed 5/1/09; order
dismissing appeal in part entered 6/26/09.
Appellants' brief due 8/11/09; Commission's answering brief due 9/10/09.

FTC v. LUNDBECK INC., No. 0:08-CV-06379 (D. Minn.)

Party: Lundbeck Inc.

Assigned Attorney: Kyle Chadwick (BC)

Alleged Conduct: Action for a permanent injunction and other equitable relief for violations of Section 5 of the FTC Act and Section 7 of the Clayton Act in connection with the monopolization of drugs used to treat infants with a congenital heart defect.

Status: Complaint (originally *FTC v. Ovation Pharmaceuticals, Inc.*) filed 12/16/08.
Amended complaint filed 4/10/09.
Motion by Lundbeck Inc. for summary judgment filed 5/22/09;
Commission's opposition filed 6/29/09.

FTC v. MAGAZINE SOLUTIONS, No. 2:07-CV-00692 (W.D. Pa.)

Parties: Magazine Solutions, LLC, d/b/a/ MagazineSolutions, United Publishers' Service, Read-N-Save America
United Publishers' Service, Inc., d/b/a/ Magazine Solutions, MagazineSolutions, Read-N-Save America
Joseph Martinelli
Barbara DeRiggi
James Rushnock

Assigned Attorneys: Michael Milgrom (ECR)
Julie Lady

Alleged Conduct: Violations of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with conducting a nationwide telemarketing campaign that purports to offer free coupons but actually sells magazine subscriptions.

Status: Complaint filed 5/23/07.
Motion for preliminary injunction filed 5/24/07; entered 8/16/07.
Order granting preliminary injunction as to defendants Magazine Solutions, United Publishers Service, and Joseph Martinelli, and denying preliminary injunction as to defendants Barbara DeRiggi and James Rushnock entered 6/20/07.
Commission's motion to strike defendant's affirmative defenses filed 7/17/07; granted in part and denied in part 9/25/07.
Defendant's motion to stay filed 9/4/07; motion denied 9/21/07.
Commission's motion for contempt against defendants Magazine Solutions, United Publishers' Service, Inc. and Joseph Martinelli filed 12/5/07; defendants' response filed 12/21/07.
Commission's motion for asset preservation over defendants Magazine Solutions and United Publishers' Service, Inc. filed 12/19/07; defendants' response filed 1/4/08.
Order holding defendants in contempt of preliminary injunction and granting injunctive relief entered 1/16/08.
Order granting Commission's motion for asset preservation order entered 1/16/08.
Defendants' motion to reconsider asset preservation order filed 2/6/08; Commission's opposition filed 2/19/08; defendants' motion denied 3/10/08.
Commission's motion for sanctions filed 4/9/08; defendants' response filed 4/24/08; denied 5/13/08.
Commission's and Barbara DeRiggi's motions for summary judgment filed 5/7/08; responses in opposition to motions for summary judgment filed 7/21/08; replies filed 8/7/08.
Summary judgment granted in part and denied in part 12/1/08.
Trial held 3/30/09 to 4/1/09.

FTC v. MAKE YOU FAMOUS CONSULTING, INC., No. 2:09-CV-04579 (C.D. Cal.)

Parties: Make You Famous Consulting, Inc., d/b/a A Penbrook Productions,
Penbrook Productions, and Process from Home
Michael Allen Brooks

Assigned Attorneys: Janice L. Charter (WR-SF)
Erika R. Wodinsky

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
the marketing and sale of work at home opportunities processing rebates
and refunds to consumers.

Status: Complaint filed 6/25/09.

FTC v. MARLEAU, No. 3:09-CV-05289 (W.D. Wash.)

Parties: David Scott Marleau
Jedi Investments, LLC
Impact Fundraising, LLC
Millenium Fundraising, LLC
PC Marl, Inc.

Assigned Attorneys: David M. Horn (NWR)
Tracy Thorleifson
Miry Kim

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the solicitation of charitable
contributions.

Status: Complaint filed 5/19/09.
Stipulated final judgment and order for permanent injunction entered
6/18/09.

FTC v. MCS PROGRAMS, LLC, No. 09-CV-05380 (W.D. Wash.)

Parties: MCS Programs, LLC, d/b/a Mutual Consolidated Savings
United Savings Center, Inc., d/b/a Mutual Consolidated Savings
USC Programs, LLC, d/b/a Mutual Consolidated Savings
Paul Morris Thompson
Miranda Cavendar, a/k/a Miranda Cavender

Assigned Attorneys: Maxine R. Stansell (NWR)
Eleanor Durham

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the marketing and sale of a
debt reduction program and telephone calls to consumers.

Status: Complaint filed 6/25/09.

FTC v. MEDICAL BILLERS NETWORK, INC., No. 1:05-CV-02014 (S.D.N.Y.)

Parties: Medical Billers Network, Inc.
Chris Taylor
Caceres Quality Distribution, Inc.
Wilson Jose Caceres
Knarek Kalantaryan (relief defendant)

Assigned Attorneys: Jonathan Platt (NER)
Mazor Matzkevich
Carole Paynter

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of medical billing employment opportunities.

Status: Complaint filed 2/10/05.
TRO entered 2/18/05; extended 2/28/05; 3/18/05.
Stipulated preliminary injunction entered 3/23/05.
Amended complaint for injunctive and other equitable relief, adding defendants Caceres Quality Distribution, Inc. and Wilson Jose Caceres and relief defendant Knarek Kalantaryan, filed 7/1/05.
Motion for contempt filed 9/30/05.
Stipulated order of contempt and modified preliminary injunction entered 12/6/05.
Order adjudging defendant Caceres in civil contempt entered 3/17/06.
Order denying Commission's request for defendant Caceres to restore assets subject to the asset freeze entered 6/21/06.
Commission's motion for summary judgment filed 2/13/07; opposition and cross-motion for summary judgment by defendants Chris Taylor and Wilson Jose Caceres filed 5/29/07.
Motion for summary judgment by defendants Taylor and Medical Billers Network, Inc. filed 5/29/07; Commission's opposition and reply filed 8/24/07.
Order granting in part and denying in part Commission's motion for summary judgment and granting in part and denying in part defendants' motion for summary judgment entered 3/31/08.
Stipulated final judgments and orders for permanent injunctions and other equitable relief entered 5/11/09.

FTC v. MEDLAB, INC., No. 3:08-CV-00822 (N.D. Cal.)

Parties: Medlab, Inc.
Pinnacle Holdings, Inc.
Metabolic Research Associates, Inc.
U.S.A. Health, Inc.
L. Scott Holmes

Assigned Attorneys: Kerry O'Brien (WR-SF)
Evan Rose
Sarah Schroeder

Alleged Conduct: Violation of Sections 5 and 12 in connection with falsely claiming that its weight-loss pills cause users to lose weight without dieting or exercise.

Status: Complaint filed 2/6/08.
Defendants' answer filed 4/4/08.
Commission's motion to strike affirmative defenses and jury demand filed 4/24/08; defendants' opposition filed 6/19/08; Commission's reply to opposition filed 7/3/08.
Order granting in part and denying in part Commission's motion to strike affirmative defenses and granting Commission's motion to strike jury demand entered 7/22/08.
Commission's motion for summary judgment filed 1/9/09; defendants' opposition filed 2/24/09; Commission's reply filed 3/13/09.
Order granting summary judgment entered 4/21/09.
Final judgment and order for permanent judgment and other equitable relief entered 6/28/09.

FTC v. NATIONAL AUDIT DEFENSE NETWORK, INC., No. 2:02-CV-00131 (D. Nev.)

Parties: National Audit Defense Network, Inc.
Tax Coach, Inc., d/b/a Tax Ready
Oryan Management, Inc.
Robert Bennington
Cort Christie
Alan Rodrigues
Weston J. Coolidge

Assigned Attorneys: Janice L. Charter (WR-SF)
Erika Wodinsky
Jerome M. Steiner
Blaine T. Welsh (AUSA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Truth in Lending Act by failing to provide refunds in a timely manner in connection with the sale of income tax-reducing strategies and services.

Status: Complaint filed 1/30/02.
TRO entered 2/1/02.
Stipulated preliminary injunction entered 2/25/02.
Amended complaint adding defendants Weston J. Coolidge and Oryan Management, Inc. filed 12/30/02.
Commission's motion for summary judgment filed 1/14/05; defendant Coolidge's response filed 2/7/05; defendant Christie's response filed 2/8/05; defendant Rodrigues' response filed 2/11/05; Commission's replies filed 2/22/05.
Defendant Rodrigues' motion for summary judgment filed 1/14/05; Commission's response filed 2/4/05; reply filed 2/17/05.
Defendant Christie's motion for summary judgment filed 1/21/05; Commission's response filed 1/31/05; reply filed 2/11/05.
Order granting Commission's motion for summary judgment against Weston J. Coolidge and Oryan Management, Inc and denying Commission's motion for summary judgment against Cort Christie entered 10/12/05.
Order denying Christie's motion for summary judgment entered 10/12/05.
Order denying Commission's motion for summary judgment against Alan Rodrigues, and denying Rodrigues' motion for summary judgment, subject to reinstatement after Rodrigues obtains a new attorney, entered 10/12/05.
Commission's request for reinstatement of its motion for summary judgment against Alan Rodrigues filed 11/16/05.
Stipulated final judgment and order for permanent injunction and other equitable relief as to defendant National Audit Defense Network, Inc. entered 8/25/06.

Supplement to Commission's motion for summary judgment against Alan Rodrigues filed 9/24/08.

FTC v. NATIONAL FORECLOSURE RELIEF, INC., No. 8:09-CV-00117 (C.D. Cal.)

Parties: National Foreclosure Relief, Inc.
David Ealy
Chele Stone, a/k/a Chele Medina
Hugo Tapia

Assigned Attorneys: John D. Jacobs (WR-LA)
Barbara Y.K. Chun
Maricela Segura
Faye Chen Barnouw

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving claims to stop mortgage foreclosures.

Status: Complaint filed 2/2/09.
TRO with asset freeze and other equitable relief entered 2/2/09.
Preliminary injunction entered 3/6/09.

FTC v. NATIONAL PRIZE INFORMATION GROUP CORP., No. 2:06-CV-01305 (D. Nev.)

Parties: National Prize Information Group Corp. d/b/a Las Vegas Actionable Awards Program; Prize Search Express; Department of Unclaimed Awards; United States Sweepstakes Advisory; United States of America Patriotism Awards; National Bureau of Prize Information; Lapham Vargas and Cornell; and Directors Office John Rincon

Assigned Attorneys: Laura Fremont (WR-SF)
Janice L. Charter
Kenneth H. Abbe (WR-SF)
Blaine T. Welsh (AUSA)

Alleged Conduct: Violations of Section 5 in connection with mailing deceptive representations about sweepstakes and cash prizes to consumers.

Status: Complaint filed 10/18/06.
TRO, asset freeze and order to show cause entered 10/18/06.
Preliminary injunction entered 11/27/06.
Defendants' answer filed 12/18/06.
Commission's motion for summary judgment filed 3/16/07.
Order granting motion for summary judgment entered 7/29/08.
Order finding defendants jointly and severally liable for restitution in the amount of \$26,885,183 entered 6/23/09.

FTC v. NATIONAL UROLOGICAL GROUP, INC., No. 09-10617 (11th Cir.); No. 1:04-CV-03294 (N.D. Ga.)

Parties: National Urological Group, Inc., d/b/a Warner Laboratories
National Institute for Clinical Weight Loss, Inc.
Hi-Tech Pharmaceuticals, Inc.
Jared Wheat
Thomasz Holda
Michael Howell
Stephen Smith
Terrill Mark Wright, M.D.

Assigned Attorneys: Sydney M. Knight (BCP/AP)
Tawana E. Davis
Edward Glennon
Mary Johnson
Theodore Hoppock
Leslie Melman (OGC)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of a purported weight loss product.

Status: Complaint filed 11/10/04.
Stipulated final order for permanent injunction and settlement of claims for monetary relief against Michael Howell filed 4/14/05.
Order granting in part and denying in part Commission's motion to strike defendants' affirmative defenses and to dismiss counterclaims, and granting motion to strike jury demand entered 6/24/05.
Order granting consent motion to extend discovery entered 2/28/06.
Commission's motion to lift protective order and compel discovery from Terrill Mark Wright, M.D. filed 4/20/06; order granting in part and denying in part entered 6/6/06.
Commission's answer to counterclaims of defendant National Urological Group and National Institute for Clinical Weight Loss, Inc. filed 6/9/06.
Order administratively closing case, pending the status of defendant Wright's health and availability for deposition, entered 8/10/06.
Order permitting parties to complete other discovery that can be conducted without defendant Wright entered 8/14/06.
Order granting motion to reopen case entered 5/22/07.
Defendants' motion for summary judgment filed 8/24/07; Commission's opposition filed 11/5/07; reply brief filed 12/15/07.
Order granting the Commission's motion to strike the defendants' reply brief and directing defendants to re-file their brief in compliance with the page limit entered 12/28/07.
Defendants' reply brief filed 3/19/08.

Order granting the Commission's motion for summary judgment and denying defendants' motion for summary judgment entered 6/4/08. Defendants' objections to order filed 6/23/08; Commission's response filed 7/9/08.
Final judgment entered 12/16/08.
Defendants' motions to alter or amend judgment and for stay filed 12/31/08; order denying motion to alter or amend judgment entered 1/16/09.
Notice of appeal filed 2/4/09.
Appellants' brief filed 4/28/09.
Appellants' emergency motion for stay of execution of judgment pending appeal filed 5/13/09; Commission's response filed 5/20/09; order denying motion entered 6/23/09.
Commission's answering brief filed 6/15/09.

FTC v. NATIONWIDE CREDIT SERVICES, INC., No. 3:08-CV-01000 (M.D. Fla.)

Parties: Nationwide Credit Services, Inc.
James R. Dooley

Assigned Attorney: Barbara E. Bolton (SER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/20/08.
TRO with asset freeze entered 10/20/08.
Stipulated preliminary injunction with asset freeze entered 10/27/08.

FTC v. NEISWONGER, No. 08-3077 (8th Cir.); No. 4:96-CV-02225 (E.D. Mo.)

Parties: Richard C. Neiswonger
William S. Reed
Asset Protection Group, Inc.

Assigned Attorneys: Joshua Millard (BCP/ENF)
Melinda Claybaugh
Michele Arington (OGC)

Alleged Conduct: Civil contempt action for violations of a 1997 permanent injunction in connection with marketing a business opportunity.

Status: Complaint filed 11/13/96.
Stipulated final judgment and order for permanent injunction entered 2/28/97.
Motions for a civil contempt order, ex parte TRO and preliminary injunction filed 7/17/06.
TRO and order to show cause entered 7/17/06; extended to 10/25/06.
Show cause hearings held 10/25-26/06.
Second permanent injunction modifying permanent injunction as to defendant Neiswonger entered 4/23/07.
Civil contempt order entered 4/23/07.
Preliminary injunction entered 6/12/07.
Show cause hearing as to a permanent injunction against defendants Reed and Asset Protection Group, Inc. scheduled for 8/29/07; rescheduled for 11/1/07.
Commission's proposed stipulated order for permanent injunction as to defendants in *FTC v. Asset Protection Group, Inc.* filed 9/28/07; entered 10/23/07.
Commission's proposed amended civil contempt order against all defendants filed 4/4/08; defendant Neiswonger's objection filed 4/11/08; Commission's reply filed 4/21/08.
Amended civil contempt order against all defendants entered 7/30/08.
Defendants' motion to stay amended civil contempt order pending appeal filed 8/11/08; Commission's opposition filed 8/18/08; order denying stay entered 10/16/08.
Notice of appeal by defendants filed 8/27/08.
Commission's motion for contempt of amended civil contempt order filed 9/19/08; defendant Neiswonger's response filed 9/25/08; Commission's reply filed 10/2/08.
Motion of appellant Reed to dismiss appeal filed 11/17/08; order dismissing appeal entered 12/18/08.
Appellant Neiswonger's brief filed 11/17/08.
Commission's brief filed 1/12/09.
Appellant's reply brief filed 2/9/09.

FTC v. NEOVI, INC., No. 09-55093 (9th Cir.); No. 3:06-CV-01952 (S.D. Cal.)

Parties: Neovi, Inc., d/b/a Neovi Data Corporation and Qchex.com
G7 Productivity Systems, Inc., d/b/a Qchex.com
James M. Danforth
Thomas Villwock

Assigned Attorneys: Deborah Matties (BCP/MP)
Russell Deitch
Sana C. Chriss
Arturo DeCastro
John D. Jacobs (WR-LA)
Lawrence DeMille-Wagman (OGC)

Alleged Conduct: Unfair practices in violation of Section 5 in connection with the offering and sale of online check services.

Status: Complaint filed 9/19/06.
Memorandum of points and authorities in support of plaintiff's motion for TRO with other equitable relief and order to show cause filed 9/19/06; joint stipulation and TRO with other equitable relief entered 9/22/06.
Show cause hearing held 11/17/06.
Motion for preliminary injunction denied 1/19/07.
Order granting Commission's motion for summary judgment entered 9/16/08.
Commission's supplemental brief on injunctive relief filed 10/7/08; defendants' supplemental brief in response filed 10/29/08; Commission's reply filed 11/21/08.
Defendants' motion for reconsideration of order granting summary judgment filed 10/16/08; Commission's response in opposition filed 11/20/08; defendants' reply filed 11/25/08; order denying motion for reconsideration entered 1/7/09.
Final order for permanent injunction and other equitable relief entered 1/7/09.
Notice of appeal by defendants filed 1/16/09.
Appellants' brief filed 5/18/09.
Commission's answering brief filed 6/22/09.
Appellants' reply brief due 7/20/09.

FTC v. NETWORK SERVICES DEPOT, INC., No. 09-15684 (9th Cir.); No. 2:05-CV-00440
(D. Nev.)

Parties: Network Services Depot, Inc.
Network Marketing, LLC, d/b/a Network Services Marketing
Net Depot, Inc.
Network Services Distribution, Inc.
Sunbelt Marketing, Inc.
Charles V. Castro
Elizabeth L. Castro
Gregory High
Phyllis Watson (relief defendant)

Assigned Attorneys: Lisa D. Rosenthal (WR-SF)
Kerry O'Brien
Mark Hegedus (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the sale of "internet kiosk" business opportunities.

Status: Complaint filed 4/5/05.
TRO with asset freeze entered 4/6/05.
Stipulated preliminary injunction as to all defendants except Net Depot, Inc., entered 4/14/05.
Defendants' motion for summary judgment or, alternatively, summary adjudication filed 11/29/05; Commission's response filed 12/16/05.
Commission's motion for summary judgment filed 11/29/05; defendants' opposition filed 12/16/05.
Stipulation of dismissal of defendant Net Depot, Inc. filed 12/12/05; granted 12/21/05.
Order granting Commission's motion for summary judgment and denying defendants' motion for summary judgment entered 9/29/06.
Order granting Commission's motion to set aside transfer of attorney retainer fees entered 9/17/07; modified 9/20/07.
Orders on stipulations regarding attorney fees entered 11/19/08 and 2/26/09.
Final judgment and order against all defendants entered 3/5/09.
Notice of appeal filed 4/3/09.
Appellants' brief due 9/1/09; Commission's answering brief due 10/14/09.

FTC v. NEW HOPE PROPERTY LLC, No. 1:09-CV-01203 (D.N.J.)

Parties: New Hope Property LLC, d/b/a New Hope Modifications LLC
Brian Mammoccio
Donna Fisher

Assigned Attorneys: Gregory Ashe (BCP/FP)
Lawrence Hodapp
Stephanie Rosenthal

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with mortgage loan modification services, refunds, and affiliation with another organization.

Status: Complaint filed 3/17/09.
TRO entered 3/19/09.
Stipulated preliminary injunction entered 4/24/09.

FTC v. NEXTCLICK MEDIA, LLC, No. 3:08-CV-01718 (N.D. Ca.)

Parties Nextclick Media, LLC, d/b/a StopSmoking180.com,
StopSmokingResolution.com, BeautifulSkin.com,
OnLineDirectProducts
Next Internet, LLC
Kenneth Chan
Albert Chen

Assigned Attorney: Janice L. Charter (WR-SF)

Alleged Conduct: Violations of Section 5 in connection with offering free trials of products including herbal patches for smoking cessation.

Status: Complaint filed 3/31/08.
Preliminary injunction entered 4/23/08.

FTC v. NHS SYSTEMS, INC., No. 2:08-CV-02215 (E. D. Pa.)

Parties: NHS Systems, Inc., d/b/a National Healthcare Solutions, National Health Net Online
Harry F. Bell, Jr.
Physician Health Service, LLC
Donna Newman
John E. Bartholomew
Plus Health Savings, Inc.
Physicians Health Systems, Inc., d/b/a American Health Benefits On Line Health Management, LLC
6676529 Canada, Inc.
Nicole Bertrand
Barry Kirstein
“Dannie Boie”, a person whose true identity is unknown
PHS Enterprises, Inc.
First Step Management, Inc.
Gold Dot, Inc.
Linke Jn Paul
Tasha Jn Paul
Nevada Business Solutions, Inc.
Interface Management, Inc., d/b/a Galaxy Member Benefits
Beginning Again, Inc.

Assigned Attorneys: Harris A. Senturia (ECR)
Julie A. Lady
Steven W. Balster

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule involving misrepresentations of affiliation with U.S. government agencies, promises of tax refunds/rebates or health benefits to obtain bank account information, and unauthorized billing.

Status: Complaint filed 5/13/08.
TRO with asset freeze entered 5/14/08.
Stipulated preliminary injunction as to all defendants except John E. Bartholomew entered 6/10/08.
Stipulated preliminary injunction as to defendant John E. Bartholomew entered 1/30/09.
Amended complaint adding claims and defendants Plus Health Savings, Inc.; Physicians Health Systems, Inc.; Health Management, LLC; 6676529 Canada, Inc.; Nicole Bertrand; Barry Kirstein; “Dannie Boie”; PHS Enterprises, Inc.; First Step Management, Inc.; Gold Dot, Inc.; Linke Jn Paul; Tasha Jn Paul; Nevada Business Solutions, Inc.; Interface Management, Inc.; and Beginning Again, Inc. filed 6/30/09.

FTC v. PEOPLES CREDIT FIRST, LLC, Nos. 04-16615-CC, 06-11827, 06-13254 (11th Cir.);
No. 8:03-CV-02353 (M.D. Fla.); No. SC08-1009 (Fla. S. Ct.)

Parties: Peoples Credit First, LLC
Consumer Preferred, LLC, f/k/a Consumer First, LLC
Shaun Olmstead
Julie Connell

Assigned Attorneys: Valerie M. Verduce (SER)
John A. Singer (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
an advance-fee credit card.

Status: Complaint filed 11/10/03.
TRO with asset freeze entered 11/10/03.
Stipulated preliminary injunction continuing asset freeze entered
12/23/03.
Commission's motion for summary judgment filed 10/27/04.
Defendant Julie Connell's motion to strike Commission's motion for
summary judgment filed 11/8/04; Commission's response filed
11/10/04; order denying motion to strike entered 11/10/04.
Defendant Shaun Olmstead's motion for summary judgment filed
11/15/04; Commission's response filed 11/24/04.
Defendants Peoples Credit First, LLC and Consumer Preferred, LLC's
motion for summary judgment filed 11/18/04; Commission's
response filed 11/24/04.
Notice of appeal by non-parties subject to receivership filed 12/13/04.
Appellants' brief filed 3/5/05.
Appeal dismissed for failure to prosecute due to appellants' failure to
correct their record excerpts to conform to the 11th Cir.'s local
rules, 4/27/05.
Order denying Appellants' motion to reinstate appeal entered 6/21/05.
Order granting Commission's motion for summary judgment and denying
defendants' motions for summary judgment, permanently
enjoining them from advance fee loan sales, entered 12/18/05.
Judgment in favor of the Commission holding defendants liable,
individually and severally, for \$10,156,700 entered 12/18/05.
Amended notice of appeal of final judgment (No. 06-11827) filed 3/17/06.
Notice of appeal of order on motion to compel filed by defendant Shaun
Olmstead and Julie Connell 6/2/06.
Appellants' opening brief (No. 06-11827) filed 6/15/06; Commission's
brief filed 8/25/06.
Appellants' opening brief (No. 04-16615-CC) filed 9/16/06;
Commission's brief filed 11/9/06.
Oral argument (No. 06-11827) held 1/9/07.

Summary judgment order affirmed by Eleventh Circuit 7/19/07.
Oral argument (No. 06-13254) held 1/22/08.
Order by Eleventh Circuit certifying question to the Florida Supreme Court entered 5/29/08.
Peoples Credit First's opening brief in Florida Supreme Court filed 7/29/08; Commission's answering brief filed 9/5/08; amicus brief of Prof. Daniel Kleinberger filed 9/10/08; Peoples Credit First's reply brief filed 10/1/08.
Oral argument held 1/8/09.

FTC v. PRICEWERT LLC, No. 5:09-CV-02407 (N.D. Cal.)

Parties: Pricewert LLC, d/b/a 3FN.net, Triple Fiber Network, APSTelecom, APXTelecom, APS Communications, APS Communication Suren Ter-Saakov (intervenor-applicant) Tsuren LLC (intervenor-applicant)

Assigned Attorneys: Ethan Arenson (BCP/MP)
Carl Settlemyer
Philip Tumminio
David Sieradzki (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with hosting and use of compromised computers by internet service provider for the distribution of illegal, malicious, and harmful electronic content.

Status: Complaint filed 6/1/09.
TRO entered 6/2/09.
Motion by Suren Ter-Saakov and Tsuren LLC for leave to intervene and assert third-party claims against FTC attorneys filed 6/10/09.
Preliminary injunction entered 6/15/09.

FTC v. PUBLISHERS BUSINESS SERVICES, INC., No. 2:08-CV-00620 (D. Nev.)

Parties: Publishers Business Services, Inc.
Ed Dantuma, Enterprises, Inc., d/b/a Publishers Direct Services,
Publishers Business Services
Persis Dantuma
Edward Dantuma
Brenda Dantuma Schang
Dirk Dantuma
Dries Dantuma
Jeffrey Dantuma

Assigned Attorneys: Faye Chen Barnouw (WR-LA)
Raymond E. McKown
Maricela Segura

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection
with the deceptive and abusive telemarketing of magazine subscriptions.

Status: Complaint filed 5/14/08.
Order denying TRO and setting hearing on motion for preliminary
injunction entered 5/23/08.
Stipulated preliminary injunction entered 6/3/08.
Commission's motion to strike affirmative defenses filed 9/2/08;
defendants' response filed 9/22/08; Commission's reply filed
10/6/08; order granting in part and denying in part entered
10/16/08.
Motion to amend complaint and add defendants filed 12/17/08.
Amended complaint adding defendants Dirk Dantuma, Dries
Dantuma, and Jeffrey Dantuma filed 2/5/09.

FTC v. RCA CREDIT SERVICES, LLC, No. 8:08-CV-02062 (M.D. Fla.)

Parties: RCA Credit Services, LLC
Rick Lee Crosby, Jr.
Brady Wellington

Assigned Attorneys: Peter Lamberton (BCP/FP)
Michelle Grajales
James Chen

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/16/08.
Preliminary injunction with asset freeze entered 10/30/08.
Default against Brady Wellington entered 12/8/08.

FTC v. ROEX, INC., No. 8:09-CV-00266 (C.D. Cal.)

Parties: Roex, Inc.
Rodney H. Burreson
Mark Alexander

Assigned Attorneys: David P. Frankel (BCP/AP)
Elizabeth K. Nach
Raymond E. McKown (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with dietary supplements and devices purporting to prevent or treat serious medical conditions.

Status: Complaint filed 3/4/09.
Final order for permanent injunction and settlement of claims for monetary relief entered 3/26/09; modified 5/20/09.

FTC v. ROMEO, No. 2:09-CV-01262 (D.N.J.)

Parties: David J. Romeo
Stella Labs, LLC
Nutraceuticals International, LLC
Deborah B. Vickery
V. Craig Peyton
Zoltan Klivinyi

Assigned Attorneys: Victor DeFrancis (BCP/AP)
Karen Jagielski

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the advertising and promotion of a hoodia weight loss product.

Status: Complaint filed 3/20/09.
Stipulation and order for preliminary injunction as to defendants Nutraceuticals International, LLC and David J. Romeo entered 4/27/09.
Stipulation and order for preliminary injunction as to defendants Stella Labs, LLC and V. Craig Peyton entered 4/28/09.
Stipulation and order for preliminary injunction as to defendant Deborah B. Vickery entered 4/29/09.

FTC v. RYAN, No. 1:09-CV-00535 (D.D.C.)

Parties: Thomas Ryan

Assigned Attorneys: Douglas V. Wolfe (BCP/ENF)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with representations of United States government affiliation to consumers seeking mortgage relief.

Status: Complaint (originally *FTC v. One or More Unknown Parties Deceiving Consumers Into Seeking Home Loan Modifications Through HHTTP://Bailout.HUD-Gov.US and [HTTP://Bailout.DOHGov.US](http://Bailout.DOHGov.US)*) filed 3/20/09.
TRO entered 3/20/09.
Amended complaint, naming defendant Ryan, filed 3/25/09.
Stipulated preliminary injunction entered 3/30/09.

FTC v. SAFE HARBOUR FOUNDATION OF FLORIDA, INC., No. 1:08-CV-01185 (N.D. Ill.)

Parties: Safe Harbour Foundation of Florida, Inc.
Silverstone Lending, LLC
Silverstone Financial, LLC
Keystone Financial, LLC
Southeast Advertising, Inc
MT25 LLC
Peter J. Porcelli, II
Bonnie A. Werner, f/k/a Bonnie A. Harris
Christopher Tomasulo

Assigned Attorneys: David A. O'Toole (MWR)
Guy G. Ward
Marissa Reich

Alleged Conduct: Violations of Section 5, Equity Protection Act, and the Truth in Lending Act in connection with mortgage foreclosure rescue fraud.

Status: Complaint filed 2/27/08.
Commission's motion to reassign and consolidate case with *FTC v. Bay Area Business Council, Inc.*, 02-5762 (N.D. Ill.) filed 2/27/08; granted 5/1/08.
Commission's motion for preliminary injunction filed 8/27/08; withdrawn with leave to refile 10/16/08.
Commission's motion for preliminary injunction refiled 10/22/08.
Preliminary injunction as to defendants Peter Porcelli; Safe Harbour Foundation of Florida, Inc.; Silverstone Lending, LLC; Silverstone Financial, LLC; and MT25 LLC entered 11/12/08.
Stipulated preliminary injunction as to defendant Southeast Advertising, Inc. entered 11/12/08.
Stipulated order for permanent injunction and final judgment as to defendant Christopher Tomasulo entered 4/27/09.
Stipulated order for permanent injunction and final judgment as to defendant Bonnie Werner entered 4/27/09.
Stipulated order dismissing defendant Keystone Financial LLC entered 4/27/09.

FTC v. SELECT PERSONNEL MANAGEMENT, INC., No. 1:07-CV-00529 (N.D. Ill.)

Parties: Select Personnel Management, Inc., d/b/a Select Management Solutions
1402473 Ontario Limited, d/b/a Select Home Services, Fence Crafters
1489841 Ontario Inc., d/b/a Select Property Services
2105635 Ontario Limited
Special T Services Group Inc.
United Registration Services Inc.
James Stewart
Luigi Paulozza
Philip J. Richards

Assigned Attorneys: William J. Hodor (MWR)
John C. Hallerud
Theresa M. McGrew

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection
with false representations about credit card interest rate reduction services.

Status: Complaint filed 1/29/07.
TRO, asset freeze and order to show cause why a preliminary injunction
should not issue entered 1/29/07.
Preliminary injunction entered 2/12/07.
Motion for default as to defendants Select Personnel Management, Inc.
and James Stewart filed 5/11/07; granted 5/18/07.
Amended complaint adding defendants filed 8/18/08.
Default as to defendants 1402473 Ontario Limited; 1489841 Ontario Inc.;
2105635 Ontario Limited; Special T Services Group Inc.; United
Registration Services Inc.; and Philip J. Richards entered 10/31/08.
Preliminary injunction against all defendants entered 3/6/09.
Order for permanent injunction and final default judgment entered
5/15/09.

FTC v. STEFANCHIK, No. 07-35359 (9th Cir.); No. 2:04-CV-01852 (W.D. Wash.)

Parties: John Stefanchik
Scott B. Christensen
Beringer Corporation
Atlas Marketing, Inc
Justin W. Ely
Premier Consulting Group, Inc.

Assigned Attorneys: Nadine S. Samter (NWR)
Eleanor Durham
Leslie Melman (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of a program to make money buying and selling mortgage paper.

Status: Complaint filed 8/24/04.
Commission's motion for preliminary injunction filed 8/24/04.
Stipulated preliminary injunction as to defendants Atlas Marketing, Inc. and Scott B. Christensen entered 10/20/04.
Preliminary injunction as to John Stefanchik and Beringer Corporation entered 12/16/04.
Amended preliminary injunction as to John Stefanchik and Beringer Corporation entered 1/3/05.
First amended complaint for permanent injunction and other equitable relief, adding defendants Justin W. Ely and Premier Consulting Group, Inc., filed 4/1/05.
Stipulated final judgments and orders for permanent injunction and other equitable relief against defendants Atlas Marketing, Inc., Premier Consulting Group, Inc., and their respective principals, Scott Christensen, and Justin Ely, entered 11/14/06.
Commission's and defendants' motions for summary judgment filed 2/12/07; responses filed 3/5/07; replies filed 3/9/07.
Order granting Commission's motion for summary judgment and denying defendants' motion for summary judgment entered 3/5/07.
Final judgment and order for permanent injunction against defendants John Stefanchik and Beringer Corporation entered 4/3/07.
Notice of appeal filed 5/4/07.
Appellants' brief filed 1/28/08; Commission's answering brief filed 3/13/08; appellants' reply brief filed 3/31/08.
Oral argument held 1/22/09.
Opinion affirming District Court judgment entered 3/13/09.

FTC v. STROBEL, No. 2:08-CV-00326, 2:08-CV-00437, 2:08-CV-00445 (E.D. Tex.)

Parties: Rudolph J. Strobel, a/k/a Lee Harrison, d/b/a Lee Harrison Credit Restoration and Lee Harrison Associates Credit Restoration
LeAnna R. Harrison, d/b/a Lee Harrison Credit Restoration, Credit Restoration, and Lee Harrison Associates Credit Restoration
Lee Harrison Credit Restoration

Assigned Attorneys: Anne D. LeJeune (SWR)
Gary D. Kennedy
Luis Gallegos

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Credit Repair Organizations Act in connection with sale of credit repair services.

Status: Complaint filed 8/27/08.
TRO with asset freeze entered 8/28/08.
Stipulated preliminary injunction entered 9/10/08.
Complaints by Rudolph J. Strobel (08-437) and LeAnna R. Harrison and Lee Harrison Credit Restoration (08-445) against the Commission to unfreeze assets and to dismiss 08-326 filed 11/10/08.
Defendants' first amended counterclaim (08-326) against the Commission and its assigned attorneys filed 11/10/08.
Motion to consolidate all cases filed 2/6/09; order granting motion entered 2/18/09.
Motion to substitute United States for the Commission and its assigned attorneys as counter-defendant filed 2/6/09.
Motion by counter-defendant United States to dismiss defendants' first amended counterclaim filed 2/10/09.
Order granting motion to substitute United States as counter-defendant and dismissing with prejudice the Commission and its assigned attorneys as counter-defendants entered 4/2/09.
Order granting United States motion to dismiss without prejudice defendants' counterclaim entered 4/6/09.
Commission's motion for summary judgment filed 4/20/09.

FTC v. SUCCESSFUL CREDIT SERVICE CORP., No. 2:08-CV-06829 (C.D. Cal.)

Parties: Successful Credit Service Corp., d/b/a Success Credit Services
Tracy Ballard, a/k/a Tracy Ballard-Straugh

Assigned Attorneys: Jennifer Larabee (NWR)
Nadine S. Samter
John D. Jacobs (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the marketing, promotion, and sale of credit repair services.

Status: Complaint filed 10/16/08.
TRO with asset freeze entered 10/17/08.
Preliminary injunction entered 10/31/08.
Trial scheduled for 10/27/09.

FTC v. TRANSCONTINENTAL WARRANTY, INC., No. 1:09-CV-02927 (N.D. Ill.)

Parties: Transcontinental Warranty, Inc.
Christopher D. Cowart

Assigned Attorneys: David A. O'Toole (MWR)
Irene I. Liu

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule involving automobile warranties and telephone calls to consumers.

Status: Complaint filed 5/13/09.
TRO with asset freeze and other equitable relief entered 5/14/09.
Stipulated preliminary injunction with asset freeze and other equitable relief entered 5/29/09.

FTC v. TRUDEAU, No. 08-4249 (7th Cir.); Nos. 1:03-CV-03904, 1:98-CV-00168 (N.D. Ill.)

Parties: Kevin Trudeau
Shop America (USA), LLC
Robert Barefoot
Deonna Enterprises, Inc.
Karbo, Inc.
Karbo Enterprises, Inc.
Shop America Marketing Group
TruStar Global Media
K.T. Corp.
TruCom, LLC

Assigned Attorneys: Laureen Kapin (BCP-ENF)
Elizabeth Tucci
Sandhya Prabhu
David O'Toole (MWR)
Lawrence DeMille-Wagman (OGC)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of a dietary supplement and violations of a 1998 stipulated order for permanent injunction and final judgment against Kevin Trudeau.

Status: Complaint filed 6/9/03.
Stipulated final order for permanent injunction and settlement of claims for monetary relief as to defendants Kevin Trudeau, Shop America (USA), LLC, Shop America Marketing Group, LLC, Trustar Global Media, Limited and Relief defendants K.T. Corporation, Limited and TruCom, LLC, including monetary relief of approximately \$2.1 million, entered 9/3/04.
Motion to show cause why defendant Trudeau should not be held in contempt filed 9/13/07.
Order holding Trudeau in contempt for violating permanent injunction entered 11/16/07.
Hearing on remedy for violating permanent injunction held 7/22-25/08.
Judgment confirming 11/16/07 order, requiring payment of \$5 million by Trudeau, and providing for other relief entered 8/7/08.
Commission's motion to amend/correct judgment filed 8/21/08; response by Trudeau filed 9/22/08; Commission's reply filed 10/7/08, corrected 10/21/08.
Supplemental order and judgment entered 11/4/08.
Motion by Trudeau to alter or stay judgment pending appeal filed 11/13/08; Commission's response filed 11/26/08; Trudeau's reply filed 12/3/08; order denying motion entered 12/11/08.
Notice of appeal filed 12/16/08.
Appellant's emergency motion for stay pending appeal filed 12/23/08;

Commission's response in opposition filed 1/5/09; appellant's reply filed 1/7/09.
Order denying emergency motion for stay pending appeal entered 1/21/09.
Appellant's brief filed 2/17/09.
Motion by Appellant to file supplemental jurisdictional memorandum filed 3/5/09; order granting motion entered 3/12/09; supplemental jurisdictional memorandum filed 3/12/09.
Commission's answering brief filed 3/19/09.
Appellant's reply brief filed 4/2/09.
Oral argument held 5/14/09.

FTC v. UNITED CREDIT ADJUSTERS, INC., No. 3:09-CV-00798 (D.N.J.)

Parties: United Credit Adjusters, Inc., d/b/a United Credit Adjusters and UCA
United Counseling Association, Inc, d/b/a UCA
Bankruptcy Masters Corp.
National Bankruptcy Services Corp.
Federal Debt Solutions LTD.
United Money Tree, Inc.
Ahron E. Henoch
Ezra Rishty
Gerald Serino, a/k/a Jerry Serino

Assigned Attorneys: Sara C. DePaul (ECR)
Larissa L. Bungo
Michael Rose

Alleged Conduct: Deceptive acts and practices in violation of the Credit Repair Organizations Act and Section 5 in connection with the advertising, marketing, and sale of credit repair services.

Status: Complaint filed 2/24/09.
TRO entered 2/24/09.
Stipulation and order for preliminary injunction with asset freeze as to corporate defendants entered 3/23/09.
Stipulation and order for preliminary injunction with asset freeze as to defendants Ahron E. Henoch and Ezra Rishty entered 3/23/09.
Stipulation and order for preliminary injunction as to defendant Gerald Serino entered 3/23/09.

FTC v. UNITED HOME SAVERS, LLP, No. 8:08-CV-01735 (M.D. Fla.)

Parties: United Home Savers, LLP
Stephanie Dietschy
Darin Dietschy

Assigned Attorneys: Harold Kirtz (SER)
Bradley Elbein

Alleged Conduct: Deceptive acts and practices in violation of Section 5 related to sale of mortgage foreclosure rescue services.

Status: Complaint filed 9/3/08.
TRO with asset freeze entered 9/4/08.
Stipulated preliminary injunction entered 9/12/08; modified 10/7/08.

FTC v. UNIVERSAL PREMIUM SERVICES, INC., No. 08-55838 (9th Cir.); No. 2:06-CV-00849 (C.D. Cal.)

Parties: Universal Premium Services, Inc., a/k/a Premier Benefits, Inc.
Consumer Reward Network, Inc.
Star Communications LLC
Membership Services Direct, Inc., a/k/a Continuity Partners, Inc.
Connect2USA, Inc.
Brian K. MacGregor
Harijinder Sidhu
Joseph F. LaRosa, Jr.
Pranot Sangprasit
William Thomas Heichert
Michael Howard Cushing
Paul P. Tosi
Manh D. Cao
Merchant Risk Management, Inc.
Pantel One, Corporation
All Star Access, Inc.
Prime Time Ventures, Inc.
Christine MacGregor
Midwest Properties, Inc.

Assigned Attorneys: Faye C. Barnouw (WR-LA)
Jennifer M. Brennan
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the purported marketing and sale of discount passes and calling cards.

Status: Complaint filed 2/14/06.
Ex parte TRO with asset freeze entered 2/21/06.
Preliminary injunction with asset freeze entered 3/22/06.
First amended complaint adding defendants Merchant Risk Management, Inc., Pantel One, Corporation, All Star Access, Inc., Prime Time Ventures, Inc., Christine MacGregor and Midwest Properties, Inc. filed 5/8/06.
Notice of appeal of the preliminary injunction by defendants Brian MacGregor and Membership Services Direct, Inc. filed 5/22/06.
Default against All Star Access, Inc. and Prime Time Ventures, Inc. entered 6/28/06.
Order granting appellants' motion to dismiss appeal entered 7/17/06.
Default entered against Merchant Risk Management, Inc. and Pantel One Corporation entered 8/18/06.
Amended stipulated final orders for permanent injunction and other

equitable relief against defendants Joseph F. LaRosa, Jr., Pranot Sangpravit, William Heichert, Michael H. Cushing, Manh Dac Cao and Harijinder Sidhu entered 3/8/07.

Motion for summary judgment as to defendants Brian K. MacGregor and Membership Services Direct, Inc. filed 2/9/07.

Stipulated final order for permanent injunction and other equitable relief against defendant Paul Tosi entered 2/12/07.

Stipulated order appointing Special Master to determine equitable monetary relief to be imposed against Brian MacGregor and Membership Services Direct, Inc. entered 3/14/07.

Motion for summary judgment as to defendants Christine MacGregor and Midwest Properties, Inc. filed 3/30/07.

Stipulated final order as to defendants Christine MacGregor and Midwest Properties, Inc. entered 8/31/07.

Motion to hold receivership defendants' assets in constructive trust for the benefit of consumers filed on 10/26/07; granted 11/30/07.

Stipulated final order as to defendants Universal Premium, Inc., Consumer Reward, Inc., Star Communications LLC, All Star Access, Inc., Prime Time Ventures, Inc., Connect2USA, Inc., Merchant Risk Management, Inc., and Pantel One Corp. entered 2/1/08.

Notice of appeal by defendants Brian K. MacGregor and Membership Services, Inc. filed 5/20/08.

Appellants' opening brief filed 1/5/09.

Commission's substitute answering brief filed 4/2/09.

Appellants' reply brief filed 4/20/09.

FTC v. U.S. WORK ALLIANCE, INC., No. 1:08-CV-02053 (N.D. Ga.)

Parties: U.S. Work Alliance, Inc., d/b/a Exam Services
Tyler F. Long
Brenda M. Long

Assigned Attorneys: Harold E. Kirtz (SER)

Alleged conduct: Unfair and deceptive practices in violation of Section 5 involving newspaper advertisements and website postings for Post Office jobs and employment.

Status: Complaint filed 6/19/08.
Hearing on TRO held 6/27/08.
TRO entered 7/8/08.
Preliminary injunction entered 1/14/09.

FTC v. USA FINANCIAL, LLC, No. 8:08-CV-00899 (M.D. Fla.)

Parties: USA Financial, LLC
American Financial Card, Inc., f/k/a Capital Financial, Inc.
Jeffrey R. Deering
Richard R. Guarino
John F. Buschel, Jr.

Assigned Attorneys: Gideon E. Sinasohn (SER)
Chris M. Couillou

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 and the Telemarketing Sales Rule involving telemarketing of advance-fee credit cards and falsely failing to deliver the promised card and benefits.

Status: Complaint filed 5/12/08.
Order granting TRO and appointing a receiver entered 5/12/08.
Stipulated order extending TRO entered 5/20/08.
Stipulated preliminary injunction entered 7/29/08.
Commission's motion for summary judgment filed 4/14/09; defendants' response in opposition filed 5/6/09.
Defendants' motion for summary judgment filed 4/15/09; Commission's response in opposition filed 4/24/09.

FTC v. VOICE TOUCH, INC., No. 1:09-CV-02929 (N.D. Ill.)

Parties: Voice Touch, Inc., d/b/a Voice Touch
Network Foundations, LLC
Voice Foundations, LLC
James A. Dunne
Maureen Dunne
Damian Kohlfeld

Assigned Attorneys: David A. O'Toole (MWR)
Rozina C. Bhimani
James H. Davis

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with telephone calls to consumers
involving automobile warranties.

Status: Complaint filed 5/13/09.
TRO with asset freeze and other equitable relief entered 5/15/09.
Amended complaint adding defendant Voice Foundations, LLC filed
5/27/09.
Preliminary injunction as to defendant Damian Kohlfeld entered 5/29/09.
Stipulated preliminary injunction as to defendants James A. Dunne,
Maureen E. Dunne, and Voice Touch, Inc. entered 5/29/09.
Stipulated preliminary injunction as to defendants Network Foundations,
LLC and Voice Foundations, LLC entered 6/10/09.

FTC v. WARSHAK, No. 1:06-CV-00051 (S.D. Ohio)

Parties: Steve Warshak
Berkeley Premium Nutraceuticals, Inc.
Lifekey, Inc.
Warner Health Care, Inc.
Wagner Nutraceuticals, Inc.
Carri Warshak (relief defendant)
Harriet Warshak (relief defendant)
Paul Kellogg (relief defendant)

Assigned Attorneys: Tawana Davis (BCP/AP)
Edward Glennon
Mark S. Morelli (BCP/ENF)
Malini Mithal

Alleged Conduct: Unfair and deceptive practices in violation of Sections 5 and 12 of the
FTC Act, the Electronic Fund Transfer Act, and the Unordered
Merchandise Statute in connection with the sale of health-related dietary
supplements.

Status: Complaint filed 1/30/06.
Order staying case, pending outcome of the criminal trial, entered
12/27/06.
Order lifting stay entered 3/5/08.

FTC v. WATSON PHARMACEUTICALS, INC., No. 1:09-CV-00955 (N.D. Ga.), formerly No. 2:09-CV-00598 (C.D. Cal.)

Parties: Watson Pharmaceuticals, Inc.
Par Pharmaceuticals Companies, Inc.
Paddock Laboratories, Inc.
Solvay Pharmaceuticals, Inc.

Assigned Attorneys: Markus Meier (BC)
Bradley S. Albert
J. Robert Robertson
Cynthia A. Liebes (SER)

Alleged Conduct: Action for a permanent injunction and other equitable relief for violations of the Sections 1 and 2 of the Sherman Act and Section 5 of the FTC Act in connection with agreement between brand name drug manufacturer and generic manufacturers delaying entry of generic drug.

Status: Complaint in C.D. Cal. filed 1/27/09.
Amended complaint filed 2/12/09.
Defendants' motion to transfer case to Northern District of Georgia filed 2/27/09; Commission's opposition filed 3/16/09; defendants' reply filed 3/23/09; order transferring case to N.D. Ga. entered 4/9/09.
Second amended complaint filed 5/28/09.

FTC v. WEBSOURCE MEDIA, L.L.C., No. 08-20285 (5th Cir.), No. 4:06-CV-01980 (S.D. Tex.)

Parties: WebSource Media, L.L.C.
BizSitePro, L.L.C.
Eversites, L.L.C.
Telsource Solutions, Inc.
Telsource International, Inc.
Marc R. Smith
Kathleen A. Smalley
Keith Hendrick
Steven L. Kennedy
John O. Ring
James E. McCubbin, Jr.
WebSource Media, L.P.

Assigned Attorneys: James Elliott (SWR)
Susan E. Arthur
Eliseo N. Padilla
Imad D. Abyad (OGC)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 in connection with the sale of internet website design and hosting services.

Status: Complaint filed 6/12/06.
Ex parte TRO with asset freeze entered 6/12/06.
Amended complaint adding defendant WebSource Media, L.P. filed 6/21/06.
Stipulated preliminary injunction entered 6/21/06.
Modified preliminary injunction entered 1/10/07.
Second modified preliminary injunction entered 2/15/07.
Defendant Stephen L. Kennedy's motion for summary judgment filed 4/30/07; Commission's response filed 5/21/07; denied 7/2/07.
Stipulated final order, including approximately \$1.2 million in consumer redress, against defendants WebSource Media, L.L.C., WebSource Media, L.P., BizSitePro, L.L.C., Eversites, L.L.C, Telsource Solutions, Inc., Telesource International, Inc., Marc R. Smith, Kathleen A. Smalley, Keith D. Hendrick, John O. Ring, and James E. McCubbin, Jr. entered 7/17/07.
Stipulated final judgment and order for permanent injunction against defendant Kathleen A. Smalley entered 7/17/07.
Trial held 12/3-12/14/07.
Final judgment and order for permanent injunction against defendant Steven L. Kennedy for \$4,108,131.32 entered 3/17/08.
Defendant Steven L. Kennedy's motion for new trial filed 3/31/08, denied 4/4/08.

Notice of appeal filed 4/29/08.
Appellant's opening brief filed 10/7/08.
Commission's brief filed 12/8/08.
Appellant's reply brief filed 12/22/08.
Oral argument held 4/30/09.

FTC v. XACTA 3000, INC., No. 3:09-CV-00399 (D.N.J.)

Parties: Xacta 3000, Inc.
Baruch Levin
Yehuda Levin, a/k/a Juda Levin

Assigned Attorneys: Victor F. DeFrancis (BCP/AP)
Sydney M. Knight

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with foot pads purporting to remove toxic materials from the body and treat medical conditions.

Status: Complaint filed 1/27/09.

FTC v. YOUR MAGAZINE PROVIDER, INC., No. 9:08-CV-00064 (D. Mont.)

Parties: Your Magazine Provider, Inc.
D.B.A. Periodicals
U.S. Magazine Services
Jason W. Ellsworth

Assigned Attorneys: Mary T. Benfield (NWR)
Kathryn C. Decker

Alleged Conduct: Unfair and deceptive practices and acts in violation of Section 5 and the Telemarketing Act involving magazine subscriptions and undisclosed monthly charges.

Status: Complaint filed 5/12/08.
TRO entered 5/14/08.
Order extending TRO entered 5/29/08.
Stipulated preliminary injunction entered 6/5/08.
Defendants' motion to dissolve stipulated preliminary injunction filed 12/12/08; Commission's opposition filed 12/23/08; defendants' reply filed 1/5/09.
Order dissolving stipulated preliminary injunction entered 2/4/09.

FTC v. YOUR MONEY ACCESS, LLC, No. 2:07-CV-05147 (E.D. Pa.)

Parties: Your Money Access, LLC
YMA Co., LLC
Derrelle Janey
Tarzenea Dixon

Assigned Attorneys: Michelle Ann Chua (BCP/MP)
David C. Fix
Philip Tumminio

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with the practice of unauthorized debiting of consumers' bank accounts.

Status: Complaint filed 12/6/07.
Default as to defendant Your Money Access, LLC entered 1/16/08.
Default as to defendant YMA Co., LLC entered 3/3/08.
Commission's motion for default judgment as to corporate defendants Your Money Access, LLC and YMA Co., LLC filed 5/20/08; corporate defendants' response filed 6/3/08; Commission's reply filed 6/12/08.
Default judgment and permanent injunction entered 10/28/08.
Motions by Commission and plaintiff states for summary judgment as to defendant Derrelle Janey filed 3/9/09; response by defendant Derrelle Janey in opposition filed 4/23/09.
Motion by defendant Derrelle Janey for partial summary judgment filed 3/9/09; responses by Commission and plaintiff states in opposition filed 4/23/09.
Stipulated permanent injunction and final order as to defendant Tarzenea Dixon entered 6/4/09.
Commission's motion to alter permanent injunction and final order as to defendant Tarzenea Dixon filed 6/17/09.

CIVIL PENALTY AND ENFORCEMENT CASES*

(A) Consumer Protection

UNITED STATES v. ACADEMY COLLECTION SERVICE, INC., No. 2:08-CV-01576 (D. Nev.)

Parties: Academy Collection Service, Inc.
Keith Dickstein
Albert S. Bastian
Edward L. Hurt III

Assigned Attorneys: Deborah A. Marrone (NER)
Ann F. Weintraub
Nur-Ul-Huq
John W. Burke (DOJ/CIV)
Patrick A. Rose (AUSA)

Alleged Conduct: Violations of Section 5 and the Fair Debt Collection Practices Act involving threats of garnishment and legal action, communications with third parties, and unauthorized withdrawals and early deposits related to consumer debts.

Status: Complaint filed 11/14/08.
Consent decree against defendants Academy Collection Service, Inc. and Keith Dickstein entered 11/19/08.

* Includes all suits in which civil penalties are sought; consumer redress, injunctions, and ancillary equitable relief may also be sought.

UNITED STATES v. CIVIC DEVELOPMENT GROUP, LLC, No. 2:07-CV-04593 (D.N.J.)

Parties: Civic Development Group, LLC
Scott Pasch
David Keezer

Assigned Attorneys: Matthew Wilshire (BCP/ENF)
Mark L. Josephs (DOJ/CIV)

Alleged Conduct: Violations of a Commission administrative order and the Telemarketing Sales Rule in connection with a telemarketing scheme that made misrepresentations to consumers when fund-raising for police, firefighter, and other non-profit organizations.

Status: Complaint filed 9/24/07.

UNITED STATES v. COMCAST CORPORATION, No. 2:09-CV-01589 (E.D. Pa.)

Parties: Comcast Corporation

Assigned Attorneys: Michele Stolls (NER)
Nur-Ul-Haq
Daniel K. Crane-Hirsch (DOJ/CIV)
Stacey L. B. Smith (AUSA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with calls to consumers who do not wish to receive calls from or on behalf of Comcast.

Status: Complaint filed 4/15/09.
Stipulated judgment and order for permanent injunction entered 4/16/09.

UNITED STATES v. DIRECTV, INC., No. 2:09-CV-02605 (C.D. Cal.)

Parties: DIRECTV, Inc.
Voicecast Systems, Inc., d/b/a Intouch Solutions, Inc.
Michael Kurtz
Keyvan Saedi

Assigned Attorneys: Matthew J. Wilshire (BCP/ENF)
Elsie Kappler
Daniel K. Crane-Hirsch (DOJ/CIV)
Gary Plessman (AUSA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with abandoned calls and calls to consumers on the National Do Not Call Registry.

Status: Complaint filed 4/15/09.
Stipulated judgment and order for permanent injunction and civil penalties against Voicecast Systems, Inc., Michael Kurtz, and Keyvan Saedi entered 6/14/09.
Stipulated judgment and order for permanent injunction and civil penalties against DIRECTV, Inc. entered 6/14/09.

UNITED STATES v. DISH NETWORK L.L.C., No. 3:09-CV-03073 (C.D. Ill.)

Parties: Dish Network L.L.C.

Assigned Attorneys: Russell Deitch (BCP/MP)
Gary Ivens
Daniel K. Crane-Hirsch (DOJ/CIV)
James A. Lewis (AUSA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with abandoned calls and telephone calls to consumers on the National Do Not Call registry.

Status: Complaint filed 3/25/09.

UNITED STATES v. ENVIROMATE, LLC, No. 5:09-CV-00386 (N.D. Ala.)

Parties: Enviromate, LLC
Philip A. Geddes

Assigned Attorneys: Korin K. Ewing (BCP/ENF)
James E. Phillips (AUSA)

Alleged Conduct: Violations of Section 5 and the R-Value Rule in connection with the sale of home insulation products.

Status: Complaint filed 2/26/09.
Stipulated judgment and order for injunction and other relief entered 3/2/09.

UNITED STATES v. GLOBAL MORTGAGE FUNDING, INC., No. 8:07-CV-01275 (C.D. Cal.)

Parties: Global Mortgage Funding, Inc., f/d/b/a Global Realty, Inforte Financial, and U.S. Escrow
Damian Robert Kutzner

Assigned Attorneys: Thomas Dahdouh (WR)
Daniel K. Crane-Hirsch (DOJ/CIV)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with telemarketing calls to consumers to provide mortgage and related financial services.

Status: Complaint filed 10/30/07.

UNITED STATES v. MEYER ENTERPRISES, LLC, No. 1:09-CV-01074 (C.D. Ill.)

Parties: Meyer Enterprises, LLC
Insulation Solutions, Inc.
Donald L. Meyer

Assigned Attorneys: Melinda A. Claybaugh (BCP/ENF)
Malini Mithal
Daniel K. Crane-Hirsch (DOJ/CIV)
Gerald A. Brost (AUSA)

Alleged Conduct: Violations of Section 5 and the R-Value Rule in connection with the sale of home insulation products.

Status: Complaint filed 2/26/09.
Stipulated judgment and order for civil penalties, injunction, and other relief entered 3/2/09.

FTC v. NAVESTAD, No. 6:09-CV-06329 (W.D.N.Y.)

Parties: Paul Navestad, a/k/a Paul Richard, d/b/a Cash Grant Institute, Global Ad Agency, Global Advertising Agency
Chintana Maspakorn, a/k/a Christina Maskaporn, d/b/a Cash Grant Institute, Global Ad Agency, Global Advertising Agency

Assigned Attorneys: Russell S. Deitch (BCP/MP)
Janis C. Kestenbaum

Alleged Conduct: Violations of the Telemarketing Sales Rule and Section 5 in connection with telephone calls to consumers on the National Do Not Call registry.

Status: Complaint for civil penalties and other relief filed 6/25/09.
TRO with asset freeze and other equitable relief entered 6/25/09.

FTC v. NAVONE, No. 2:08-CV-01842 (D. Nev.)

Parties: Gregory Navone

Assigned Attorneys: Laura B. Stack (BCP/PIP)
Kandi B. Parsons
Katrina Blodgett
David M. Newman (WR-SF)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Fair Credit Reporting Act, and the Disposal Rule in connection with the maintenance and disposal of sensitive consumer information.

Status: Complaint filed 12/30/08.

UNITED STATES v. NEW EDGE SATELLITE, INC., No. 2:09-CV-11100 (E.D. Mich.)

Parties: New Edge Satellite, Inc.
Derek LaVictor

Assigned Attorneys: Russell Deitch (BCP/MP)
Gary Ivens
Daniel K. Crane-Hirsch (DOJ/CIV)
Carolyn B. Harbin (AUSA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with telephone calls to consumers on the National Do Not Call registry.

Status: Complaint filed 3/25/09.

UNITED STATES v. OXFORD COLLECTION AGENCY, INC., No. 2:09-CV-02467
(E.D.N.Y.)

Parties: Oxford Collection Agency, Inc., d/b/a Oxford Management Services
Richard Pinto
Peter Pinto
Charles Harris
Salvatore Spinelli, d/b/a Salvatore Spinelli, Esq.

Assigned Attorneys: Robin E. Eichen (NER)
Carole A. Paynter
Gerald C. Kell (DOJ/CIV)
Thomas A. McFarland (AUSA)

Alleged Conduct: Violations of Section 5 and the Fair Debt Collection Practices Act involving threats of garnishment and legal action, communications with third parties, and debiting bank or charging credit card accounts related to consumer debts.

Status: Complaint filed 6/10/09.
Consent decree and order for civil penalties and permanent injunction against defendants Oxford Collection Agency, Inc., Richard Pinto, Peter Pinto, and Charles Harris entered 6/23/09.
Consent decree and order for civil penalties and permanent injunction against defendant Salvatore Spinelli entered 6/23/09.

UNITED STATES v. QVC, INC., No. 2:04-CV-01276 (E.D. Pa.)

Parties: QVC, Inc.

Assigned Attorneys: Mark Morelli (BCP/ENF)
Mark Josephs (DOJ/CIV)
David R. Hoffman (AUSA)

Alleged Conduct: Violations of the Commission's order and Sections 5 and 12 of the FTC Act in connection with sales of a variety of products through its television home shopping network.

Status: Complaint filed 3/24/04.
Third-party complaint by QVC against Vitaquest International, Inc., Shari Lieberman, Bee-Alive, Inc., Madeline Balletta, Nutrition 21, Inc. and Sanofi-Synthelabo, Inc. filed 4/14/04.
Third-party defendants' motion to dismiss and strike third-party complaint filed 6/9/04; defendant's response in opposition filed 7/12/04; United States' response filed 7/12/04; third-party defendants' reply filed 7/30/04.
United States' motion to strike third-party complaint filed 7/12/04; defendant's response in opposition filed 7/29/04; United States' reply filed 8/13/04.
Hearing on the motion to dismiss held 11/15/04.
Order denying third-party defendants' motion to dismiss and United States' motion to strike entered 2/9/05.
Motion for partial summary judgment resolving liability filed 3/10/06.
Order granting partial summary judgment entered 9/29/06.
Consent decree entered 3/4/09.

UNITED STATES v. RENTAL RESEARCH SERVICES, INC., No. 0:09-CV-00524
(D. Minn.)

Parties: Rental Research Services, Inc.
Lee Mickellson

Assigned Attorneys: Sandra F. McCarthy (BCP/PIP)
Molly K. Crawford
Daniel K. Crane-Hirsch (DOJ/CIV)
Ana H. Voss (AUSA)

Alleged Conduct: Violations of Section 5 and the Fair Credit Reporting Act in connection with the sale of consumer reports to identity thieves.

Status: Complaint filed 3/5/09.
Stipulated final judgment and order for civil penalties, permanent injunction, and other equitable relief entered 3/6/09.

UNITED STATES v. SUMPOLEC, No. 6:09-CV-00378 (M.D. Fla.)

Parties: Edward Sumpolec, d/b/a Thermalkool, Thermacool, Energy Conservation Specialists

Assigned Attorneys: Michael J. Davis (BCP/ENF)
Philip M. Toomajian (DOJ/CIV)
Scott H. Park (AUSA)

Alleged Conduct: Violations of Section 5 and the R-Value Rule in connection with the sale of home insulation products.

Status: Complaint filed 2/26/09.
Default entered 5/29/09.

UNITED STATES v. VISION QUEST, LLC, No. 2:09-CV-11102 (E.D. Mich.)

Parties: Vision Quest, LLC
Brian K. Cavett

Assigned Attorneys: Russell Deitch (BCP/MP)
Gary Ivens
Daniel K. Crane-Hirsch (DOJ/CIV)
Carolyn B. Harbin (AUSA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with telephone calls to consumers on the National Do Not Call registry.

Status: Complaint filed 3/25/09.

(B) Competition

FTC v. BRISTOL-MYERS SQUIBB COMPANY, No. 1:09-CV-00576 (D.D.C.)

Parties: Bristol-Myers Squibb Company

Assigned Attorneys: Anne Schenof (BC)
Daniel P. Ducore

Alleged Conduct: Violations of a Commission order and the Medicare Modernization Act in connection with the concealment of a material fact and false statements related to the submission of a settlement agreement.

Status: Complaint filed 3/26/09.
Final judgment entered 3/30/09.

UNITED STATES v. MALONE, No. 1:09-CV- 01147 (D.D.C.)

Parties: John C. Malone

Assigned Attorneys: Kenneth A. Libby (BC)
Roberta S. Baruch

Alleged Conduct: Violations of the pre-merger reporting requirements of the Hart Scott Rodino Act in connection with the acquisition of voting securities.

Status: Complaint filed 6/23/09.
Final judgment entered 6/25/09.

SUBPOENA AND CID ENFORCEMENT PROCEEDINGS

FTC v. TARRIFF, No. 08-5205 (D.C. Cir.); No. 1:08-MC-00217 (D.D.C.)

Parties: Scott Tarriff
 Edward Maloney
 Paul Campanelli

Assigned Attorneys: Lawrence DeMille-Wagman (OGC)

Alleged Conduct: Petition for an order enforcing three subpoenas issued in furtherance
 of a law enforcement investigation.

Status: Petition filed 4/16/08.
 Order to show cause why petition should not be granted entered 4/17/08.
 Response to petition filed 5/7/08; Commission's reply filed 5/14/08.
 Order granting petition for an order enforcing subpoenas entered 6/2/08.
 Notice of appeal filed 6/30/08.
 Order holding briefing in abeyance pending further order of the court
 entered 12/16/08; order reinstating briefing schedule entered
 3/3/09.
 Appellants' brief filed 5/29/09.
 Commission's answering brief filed 6/29/09.
 Appellants' reply brief due 7/20/09.
 Oral argument scheduled for 10/8/09.

SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

CARTER, FULLERTON & HAYES, LLC v. FTC, No. 1:07-CV-01041 (D.D.C.)

Parties: Carter, Fullerton & Hayes, LLC

Assigned Attorneys: Michele Arington (OGC)
Beverly Russell (DOJ/CIV)

Nature of Action: Freedom of Information Act claim resulting from Commission's withholding of certain requested documents and denial of a fee waiver.

Status: Complaint filed 6/12/07.
Commission's motion for summary judgment filed 8/16/07; plaintiff's opposition filed 8/27/07; Commission's reply filed 9/14/07.
Order granting in part and denying in part Commission's motion for summary judgment entered 10/25/07.
Commission's renewed motion for summary judgment filed 12/05/07; plaintiff's opposition filed 12/18/07.
Commission notices to the court regarding recently discovered documents filed 6/5/08, 6/20/08, 7/17/08, and 8/25/08.
Order denying without prejudice Commission's renewed motion for summary judgment, directing Commission to file comprehensive motion for summary judgment, entered 9/19/08.
Commission's second motion for summary judgment filed 10/9/08; plaintiff's response in opposition filed 10/31/08; Commission's reply filed 12/17/08.

CARTER, FULLERTON & HAYES, LLC v. FTC, No. 1:09-CV-00259 (E.D. Va.)

Parties: Carter, Fullerton & Hayes, LLC

Assigned Attorneys: Michele Arington (OGC)
Lauren Wexler (AUSA)

Nature of Action: Freedom of Information Act claim resulting from Commission's withholding of certain requested documents.

Status: Complaint filed 3/10/09.
Commission's motion to dismiss filed 4/8/09; response in opposition filed 4/20/09; Commission's reply filed 4/27/09.
Order granting motion to dismiss entered 6/5/09.

FLYING J, INC. v. TA OPERATING CORP., No. 3:07-MC-00156 (M.D. Tenn.)

Parties: Flying J, Inc.
TA Operating Corp.

Assigned Attorney: Michael D. Bergman (OGC)
Gerald C. Kell (DOJ-CIV)
Michael L. Roden (AUSA)

Nature of Action: Challenge to subpoena served on monitor trustee overseeing BC consent order requesting protected materials to parties in private litigation.

Status: Order by Magistrate Judge granting in part and denying in part plaintiffs' motion to compel entered 04/23/09.
Motion of the United States to intervene and for review of Magistrate's decision filed 5/7/09.
Order granting motion of the United States to intervene entered 6/1/09.
Order affirming in part and vacating in part Magistrate's decision entered 6/25/09.

IMEGA v. HOLDER, No. 08-1981 (3d Cir.); No. 3:07-CV-02625 (D.N.J.)

Parties: Interactive Media Entertainment and Gaming Association (iMega), Inc.

Assigned Attorney: Imad D. Abyad (OGC)

Nature of Action: Action for equitable relief claiming that the regulation of an online gambling site violated plaintiffs' constitutional rights of expression and privacy.

Status: Complaint against Commission, Attorney General of the United States, and Federal Reserve filed 6/5/07.
Plaintiff's first motion for preliminary injunction filed 7/10/07.
Defendants' opposition to TRO and motion to dismiss filed 8/21/07.
Plaintiff's opposition to motion to dismiss filed 9/10/07.
Defendants' reply in support of motion to dismiss filed 9/21/07.
Defendants' motion to dismiss granted 3/4/08.
Notice of appeal filed 4/1/08.
Appellant's brief filed 9/29/08; government's brief filed 10/29/08.
Oral argument set for 7/7/09.

SWISH MARKETING, INC. v. FTC, No. 1:09-CV-00921 (D.D.C.)

Parties: Swish Marketing, Inc.
Matthew Patterson
Jason Strober

Assigned Attorneys: David Sieradzki (OGC)
Christopher Harwood (AUSA)

Alleged Conduct: Declaratory judgment action in connection with Commission investigation.

Status: Complaint filed 5/18/09.

AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS

AMERICAN NEEDLE, INC. v. NATIONAL FOOTBALL LEAGUE, No. 08-661 (S. Ct.)

Assigned Attorneys: Mark S. Hegedus (OGC)

Nature of Action: Action under Section 1 of the Sherman Act raising the applicability of single entity status to an exclusive licensing agreement of the National Football League and its member teams.

Status: Petition for certiorari filed 11/17/08.
Brief of the United States and the Commission as amicus curiae filed 5/28/09.
Certiorari granted 6/29/09.

IN RE CIPROFLOXACIN HYDROCHLORIDE ANTITRUST LITIGATION, No. 08-1194 (S. Ct.); No. 08-1097 (Fed. Cir.)

Assigned Attorney: Imad D. Abyad (OGC)

Nature of Action: Private action concerning agreements between defendants Bayer AG and its U.S. subsidiary Bayer Corporation in violation of antitrust laws.

Status: Brief of Commission as amicus curiae in support of appellants filed 1/25/08.
Oral argument held 6/4/08.
Opinion affirming district court decision entered 10/15/08.
Petition for certiorari filed 3/23/09.
Certiorari denied 6/22/09.

IN RE DDAVP DIRECT PURCHASER ANTITRUST LITIGATION, No. 06-5525 (2d Cir.)

Assigned Attorney: Imad D. Abyad (OGC)

Nature of Action: Private action concerning whether direct purchasers of a brand-name pharmaceutical product lacked antitrust standing to bring monopolization claims against defendant drug manufacturers arising out of the manufacturers' enforcement of a fraudulently obtained patent.

Status: Brief of United States and Commission as amicus curiae in support of plaintiffs-appellants filed 5/25/07.
Oral argument held 9/15/08.