

**QUARTERLY FEDERAL COURT  
LITIGATION STATUS REPORT**

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

September 30, 2012

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## SUMMARY OF CASES

	D. Ct.	Ct. App.*	S. Ct.	Total
PETITIONS FOR REVIEW	0	3	0	3
INJUNCTION AND CONSUMER REDRESS CASES	72	22	2	96
CIVIL PENALTY AND ENFORCEMENT CASES	16	1	0	17
SUBPOENA AND CID ENFORCEMENTS	2	0	0	2
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	9	2	0	11
AMICUS CURIAE BRIEFS	4	4	2	10
TOTALS	103	32	4	139

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\* 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**

***NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS v. FTC***, No. 12-1172  
(4th Cir.)

Parties: North Carolina State Board of Dental Examiners

Assigned Attorneys: Imad D. Abyad (OGC)

Nature of Action: Petition for review of final order *In re North Carolina [State] Board of Dental Examiners*.

Status: Petition filed 2/10/12.  
Board's opening brief filed 5/10/12.  
Commission's response brief filed 6/27/12.  
Board's reply brief filed 7/19/12.  
Oral argument set for 12/5/12.

***POLYPORE INTERNATIONAL, INC v. FTC***, No. 11-10375 (11th Cir.)

Parties: Polypore International, Inc.

Assigned Attorneys: Michele Arington (OGC)

Nature of Action: Petition for review of final divestiture order

Status: Petition filed 2/28/11.  
Polypore's brief filed 4/26/11.  
Commission's brief filed 6/20/11.  
Polypore's reply brief filed 7/19/11.  
Oral argument held 1/25/12.  
Opinion affirming Commission's decision and divestiture order entered 7/11/12.  
Polypore's petition for panel rehearing or rehearing *en banc* filed 8/27/12.

***FTC v. PROMEDICA HEALTH SYSTEMS, INC.***, No. 12-3583 (6th Cir.)

Parties: ProMedica Health Systems, Inc.

Assigned Attorneys: Michele Arington (OGC)

Nature of Action: Petition for review of final divestiture order

Status: Petition filed 5/18/12.  
ProMedica's opening brief filed 9/17/12.  
Commission's answering brief due 11/7/12.  
ProMedica's reply brief due 11/30/12.

**(B) Rulemakings**

(None)

**INJUNCTION AND CONSUMER REDRESS CASES**

**(A) Preliminary Injunctions (Mergers/Acquisitions)**

***FTC v. PHOEBE PUTNEY HEALTH SYSTEM, INC.***, No. 11-1160 (S. Ct.); No. 11-12906  
(11th Cir.); No. 1:11-CV-00058 (M.D. Ga.)

Parties: Phoebe Putney Health System, Inc.  
Phoebe Putney Memorial Hospital, Inc.  
Phoebe North, Inc.  
HCA, Inc.  
Palmyra Park Hospital, Inc.  
Hospital Authority of Albany-Dougherty County

Assigned Attorneys: John F. Daly (OGC)  
Imad D. Abyad  
Leslie R. Melman  
Malcolm L. Stewart (DOJ/OSG)  
Benjamin J. Horwich  
Edward D. Hassi (BC)  
Priya Viswanath  
Sara Y. Razi  
Thomas H. Brock  
Matthew Tabas  
Peter C. Herrick

Alleged Conduct: Action for preliminary 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 inpatient general acute care services sold to commercial health plans and their customers in Albany, Georgia and surrounding area.

Status: Sealed complaint filed 4/20/11.  
Order granting motion for TRO entered 4/21/11.  
Motions to dismiss complaint or, in the alternative, for summary judgment by defendants filed 5/16/11.  
Briefs of the Commission and the State of Georgia in further support of motion for preliminary injunction and in opposition to defendants' motions to dismiss or for summary judgment filed 6/1/11.  
Order granting motions to dismiss and denying motion for preliminary injunction entered 6/27/11.  
Commission's notice of appeal filed 6/28/11.  
Commission's emergency motion for injunction pending appeal and to expedite appeal filed 6/29/11.

Injunction pending appeal granted 7/6/11.  
Commission's opening brief filed 7/27/11; appellees' answering brief filed  
8/17/11; Commission's reply brief filed 8/24/11.  
Order affirming district court entered 12/09/11.  
Petition for writ of certiorari filed 3/23/12; granted 6/25/12.  
Commission's brief filed 8/20/12.  
Oral argument scheduled for 11/26/12.

**(B) Preliminary Injunctions (Other)**

(None pending)

**(C) Permanent Injunctions/Consumer Redress**<sup>\*\*\*</sup>

***FTC v. AFFILIATE STRATEGIES, INC.***, No. 11-3319 (10th Cir); No. 5:09-CV-04104  
(D. Kan.)

Parties: Affiliate Strategies, Inc.  
Landmark Publishing Group, L.L.C., d/b/a G.F. Institute and Grant  
Funding Institute  
Grant Writers Institute, L.L.C.  
Answer Customers, L.L.C.  
Apex Holdings International, L.L.C.  
Brett Blackman  
Jordan Sevy  
James Rulison  
Real Estate Buyers Financial Network LLC, d/b/a Grant Writers Research  
Network  
Martin Nossov  
Alicia Nossov  
Wealth Power Systems, LLC  
Aria Financial Services LLC  
Direct Marketing Systems, Inc.  
Justin Ely  
Meggie Chapman, d/b/a Meggie Chapman & Associates

Assigned Attorney: Gary L. Ivens (BCP/MP)  
Michael Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the  
Telemarketing Sales Rule in connection with obtaining and receiving U.S.  
government grants for consumers.

Status: Complaint filed 7/20/09.  
TRO with asset freeze entered 7/24/09.  
Stipulated preliminary injunction entered 9/1/09; amended 11/24/09.  
Amended complaint filed adding defendants Wealth Power Systems,  
LLC; Aria Financial Services LLC; Direct Marketing Systems,  
Inc.; Justin Ely; and Meggie Chapman, d/b/a Meggie Chapman &  
Associates filed 12/9/09.  
Clerk's entry of default against defendant Direct Marketing Systems, Inc.  
2/25/10.  
Second amended complaint filed 6/21/10.

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



Clerk's entry of default against defendants Apex Holdings, Affiliate Strategies, Landmark Publishing, Grant Writers Institute, Answer Customers, and Direct Marketing Systems entered 8/12/10.

Motion for summary judgment by defendant Chapman filed 12/10/10; Commission's opposition filed 1/3/11; reply filed 1/31/11.

Motion for summary judgment by defendant Aria Financial Services, LLC and Wealth Power Systems, LLC filed 12/10/10; Commission's opposition filed 1/3/11; reply filed 1/18/11.

Commission's motion for summary judgment filed 12/10/10; opposition by defendants Aria Financial LLC and Wealth Power Systems, LLC filed 12/27/10; opposition by defendants Real Estate Buyers Financial Network LLC and Martin and Alicia Nossov filed 1/18/11; opposition by defendant Meggie Chapman filed 1/18/11; opposition by defendant Justin Ely filed 1/26/11; Commission's replies filed 2/4/11.

Stipulated permanent injunction and final judgment order against Bret Blackman, Justin Ely, Jordan Sevy, and James Rulison entered 7/21/11.

Commission's motion for default judgment against several corporate defendants filed 7/22/11; order granting motion for default judgment against Direct Marketing Systems, Inc. entered 7/26/11.

Order denying defendant Chapman's motion for summary judgment; denying as moot defendants Aria and Wealth Power System's motion for summary judgment; and granting in part and denying in part plaintiff's motion for summary judgment, entered 7/26/11.

Default judgment and permanent injunction against Apex Holdings International LLC, Affiliate Strategies LLC, Landmark Publishing Group LLC, Grant Writers Institute LLC, and Answer Customers LLC entered 7/26/11.

Order for permanent injunction as to defendants Real Estate Buyers Network LLC and Martin Nossov entered 8/1/11.

Consent decree and final judgment order against Wealth Power Systems, LLC and Aria Financial Services LLC entered 8/12/11.

Stipulated order for permanent injunction and monetary judgment against Alicia Nossov entered 8/18/11.

Trial held on 8/22/11 and 8/23/11.

Final judgment order against Real Estate Buyers Financial Network LLC, and Martin Nossov entered 8/24/11.

Final judgment order and permanent injunction against Meggie Chapman entered 9/26/11.

Notice of appeal filed 10/27/11; amended 11/17/11.

Notice of order abating case pending termination of appellant's bankruptcy proceedings entered 11/21/11.

Commission's motion to vacate abatement filed 12/1/11; appellant's response filed 12/21/11.

Appellant Meggie Chapman's brief filed 5/3/12; Commission's response

brief filed 6/28/12; Chapman's reply brief filed 9/27/12.  
Oral argument set for 11/7/12.

***FTC v. ALCOHOLISM CURE CORPORATION***, No. 12-14039 (11th Cir.), No. 3:10-CV-00266 (M.D. Fla.)

Parties: Alcoholism Cure Corporation, d/b/a Alcoholism Cure Foundation  
Robert Douglas Krotzer

Assigned Attorneys: Karen Mandel (BCP/AP)  
Elise Whang  
Serena Viswanathan  
Theodore Metzler, Jr., (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving false advertising claims in connection with cures for alcoholism and related unauthorized billing.

Status: Complaint filed 3/29/10.  
Stipulated preliminary injunction entered 5/26/10.  
Default against Alcoholism Cure Corp. entered 9/22/10.  
Commission motion for summary judgment filed 4/6/11; opposition by defendant Robert Douglass Krotzer filed 4/28/11.  
Order granting Commission's motion for summary judgment entered 9/16/11.  
Commission motion for default judgment against Alcoholism Cure Corp. filed 10/31/11; order referring motion for report and recommendations entered 11/02/11; report and recommendation for default judgment against Alcoholism Cure Corp. entered 12/5/11.  
Notice of appeal by defendant Krotzer filed 8/1/12.

***FTC v. AMERICAN CREDIT CRUNCHERS, LLC***, No. 1:12-CV-0128 (N.D. Ill.)

Parties: American Credit Crunchers, LLC  
Varang K. Thaker d/b/a American Credit Crunchers

Assigned Attorneys: Elizabeth Coulter Scott (MWR)  
John Campbell Hallerud

Alleged Conduct: Deceptive acts and practices in violation of section 5 and the FDCPA in connection with debt collection practices.

Status: Complaint filed 2/13/12.

TRO with asset freeze and other equitable relief entered 2/14/12.  
Preliminary injunction entered 2/27/12.

***FTC v. AMERICAN ENTERTAINMENT DISTRIBUTORS, INC.***, No. 11-10150-EE (11th Cir); 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.  
Miriam Smolyansky (personal representative for estate of deceased defendant 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.  
Commission's motion for summary judgment against defendant Russell G. MacArthur, Jr. filed 10/24/08.  
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.  
Final order and permanent injunction as to defendant Russell G. MacArthur, Jr. entered 7/21/09.  
Stipulated final order as to defendant Miriam Andreoni entered 11/17/10.  
Stipulated final orders as to defendants Mauricio A. Paz, Universal Cybercom Corporation, Automated Entertainment Distributors, Inc., and Universal Technical Support, Inc. entered 11/18/10.  
Notice of appeal by defendant Miriam Andreoni filed 1/12/11.  
Brief for appellant filed 3/3/11.  
Brief for the Commission filed 4/11/11.  
Decision affirming district court entered 7/8/11.  
Motion for summary judgment against defendant the Estate of Anthony Rocco Andreoni filed 9/9/11; motion to strike filed 10/14/11; reply filed 12/5/11; defendant's motion to strike denied 3/29/12.  
Order granting motion for summary judgment entered 8/31/12.  
Final judgment entered 9/28/12.

***FTC v. AMERICAN MORTGAGE CONSULTING GROUP***, No. 8:12-CV-01561 (C.D. Cal.)

Parties: American Mortgage Consulting Group  
Home Guardian Management Solutions LLC  
Mark Nagy Atalla

Assigned Attorneys: Barbara Chun (WRLA)  
Kathryn Decker

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the Mortgage Assistance Relief Services Rule in connection with the marketing and sale of mortgage and debt relief services.

Status: Complaint filed 9/18/12.  
TRO entered 9/18/12.

***FTC v. AMERICAN PRECIOUS METALS, LLC***, No. 12-10385 (11th Cir.); No. 0:11-CV-61072 (S.D. Fla.)

Parties: American Precious Metals, LLC  
Sam J. Goldman  
Harry Tanner, Jr.  
Andrea Tanner

Assigned Attorneys: Dama J. Brown (SER)  
Harold E. Kirtz  
Sana Chriss  
Leslie Melman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the defendants' marketing, distribution, and sale to consumers of precious metals investment opportunity.

Status: Complaint filed 5/10/11.  
TRO granted 5/13/11.  
Stipulated preliminary injunction as to all defendants entered 5/24/11.  
Pretrial conference set for 10/21/11.  
Motion to dismiss complaint filed 6/8/11.  
Motion for summary judgment filed 9/6/11.  
Amended complaint adding Sam Goldman as defendant filed 10/11/11.  
Preliminary injunction against Sam Goldman entered 12/28/11.  
Notice of interlocutory appeal filed 1/19/12.  
Appellant's brief filed 3/5/12.  
Joint motion to stay and remand filed 5/30/12.  
Order dismissing appeal and remanding to district court entered 7/9/12.  
Stipulated modified order for preliminary injunction against defendant Sam Goldman entered 7/10/12.  
Order closing case due to settlement entered 9/25/12.

***FTC v. AMERICAN TAX RELIEF LLC***, No. 12-71937 (9th Cir.), No. 2:11-CV-06397 (C.D. Cal.); No. 1:10-CV-06123 (N.D. Ill)

Parties: American Tax Relief LLC  
Alexander Seung Hahn  
Joo Hyun Park  
Il Kon Park  
Young Soon Park

Assigned Attorneys: Karen D. Dodge (MWR)  
Marissa J. Reich  
Mark S. Hegedus (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the advertising, promotion, and sale of tax relief services.

Status: Complaint filed 9/24/2010.  
TRO with asset freeze entered 9/24/10.  
Preliminary injunction with asset freeze entered 11/9/10.  
Order granting defendants' motion to transfer case to the Central District of California entered 7/20/11.  
Petition for mandamus fled in court of appeals 6/20/12.  
Order denying mandamus by court of appeals entered 9/5/12.

***FTC v. AMG SERVICES, INC***, No. 2:12-CV-00536 (D. Nev.)

Parties: AMG Services, Inc.  
Red Cedar Services, Inc., d/b/a 500FastCash  
SFS, Inc., d/b/a OneClickCash  
Tribal Financial Services, Inc., d/b/a Ameriloan, d/b/a UnitedCashLoan,  
d/b/a USFastCash, d/b/a Miami Nation Enterprises.  
AMG Capital Management, LLC  
Level 5 Motorsports, LLC  
Lead Flash Consulting, LLC  
Black Creek Capital Corporation  
Broadmoor Capital Partners, LLC  
Muir Law Firm, LLC  
Scott A. Tucker  
Blaine A. Tucker  
Timothy J. Muir  
Don E. Brady  
Robert D. Campbell  
Troy L. LittleAxe  
Park 269 LLC  
Kim C. Tucker

Assigned Attorneys: Helen Wong (BCP/FP)  
Jason Schall

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Truth in Lending Act, and the Electronic Fund Transfer Act, in connection with offering and extending credit, “pay-day” loans, and the collection of those loans.

Status: Complaint filed 4/2/12.  
Motion to dismiss by all defendants filed 5/25/12; Commission’s response filed 6/11/12.

***FTC v. APOGEE ONE ENTERPRISES LLC***, No. 1:12-CV-00588 (N.D. Ill.)

Parties: Apogee One Enterprises LLC, d/b/a Apogee Enterprises LLC,  
Platinum Trust Card, Express Platinum Card  
Marquee Marketing LLC, d/b/a Express Platinum Card  
Blake Rubin, d/b/a Platinum Trust Card, Express Platinum Card,  
CR Ventures LLC, Maxim Management Group, LLC  
Chase Rubin, d/b/a Platinum Trust Card, d/b/a Express Platinum Card,  
CR Ventures LLC, d/b/a Maxim Management Group, LLC  
Oakmont Management Services, LLC  
Justin Diaczuk  
Jules Shore

Assigned Attorneys: James Davis (MWR)  
Joannie T. Wei

Alleged Conduct: Deceptive acts and practices in violation of section 5 and the TSR in connection with the advertising, marketing, promotion and sale of general-purpose credit cards.

Status: Complaint filed 1/26/12.  
TRO with asset freeze and other equitable relief entered 1/30/12.  
Preliminary injunction entered 2/16/12.  
Answer to complaint filed 2/21/12; amended answer to complaint filed 3/29/12.  
Stipulated final order as to all defendants entered 9/19/12.

***FTC v. ASIA PACIFIC TELECOM, INC.***, No. 1:10-CV-03168 (N.D. Ill.)

Parties: Asia Pacific Telecom, Inc., d/b/a Asia Pacific Networks  
Repo B.V.  
SBN Peripherals, Inc., d/b/a SBN Dials  
Johan Hendrik Smit Duyzentkunst  
Janneke Bakker-Smit Duyzentkunst

Assigned Attorneys: Steven M. Wernikoff (MWR)  
James H. Davis

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the  
Telemarketing Sales Rule involving prerecorded telemarketing calls for a  
variety of products.

Status: Complaint filed 5/24/10.  
TRO with asset freeze entered 5/25/10; extended 5/27/10.  
Preliminary injunction as to defendants Asia Pacific Telecom, Inc. and  
Repo B.V. entered 6/15/10.  
Preliminary injunction as to defendants Johan Hendrik Smit  
Duyzentkunst, Janneke Bakker-Smit Duyzentkunst, and SBN  
Peripherals, Inc. entered 7/1/10.  
Commission's motion for partial summary judgment filed 6/28/11;  
granted in part and denied in part 7/26/11.  
Final order and permanent injunction against defendants Repo B.V., Johan  
Henrik Smith Duzyentkunst, SBN Peripherals, Inc., and Janneke  
Bakker-Smit Duyzentkunst entered 3/22/12.  
Final order and permanent injunction against defendant Asia Pacific  
Telecom, Inc., entered 4/26/12.

***FTC v. BEONY INTERNATIONAL LLC***, No. 1:11-CV-02488 (N.D. Ill.)

Parties: Beony International LLC  
Mario Milanovic  
Cody Adams

Assigned Attorney: John C. Hallerud (MWR)

Alleged Conduct: Deceptive acts or practices in violation of Sections 5 and 12 of the FTC  
Act in connection with the advertising, marketing and promotion of  
weight loss and other products to consumers.

Status: Complaint filed 4/13/11.  
TRO with other equitable relief and order to show cause why a  
preliminary injunction should not issued entered 4/18/11.



Stipulated preliminary injunction entered 4/29/11.  
Order freezing assets and requiring repatriation of assets entered 3/7/12.

***FTC v. BLUEHIPPO FUNDING, LLC***, No. 11-374 (2d Cir.); No. 1:08-CV-01819 (S.D.N.Y.)

Parties: BlueHippo Funding, LLC  
BlueHippo Capital LLC  
Joseph K. Rensin

Assigned Attorneys: Amanda C. Basta (BCP/ENF)  
Michael D. Bergman (OGC)  
David C. Shonka

Alleged Conduct: Contempt proceeding for violations of a permanent injunction in connection with the sale of personal computers, televisions, and other consumer electronics.

Status: Complaint filed 2/22/08.  
Stipulated final judgment and order for permanent injunction entered 4/9/08.  
Motions for contempt and to modify permanent injunction against BlueHippo Funding, LLC, BlueHippo Capital LLC, and Joseph K. Rensin filed 11/17/09.  
Order to show cause why defendants should not be held in contempt entered 11/16/09; modified 11/18/09.  
Defendants' memoranda of law filed 12/7/09 and 12/11/09; Commission's reply memoranda of law filed 12/11/09 and 12/12/09.  
Trial held 2/9/10-2/11/10; closing argument held 2/19/10.  
Order granting motion for contempt entered 7/27/10; judgment entered 7/30/10.  
Commission's motion to amend/correct judgment and order filed 8/27/10; defendants' opposition filed 9/24/10; Commission's reply filed 10/8/10.  
Order denying Commission's motion to amend/correct judgment and order entered 12/1/10.  
Notice of appeal filed 2/1/11.  
Commission's brief filed 5/16/11.  
Appellee's brief filed 8/15/11.  
Commission's reply brief filed 9/12/11.  
Argument held 2/23/12.

***FTC v. BROADWAY GLOBAL MASTER, INC.***, No. 2:12-cv-00855 (E.D. Cal.)

Parties: Broadway Global Master, Inc.  
In-Arabia Solutions Inc.  
Kirit Patel

Assigned Attorneys: Lisa D. Rosenthal (WRSF)  
Austin A.B. Ownbey  
Kerry O'Brien  
Sarah Schroeder

Alleged Conduct: Unfair and deceptive acts or practices in violation of Section 5 and the  
FDCPA related to debt collection practices.

Status: Complaint filed 4/3/12.  
TRO entered 4/5/12.  
Preliminary injunction and asset freeze entered 4/26/12.  
Order granting six-month stay entered 9/17/12.

***FTC v. BURNLOUNGE, INC.***, Nos. 12-55926, 12-56197, 12-56128 (9th Cir.), 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)  
Dama Brown  
David C. Fix (BCP/MP)  
Burke Kappler (OGC)

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.

Commission's motion to protect frozen assets from collection efforts by third parties filed 5/15/09; hearing on motion held 7/13/09.

Statement of decision entered 7/1/11.

Final judgment and order for permanent injunction and other equitable relief against defendants Burnlounge, Inc., Juan Alexander Arnold, John Taylor and Orb Deboer entered 7/25/11.

Defendants' ex parte application to vacate judgment filed 7/29/11; Commission's reply filed 8/1/11; order granting ex part application entered 8/4/11.

Amended final judgment entered 3/1/12.

Defendants' motion to amend or alter final judgment filed 3/29/12; Commission's opposition filed 4/9/12; motion denied 5/13/12.

Notice of appeal by defendants Burnlounge and Arnold filed 5/17/12; notice of appeal by defendant Tyler filed 6/27/12; Commission's notice of cross- appeal filed 6/29/12.

Commission's brief as appellee and cross-appellant due 2/4/13.

***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  
Alpa D. Gandhi  
Garth W. Huston  
Suzanne Munck

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.  
First amended complaint filed 8/12/09.  
Defendant's motion to dismiss filed 8/31/09; Commission's response in opposition filed 9/14/09; oral argument held 10/21/09.  
Order and memorandum denying motion to dismiss entered 3/29/10.  
Order staying case pending Supreme Court resolution of pay-for-delay pharmaceutical litigation settlements entered 8/29/12.

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

Parties: Chase Financial Funding Inc.  
James F Berry  
Suzanna Admire  
Jeremy Alexander  
Chase Enterprise  
WCM QSUB-34

Assigned Attorneys: Faye C. Barnouw (WRLA)  
Nikhil Singhvi

Alleged Conduct: Deceptive acts and practices in violation the Federal Trade Commission Act and the Truth in Lending Act.

Status: Complaint filed 5/12/04.  
Parties executed stipulated final judgment 12/04.

FTC initiates contempt proceedings 6/28/05  
Stipulated order resolving contempt proceedings entered 12/7/05.  
Bankruptcy proceedings initiated 4/20/06.  
Bankruptcy proceedings closed 7/8/11.  
Motion to reopen to enter final judgment and order for permanent injunction and other equitable relief filed 10/17/11.

***FTC v. CIRCA DIRECT LLC***, No. 1:11-CV-02172 (D. N.J.)

Parties: Circa Direct LLC  
Andrew Davidson

Assigned Attorneys: Elizabeth O. Tucci (BCP/AP)  
Laura Sullivan

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the advertising, marketing and promotion of acai berry-based weight loss products and other products.

Status: Complaint filed 4/18/11.  
TRO and order to show cause entered 4/19/11.  
Answer to complaint filed 5/6/11.  
Stipulated preliminary injunction order entered 6/1/11.  
Commission's brief supporting entry of proposed stipulated final order filed 3/14/12.  
Order requiring supplemental briefing by the Commission entered 6/13/12;  
Commission's brief supporting settlement filed 7/6/12.  
Order conditionally granting permanent injunction entered 9/11/12.

***FTC v. COLEADIUM, INC.***, No. 1:12-cv-0694 (N.D. Ill.)

Parties: Coleadium, Inc.  
Jason Akatiff

Assigned Attorneys: Steven Wernikoff (MWRO)  
Guy Ward

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the advertising, marketing, and promotion of acai berry products.

Status: Complaint filed 8/30/12.  
Order granting permanent injunction entered 9/4/12.

***FTC v. COMMERCE PLANET, INC.***, No. 8:09-CV-01324 (C.D. Cal.)

Parties: Commerce Planet, Inc., d/b/a Online Supplier  
Michael Hill  
Charles Gugliuzza  
Aaron Gravitz

Assigned Attorneys: David M. Newman (WRSF)  
Eric D. Edmondson  
Raymond E. McKown (WRLA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of “Online Auction Starter Kits” and automatic debiting of monthly charges to consumer credit cards.

Status: Complaint filed 11/10/09.  
Stipulated final orders for permanent injunction and monetary relief against Commerce Planet, Inc., Michael Hill, and Aaron Gravitz entered 11/18/09.  
Motion to dismiss as to defendant Charles Gugliuzza filed 1/19/10; Commission’s opposition to motion filed 2/1/10; defendants’ reply filed 2/8/10; order denying defendants’ motion to dismiss entered 2/12/10.  
Defendant Charles Gugliuzza’s answer impleading Superfly Advertising, Inc. (a Delaware corporation) and Superfly Advertising, Inc. (an Indiana corporation) as third-party defendants filed 4/16/10; amended answer adding counterclaim against Commission filed 5/4/10.  
Motion to dismiss Charles Gugliuzza’s counterclaim filed 5/25/10; Gugliuzza’s opposition filed 6/21/10; Commission’s reply filed 6/28/10.  
Motion to dismiss third-party defendant Superfly Advertising, Inc. filed 6/22/10; Gugliuzza’s opposition filed 7/19/10; reply by third-party defendant Superfly Advertising, Inc. filed 7/26/10.  
Order granting third-party defendant Superfly Advertising’s motion to dismiss entered 8/5/10.  
Amended third-party complaint against counter defendants Superfly Advertising, Inc. (an Indiana corporation) and Superfly Advertising, Inc. (a Delaware corporation) by defendant Charles Gugliuzza filed 8/25/10.  
Motion to dismiss first amended third-party complaint by third-party defendant Superfly Advertising, Inc. filed 9/15/10; order granting

motion entered 10/27/10.  
Second amended third-party complaint against counter defendants Superfly Advertising, Inc. (an Indiana corporation) and Superfly Advertising, Inc. (a Delaware corporation) by defendant Charles Gugliuzza filed 11/16/10.  
Motion to dismiss second amended third-party complaint by third-party defendant Superfly Advertising, Inc. filed 11/29/10; order granting motion entered 12/28/10.  
Motion for summary judgment by defendant Charles Gugliuzza filed 4/22/11.  
First amended complaint for permanent injunction and other equitable relief filed 6/29/11.  
Defendant Charles Gugliuzza's motion for summary judgment filed 7/27/11; Commission's opposition filed 8/22/11; reply filed 8/29/11; order denying motion for summary judgment entered 9/08/11.  
Trial held 1/31/12-2/28/12.  
Post-trial briefs submitted 3/23/12.  
Memorandum of decision in favor of the Commission and directing Commission to file proposed permanent injunction and judgment entered 6/22/12.  
Final order and permanent injunction as to all defendants entered 7/17/12.

***FTC v. CONSUMER ADVOCATES GROUP EXPERTS LLC***, No. 2:12-CV-04736 (C.D. Cal.)

Parties: Consumer Advocates Group Experts LLC, d/b/a Consumer Advocates Group  
Paramount Asset Management Corp., d/b/a National Financial Rescue Corp, National Financial Rescue Group, American Forensic Loan Auditors  
Ryan Zimmerman

Assigned Attorneys: Mary T. Benfield (NWR)  
Miry Kim  
Raymond E. McKown (WRLA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and Mortgage Assistance Relief Services Rule in connection with the sale and marketing of mortgage assistance programs.

Status: Complaint filed 5/30/12.

Preliminary injunction, appointment of a temporary receiver and other equitable relief entered 6/7/12.

***FTC v. CONSUMER HEALTH BENEFITS ASS'N***, No. 1:10-CV-03551 (E.D.N.Y.)

Parties: Consumer Health Benefits Association John Schwartz  
Jeffery Burman Barbara Taube  
Century Senior Services Rita B. Werner  
Guarantee Trust Life Insurance Ronald K. Werner  
Richard Holson III Vantage America Solutions  
Louis Leo Windi Tow  
National Association for Americans  
National Benefits Consultants, LLC  
National Benefits Solutions, LLC

Assigned Attorneys: Karen A. Dahlberg (NER)  
Leonard L. Gordon

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with defendants' marketing, distribution, and sale of medical discount plans.

Status: Complaint filed 8/03/10.  
Stipulation and order modifying ex parte TRO as to defendant Louis Leo entered 8/25/10.  
Stipulation and order modifying ex parte TRO as to defendants Ron Werner and Rita Werner entered 8/25/10.  
Stipulated preliminary injunction order as to defendant Louis J. Leo entered 9/21/10.  
Stipulated preliminary injunction as to defendants Ron Werner and Rita Werner entered 10/01/10.  
Preliminary injunction as to corporate defendants entered 10/5/10.  
Clerk's entry of default as to corporate defendants 11/15/10.  
Stipulation and order modifying the preliminary injunction order as to defendants Louis Leo, Rita and Ronald Werner entered 3/31/11.  
Commission's motion for leave to amend complaint naming additional defendants filed 5/06/11; magistrate judge's decision granting motion entered 8/18/11.  
Appeals of magistrate judge's decision by proposed defendants filed 9/06/11.  
Commission's amended complaint filed 10/13/11.  
Motions to dismiss by filed 11/22/11; Commission's response in opposition filed 12/13/11.  
Orders denying all motions to dismiss entered 5/23/12 & 5/24/12.



**FTC v. COUNTRYWIDE HOME LOANS, INC.**, No. 12-55209 (9th Cir.); No. 2:10-CV-04193 (C.D. Cal.)

Parties: Countrywide Home Loans Inc.  
BAC Home Loans Servicing LP  
Eric R. Calloway (Claimant)  
David Kissi (Movant)

Assigned Attorneys: Heather Allen (BCP/DFP)  
John David Jacobs  
Lucy E. Morris  
Lynette Hotchkins  
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the defendants selling, servicing, and collecting mortgage loans.

Status: Complaint filed 6/7/10.  
Stipulated consent judgment and order entered 6/15/10.  
Claimant Eric R. Calloway's petition for enforcement of consent judgment and order filed 11/23/10; order denying petition entered 1/20/11.  
Notice of pro se appeal by David Kissi filed 1/31/11.  
Supplemental stipulated consent judgment and order as to defendant BAC Home Loans entered 3/22/12.  
Appellant's brief filed 4/20/12; Commission's answering brief filed 8/1/12.

**FTC v. CREDIT RESTORATION BROKERS, LLC**, No. 2:10-CV-00030 (M.D. Fla.)

Parties: Credit Restoration Brokers, LLC, d/b/a Clear Credit Sam Sky and Sam Sky Credit Guy  
Debt Negotiation Associates, LLC  
Sam Tarad Sky  
Kurt A. Streyffeler, P.A.  
Kurt A. Streyffeler

Assigned Attorney: John C. Hallerud (MWR)  
Michael Davis

Alleged Conduct: Deceptive acts and practices in violation of the Credit Repair Organizations Act and Section 5 involving the marketing and sale of credit repair and debt relief services.

Status: Complaint filed 1/20/10.

Stipulated settlement order as to defendants Credit Restoration Brokers, LLC; Debt Negotiation Associates, LLC; and Sam Tarad Sky entered 3/11/10.

Stipulated settlement order as to defendants Kurt A. Streyffeler, P.A. and Kurt A. Streyffeler entered 3/11/10.

Judgment entered 3/18/10.

Commission's contempt motion against Sam Sky, Credit Restoration Brokers, Debt Negotiation Associates and AllrepcO filed 4/12/11.

Show cause hearing held 12/13/11.

Order finding contempt and assessing civil contempt sanctions against Sam Tarad Sky, AllrepcO, LLC, Credit Restoration Brokers, LLC, and Debt Negotiation Associates, LLC entered 2/10/12.

Supplemental final order modifying stipulated settlement order as to defendants Sam Tarad Sky, Credit Restoration Brokers, LLC, and Debt Negotiation Associates, LLC entered 2/10/12.

Emergency motion to vacate and/or for clarification of contempt order and supplemental final order modifying stipulated settlement order by defendant Sam Skye filed 2/13/12; Commission's opposition filed 2/17/12.

Emergency motion to stay by defendant Sam Skye filed 4/19/12; Commission's opposition filed 4/25/12.

Order denying defendant Sam Skye's emergency motion to stay filed 9/28/12.

***FTC v. DALBEY***, No. 1:11-CV-01396 (D. Colo.)

Parties: Russell T. Dalbey  
DEI, LLLP  
Dalbey Education Institute, LLC  
IPME, LLLP  
Catherine L. Dalbey  
Marsha Kellogg

Assigned Attorneys: Alysa S. Bernstein (BCP/AP)  
David P. Frankel  
Michelle Robyn Rosenthal

Alleged Conduct: Deceptive practices in violation of Section 5 and the FTC's Telemarketing Sales Rule in connection with defendants' marketing of wealth-building program.

Status: Complaint filed 5/26/11.  
Stipulated final order for permanent injunction and other equitable relief as to defendant Marsha Kellogg entered 6/7/11.

Joint motion for stipulated preliminary injunction filed 9/29/11.  
Stipulated order for preliminary injunction and other equitable relief as to defendant Russell T. Dalbey entered 10/11/11.  
Defendants Catherin Dalbey's and Russell Dalbey's motion for partial summary judgment filed 1/6/12; Commission's response filed 1/20/12; defendants' reply filed 2/3/12; motion denied 5/29/12.  
Catherine and Russel Dalbeys motion to dismiss filed 5/4/12;  
Commission's opposition filed 5/29/12; defendant's reply filed 6/14/12.  
Trial set for week of 1/22/13.

***FTC v. DEBT ADVOCACY CENTER, LLC***, No. 1:09-CV-02712 (N.D. Ohio)

Parties: Debt Advocacy Center, LLC CreditLaw Group  
Smith, Gromann & Davidson, P.A. Credit Services Alliance, Inc.  
Edward J. Davidson Bradford R. Geisen  
John W. Smith Maurice Jackson  
Glen E. Gromann Patrick Butler  
Kevin McCormick

Assigned Attorneys: Michael B. Rose (ECR)  
Michael Milgrom  
Steven W. Balster  
Maria del Monaco

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the TSR in connection with mortgage loan modification services, charging consumer accounts, and refunds of consumer fees.

Status: Complaint filed 11/19/09.  
TRO entered 11/20/09.  
Stipulated preliminary injunction entered 1/25/10.  
Amended complaint adding claims and defendants CreditLaw Group; Credit Services Alliance, Inc.; Bradford R. Geisen; Maurice Jackson; and Patrick Butler filed 5/14/10.  
Order to show cause why defendant Edward J. Davidson should not be held in contempt of court for violating the stipulated preliminary injunction entered 1/14/11.  
Stipulated final judgments and permanent injunctions as to Edward J. Davidson, the Debt Advocacy Center, LLC, Smith Gorman & Davidson, P.A., Kevin McCormick; Bradford Geisen, Patrick Butler, Maurice Jackson, and Credit Services Alliance, Inc., entered 5/2/12.  
Stipulated final judgment and permanent injunction as to John W. Smith, Glen E. Gromann, and CreditLaw Group entered 6/6/12.

***FTC v. DEBT RELIEF USA***, No. 3:11-CV-02059 (N.D. Tex.)

Parties: Debt Relief USA Inc  
Kelly Reilly  
Alvin Bell  
James Wojcik  
Valerie Leath

Assigned Attorneys: Susan Arthur (SWR)  
Shereen El Domeiri

Alleged Conduct: Deceptive acts and practices in violation of Section 5 involving advertising, marketing, promotion, and offering for sale or sale of debt relief services.

Status: Complaint filed 8/17/11.  
Stipulated permanent injunction and final order as to defendant Debt Relief USA Inc entered 9/27/11.  
Stipulated final judgment and order for permanent injunction and Monetary Relief as to defendants Valerie Leath and James Wojcik entered 9/27/11.  
Joint motion to stay case filed 9/26/12.

***FTC v. DIRECT BENEFITS GROUP, LLC***, No. 6:11-CV-01186 (M.D. Fla.)

Parties: Direct Benefits Group, LLC  
Voice Net Global, LLC  
Solid Core Solutions, Inc.  
WKMS, Inc.  
Kyle Wood  
Mark Berry

Assigned Attorneys: Harold E. Kirtz (SER)  
Barbara E. Bolton

Alleged Conduct: Unfair or deceptive acts and practices in violation of Section 5 involving unauthorized charges to consumer bank accounts.

Status: Complaint filed 7/18/11.  
TRO entered 7/19/11.  
Preliminary injunction entered 08/19/11.  
Commission's motion for summary judgment filed 5/15/12.  
Trial set for October 2012 term.

***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.  
Commission’s motion to file second amended complaint filed 4/17/09; response in opposition filed 5/1/09; Commission’s reply filed 5/13/09; order denying motion entered 8/13/09.  
Suggestion of death as to Robert Maihos filed 6/30/11.  
Order dismissing case due to settlement entered 7/23/12.

***FTC v. DISH NETWORK, LLC***, No. 3:12-cv-03221 (C.D. Ill.)

Parties: Dish Network, LLC.

Assigned Attorneys: Gary Ivens (BCP/MP)  
Russel Deitch

Alleged Conduct: Violations of Section 5 of the FTC Act 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 8/22/12.  
Defendant’s motion to dismiss filed 9/25/12.

***FTC v. DR PHONE COMMUNICATION, INC.***, No. 3:12-CV-02631 (N.D. Cal.)

Parties: DR Phone Communication, Inc.  
David Rosenthal

Assigned Attorneys: Laura M. Solis (NWR)  
Nadine S. Samter

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the sale and marketing of prepaid telephone calling cards.

Status: Complaint filed 5/22/12.

***FTC v. EDEBITPAY***, No. 11-55431 (9th Cir.); No. 2:07-CV-04880 (C.D. Cal.)

Parties: EDebitPay, LLC  
Dale Paul Cleveland  
William Richard Wilson

Assigned Attorneys: Mark Morelli (BCP/ENF)  
Zachary V. Hunter  
John D. Jacobs (WRLA)  
Leslie R. Melman (OGC)

Alleged Conduct: Contempt proceedings for violating a stipulated final order.

Status: Complaint filed 7/30/07.  
Stipulated final order entered 1/17/08.  
Motions for contempt and for order to show cause as to contempt defendants EdebitPay, LLC; Dale Paul Cleveland; and William Richard Wilson filed 5/27/10.  
Order to show cause 7/2/10.  
Hearing on order to show cause held 11/22/10 and 12/2-12/3/10.  
Order finding the defendants in contempt and imposing contempt sanction of \$3,720,774.50 entered 2/4/11.  
Notice of appeal filed 3/16/11.  
Appellants' opening brief filed 10/06/11; Commission's answering brief filed 12/06/11; appellants' reply brief filed 12/19/11.  
Oral argument held 8/6/12.  
Opinion affirming the district court in full entered 8/28/12.

***FTC v. E.M.A. NATIONWIDE, INC.***, No. 1:12-CV-02394 (E.D. Oh.)

Parties: E.M.A. Nationwide, Inc.  
New Life Financial Solutions, Inc.  
1UC, Inc.  
7242701 Canada, Inc.  
7242679 Canada, Inc.  
7246293 Canada, Inc.

7246421 Canada Inc.  
James Benheim  
Daniel Michaels  
Phillip Hee Min Kwon  
Joseph Shamolian  
Nissim H. Ohayon

Assigned Attorneys: Chris Panek (MWR)  
Sara DePaul

Alleged Conduct: Deceptive acts in practices in violation of Section 5 of the FTC Act and the Mortgage Assistance Relief Services Rule in connection with the advertising, sale, and promotion of debt relief services.

Status: Complaint filed 9/25/12.  
Order denying Commission's motion for ex-party TRO entered 9/28/12.

***FTC v. FINANCIAL FREEDOM PROCESSING, INC.***, No. 12-10520 (5th Cir.) No. 3:10-CV-02446 (N.D. Tex.)

Parties: Financial Freedom Processing, Inc.,  
Corey Butcher  
Brent Butcher  
Debt Consultants of America, Inc.  
Debt Professionals of America, Inc.  
Robert Creel  
Corey Butcher  
Nikki Creel, a/k/a Nikki Vrla

Assigned Attorneys: Ann D. LeJeune (SWR)  
Gary D. Kennedy  
Shereen El Domeiri  
John A. Singer (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of debt relief services.

Status: Complaint filed 12/2/10.  
Order consolidating case with *FTC v. Debt Consultants of America, Inc.*, No. 3:10-CV-02447 and adding those defendants to this case entered 4/1/11.  
Trial held 12/12-12/20/11.  
Final judgment in favor of defendants entered 3/12/12.  
Notice of appeal by Commission filed 5/10/12.  
Commission's brief due 11/21/12.

***FTC v. FINMAESTROS, LLC***, No. 1:12-CV-07195 (S.D.N.Y.)

Parties: Finmaestros, LLC, d/b/a technogennie, 24x7pchelp, 24x7pctech,  
Transfrontsolutions  
New World Services, Inc., d/b/a megabites solutions  
Megabites Solutions LLC, d/b/a Mega Bites, Inc., Mega Bits, Inc.  
Greybytes Cybertech P. Ltd., d/b/a Bluesystemcare, BCS, 24x7 PCHelp  
Shine Solutions Private Limited  
Sanjeev K. Sood, a/k/a Sanjiv K. Sood  
Animesh Bharti

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and Telemarketing and Consumer Fraud Abuse Protection Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.

***FTC v. 1st GUARANTY MORTGAGE CORP.***, No. 11-13569 (11th Cir.) No. 0:09-CV-61840  
(S.D. Fla.)

Parties: 1st Guaranty Mortgage Corporation, Inc.  
Spectrum Title, Inc.  
Crossland Credit Consulting Corp.  
Scoreleaper, LLC  
Stephen Lalonde  
Amy Lalonde  
Michael Petroski

Assigned Attorneys: David R. Spiegel (BCP/ENF)  
Edwin Rodriguez  
John A. Singer (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Credit Repair Organizations Act, and the Telemarketing Sales Rule in connection with the marketing and sale of mortgage loan refinancing and modification services and credit repair services.

Status: Complaint filed 11/17/09.  
TRO with asset freeze entered 11/17/09; extended 12/1/09 and 12/15/09.



Stipulated preliminary injunction as to defendants 1st Guaranty Mortgage Corporation, Inc.; Spectrum Title, Inc.; Crossland Credit Consulting Corp.; Scoreleaper, LLC; and Amy Lalonde entered 12/1/09.

Stipulated preliminary injunction as to defendant Stephen Lalonde entered 12/15/09.

Clerk's entry of default as to corporate defendants 2/4/10.

Commission's motion for summary judgment as to defendants Stephen Lalonde, Amy Lalonde, and Michael Petroski filed 8/26/10.

Defendant Amy Lalonde's opposition to Commission's motion for summary judgment filed 9/10/10; Commission's reply filed 9/27/10.

Commission's motion for default judgment and order for permanent injunction as to corporate defendants filed 10/8/10.

Defendant Michael Petroski's opposition to Commission's motion for summary judgment filed 11/30/10; Commission's reply filed 12/14/10.

Defendant Stephen Lalonde's motion to dismiss Commission's complaint filed 12/30/10; Commission's opposition filed 1/11/11.

Order granting in part Commission's motion for summary judgment, entered 3/30/11.

Final judgment entered against defendants Stephen Lalonde and Michael Petroski, 3/30/11.

Defendant Stephen Lalonde's motion for reconsideration filed 5/10/11; Commission's opposition to motion filed 5/17/11; order denying motion for reconsideration entered 7/20/11.

Default judgment against defendants 1<sup>st</sup> Guaranty Mortgage, Crossland Credit Consulting, Scoreleaper, and Spectrum Title entered 7/6/11.

Notice of interlocutory appeal by Stephen Lalonde filed 8/01/11.

Defendant Stephen Lalonde's motion to stay execution of judgment and release non-party assets filed 8/1/11; Commission's opposition filed 8/11/11.

Stipulated settlement and final judgment and order for permanent injunction against defendant Amy Lalonde entered 9/26/11.

Defendant Michael Petroski's motion seeking relief from final judgment and order filed 1/18/12; Commission's opposition filed 1/24/12; order denying motion entered 2/22/12.

Defendant Michael Petroski's motion to set aside judgment filed 2/13/13; denied 5/19/12.

Defendant Stephen Lalonde motion for indefinite stay filed 6/29/12; Commission's opposition filed 7/13/12.

Order denying defendant's motion for indefinite stay and extending the due date of appellant's brief entered 9/21/12.

Defendant Stephen Lalonde's appeal brief due 10/12/12.

***FTC v. FITNESS BRANDS, INC.***, No. 1:12-CV-23065 (S.D. Fla.)

Parties: Fitness Brands, Inc.  
Fitness Brands International, Inc.  
Tara Productions, Inc.  
New U, Inc.  
Direct Holdings America, Inc.  
Direct Entertainment Media Group, Inc.  
JNL Inc.  
JNL Worldwide, Inc.  
David Brodess  
Tara Borakos  
Jennifer Nicole Lee  
The Readers Digest Association, Inc.

Assigned Attorneys: Edward B. Glennon (BCP/AP)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of exercise equipment.

Status: Complaint filed 8/22/12.  
Final order granting permanent injunction and other equitable relief as to all defendants entered 8/28/12.

***FTC v. FORENSIC CASE MANAGEMENT SERVICES, INC.***, No. 2:11-CV-07484  
(C.D. Cal.)

Parties: Forensic Case Management Services, Inc., d/b/a Commercial Investigations, Inc., FCMS Inc., Commercial Recovery Solutions Inc., Rumson Bolling & Associates  
Specialized Recovery Inc., d/b/a Joseph, Steven & Associates, and Specialized Debt Recovery  
Commercial Receivables Acquisition Inc., d/b/a Commercial Recovery Authority, Inc., and The Forwarding Company  
David M. Hynes II, a/k/a David M. Hynes Jr.  
James Hynes  
Heather True  
Frank E. Lindstrom, Jr.  
Kevin Medley  
Lorena Quiroz-Hynes, a/k/a Lorena Quiroz, and Lorena Hynes  
Kester-Archwood, LLC  
Vesper Collins, LLC  
Innsbruck, LLC  
Ramillies, LLC

Assigned Attorneys: Christopher Koegel (BCP/FP)  
Rebecca Unruh  
Seena Gressin  
Raymond McKown (WRLA)

Alleged Conduct: Unfair and deceptive acts or practices in violation of Section 5 and the  
FDCPA related to debt collection practices.

Status: Complaint filed 9/12/11.  
Ex parte TRO with asset freeze, appointment of receiver, and expedited  
discovery entered 9/14/11.  
Preliminary injunction entered 9/27/11.  
Stipulated final judgment and order for permanent injunction and other  
equitable relief as to defendants Kevin Medley and Frank E.  
Lindstrom entered 3/14/12.  
Amended complaint adding defendants Kester-Archwood, LLC, Vesper  
Collins, LLC, Innsbruck, LLC, and Ramillies, LLC filed 6/12/12.

***FTC v. FREEDOM COMPANIES MARKETING, Inc., No. 1:12-cv-05743 (N.D. Ill.)***

Parties: Freedom Companies, Inc.  
Freedom Companies Marketing, Inc.  
Freedom Companies Lending, Inc.  
Freedom Information Services  
Haiti Management, Inc.  
Grupo Marketing Domincana  
David F. Preiner  
Daniel Hungria

Assigned Attorneys: David O'Toole (MWR)  
Joannie Wei  
Matthew H. Wernz

Alleged Conduct: Violations of Section 5 of the FTC Act and the Commission's MARS  
Rules.

Status: Complaint filed 7/23/12.  
Stipulated preliminary injunction entered 7/31/12.  
Amended complaint adding defendant Daniel Hungria filed 8/10/12.  
Stipulated preliminary injunction as to defendant Daniel Hungria entered  
8/20/12.

***FTC v. GARDEN OF LIFE INC.***, No. 9:06-CV-80226 (S.D. Fla.)

Parties: Garden of Life, Inc.  
Jordan S. Rubin

Assigned Attorneys: Karen Mandel (BCP/AP)  
Kristin Williams (BCP/ENF)  
Michele Arington (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and 12 in connection with the advertising of a dietary supplement.

Status: Complaint filed 3/08/06.  
Stipulated final order and judgment for permanent injunction and other equitable relief entered 3/30/06.  
Commission's show cause motion as to why defendants should not be held in contempt filed 9/8/11; defendants' response filed 10/11/11; Commission's reply filed 10/18/11.  
Commission's motion to modify stipulated final order and judgment filed 10/25/11; defendants' opposition filed 11/14/11; Commission's reply filed 11/22/11.  
Order denying Commission's contempt motion entered 2/27/12.  
Notice of appeal by Commission filed 4/26/12.  
Commission's opening brief filed 7/3/12; appellees' brief filed 8/31/12; Commission reply brief filed 9/21/12.  
Oral argument scheduled for 2/4/13.

***FTC v. GOVERNMENT CAREERS INC.***, No. 4:09-CV-00721 (D. Ariz.)

Parties: Government Careers Inc.  
Jon Coover  
Richard Friedberg  
Rimona Friedberg

Assigned Attorneys: Barbara Y.K. Chun (WRLA)  
Raymond E. McKown

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of employment good and services and related refunds.

Status: Complaint filed 12/28/09.  
TRO with asset freeze entered 1/5/10.  
Stipulated preliminary injunction against defendants Richard Friedberg and Ramona Friedberg entered 2/2/10.

Stipulated preliminary injunction against defendants Government Careers, Inc., and Jon Coover entered 2/2/10.

Stipulated final injunction against defendants Government Careers, Inc., and Jon Coover entered 12/20/10.

Order denying motion to vacate stipulated preliminary injunction against defendants Richard and Rimona Freidberg 3/29/12.

Order vacating scheduling dates and requiring parties to file a stipulated motion to dismiss based on settlement or file a joint settlement status report entered 11/29/11

Final order to permanent injunction and other equitable relief against defendants Richard and Rimona Freidberg entered 3/1/12.

***FTC v. GOLEMBIEWSKI***, No. 2:12-CV-0983 (S.D. Ohio)

Parties: Ryan Golembiewski  
United Debt Associates, LLC

Assigned Attorneys: Peter Lamberton (BCP/FP)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the sale of debt relief services.

Status: Complaint filed 9/27/12.

***FTC v. GRANT CONNECT, LLC***, Nos. 12-15481, 11-18023 (9th Cir.), No. 2:09-CV-01349 (D. Nev.)

Parties:	Grant Connect, LLC	MSC Online, Inc.
	Global Gold, Inc.	Paid To Process, Inc.
	Global Gold Limited	Premier Plus Member, Inc.
	Horizon Holdings, LLC	Total Health, Inc.
	O'Connell Gray LLC	Vcomm, Inc.
	Vantex Group, LLC	Rachael A. Cook
	Vertek Group, LLC	James J. Gray
	Pink LP	Steven R. Henriksen
	Consolidated Merchant Solutions, LLC	Michael L. Henriksen, Jr.
	OS Marketing Group, LLC	Juliette M. Kimoto
	Acai, Inc.	Tasha Jn Paul
	AllClear Communications, Inc.	Kyle R. Kimoto
	Dragon Group, Inc.	Randy D. O'Connell
	Elite Benefits, Inc.	Johnnie Smith
	Global Fulfillment, Inc.	Healthy Allure, Inc.
	Juliette M. Kimoto Asset Protection Trust	Juliette M. Kimoto
	Randy D. O'Connell	

Assigned Attorneys: Roberto Anguizola (BCP/MP)  
Tracey Thomas  
Dotan Weinman  
Burke Kappler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Electronic Funds Transfer Act in connection with purported access to free government grants, the inadequate disclosure of negative options, and the unauthorized debiting of consumer accounts.

Status: Complaint filed 7/27/09.  
TRO entered 7/28/09.  
Stipulated preliminary injunction as to defendants Grant Connect, LLC; Horizon Holdings, LLC; O'Connell Gray LLC; James J. Gray; and Randy D. O'Connell entered 8/18/09.  
Preliminary injunction as to defendants Global Gold, Inc.; Vantex Group, LLC; Vertek Group, LLC; Pink LP; Steven R. Henriksen; Rachael A. Cook; and Juliette M. Kimoto entered 9/22/09.  
Amended complaint adding defendants Global Gold Limited; Consolidated Merchant Solutions, LLC; OS Marketing Group, LLC; Acai, Inc.; AllClear Communications, Inc.; Dragon Group, Inc.; Elite Benefits, Inc.; Global Fulfillment, Inc.; Healthy Allure, Inc.; MSC Online, Inc.; Paid To Process, Inc.; Premier Plus Member, Inc.; Total Health, Inc.; Vcomm, Inc.; Juliette M. Kimoto Asset Protection Trust; Michael L. Henriksen, Jr.; Tasha Jn Paul; Kyle R. Kimoto; and Johnnie Smith filed 4/21/10.  
Stipulated final judgment and order for permanent injunction and monetary relief in favor of FTC and against Johnnie Smith entered 6/10/10.  
Preliminary injunction as to defendants Michael L. Hendricksen, Jr.; Tasha Jn Paul; Kyle R. Kimoto; and Johnnie Smith entered 6/17/10.  
Cross-motions for summary judgment filed 12/22/10; responses filed 3/14/11 and 3/15/11.  
Stipulated final judgment and order for permanent injunction and monetary relief as to defendant Johnnie Smith entered 6/10/11.  
Stipulated consent judgment and order for permanent injunction and monetary relief as to defendants Vantex Group, LLC; Vertek Group LLC; Pink LP; Juliette M. Kimoto Asset Protection Trust; and Juliette M. Kimoto entered 8/31/11.  
Consent judgment in favor of the Commission and against Vantex Group LLC; Vertek Group LLC; Juliette M. Kimono Asset Protection Trust, and Juliette M. Kimoto in the amount of \$29,916,533.38 entered 9/1/11.  
Order denying defendants' motion for summary judgment and granting in part and denying in party Commission's motion for summary judgment entered 10/25/11.

Permanent injunction entered 10/25/11.  
Judgment in favor of Commission entered 11/02/11.  
Motion to amend/correct judgment by defendants Acai, Inc., Health Allure, Inc., MSC Online, Inc., Paid to Process, Inc., Total Health, filed 11/22/11; Commission's response filed 12/08/11; order denying motion entered 12/20/11.  
Notice of appeal, No. 11-18023, by defendant Kyle Kimoto filed 12/19/11.  
Notice of appeal, No.12-15481, by defendants Acai, Inc. All Clear Communications, Inc., Drago Group, Inc., Elite Benefits Group, Inc., Globe Fulfillment, Inc., Global Gold Limited, Global Gold, Inc., Healthy Allure, Inc., Steven Henrickson, Jr., MSC Online, Inc., Paid to Process, Inc., Premier Plus Members, Inc., Total Health, Inc., and Ucomm, Inc., filed 2/21/12.  
Appellant Kyle Kimoto's opening brief in No. 11-18023 filed 4/23/12.  
Appellants opening brief in No. 12-15481 due but not filed on 5/31/12.  
Commission's answering brief in No. 11-18023 filed 6/11/12.

***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  
Andre Keith Sanders (Contempt Defendant)  
Pro Credit LLC (Contempt Defendant)  
Sanders Law, P.A. (Contempt Defendant)  
Sanders Legal Group, P.A. (Contempt Defendant)

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

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.

Final judgment and order for permanent injunction as to defendant Brett Fisher entered 1/13/10.  
Final judgment and order for permanent injunction against remaining defendants entered 3/19/10; amended 3/22/10.  
Commission's contempt motion against Brett Fisher, Andre Keith Sanders, Pro Credit LLC, Sanders Legal Group, P.A., Sanders Law, P.A., and my Success Track, LLC, and motion to modify stipulated final judgment and permanent injunction as to Brett Fisher filed 5/9/12.  
Motion to strike contempt motion by defendants Andre Keith Sanders, Sanders Law, P.A., and Sanders Law Group filed 5/17/12; motion to strike by defendant Brett Fisher filed 5/23/12; Commission's opposition filed 5/24/12; reply by Andre Keith Sanders filed 5/31/12.  
Opposition to motion to modify stipulated final judgment by Brett Fisher filed 6/6/12.  
Order dismissing Commission's contempt motion entered 7/16/12.

***FTC v. HOLD BILLING SERVICES, LTD.***, No. 5: 98-CV-00629-FB (W.D. Tex.)

Parties: Hold Billing Services, Ltd.  
HBS, Inc.  
Avery Communications, Inc.  
Veterans of America Association, Ltd.  
Thomas M. Lyons  
Keith C. Calil  
Milford H. Balaban  
Billings Services Group Limited (Contempt Defendant)  
Billing Services Group North America, Inc. (Contempt Defendant)  
HBS Billing Services Company (Contempt Defendant)  
Enhanced Billing Services, Inc. (Contempt Defendant)  
Billing Concepts, Inc. (Contempt Defendant)  
ACI Billing Services, Inc. (Contempt Defendant)

Assigned Attorneys: Craig P. Tregillus (BCP/MP)  
Lawrence Hodapp  
James Kaminski

Alleged Conduct: Unfair and deceptive billing practices in cramming bills for services upon telephone line subscribers in sweepstakes promotion.

Status: Complaint filed 7/15/98.  
Stipulated final judgments entered 9/22/99.  
Contempt motion against Billings Services Group Limited, Billing Services Group North America, Inc., HBS Billing Services



Company, Enhanced Billing Services, Inc., Billing Concepts, Inc., and ACI Billing Services, Inc. filed 3/28/12; contempt defendants' oppositions filed 4/30/12; Commission's reply filed 5/15/12.

***FTC v. HOPE FOR CAR OWNERS, LLC***, No. 2:12-CV-00778 (E.D.Cal.)

Parties: Hope for Car Owners, LLC  
Patrick Freeman

Assigned Attorneys: Gregory Ashe (BCP/DFP)  
Stephanie Rosenthal

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with advertising, marketing, promotion, and sale of vehicle loan assistance relief services.

Status: Complaint filed 3/27/12.  
TRO entered 4/4/12.  
Stipulated permanent injunction as to defendant Patrick Freeman entered 4/16/12.  
Request for entry of default as to Hope for Car Owners, LLC filed 5/31/12; clerk's entry of default entered 6/5/12.  
Order granting preliminary injunction as to defendant Hope for Car Owners, LLC entered 8/28/12.

***FTC v. IAB MARKETING ASSOCIATES, LP***, No. 0:12-CV-61830 (S.D. Fla.)

Party: IAB Marketing Associates  
Independent Association of Businesses  
Healthcorp International, Inc.  
JW Marketing Designs, LLC  
International Marketing Agencies LP  
International Marketing Management, LLC  
Wood, LLC  
Health Services Providers, Inc.  
Magnolia Technologies Corporation  
Fav Marketing Inc.  
James C. Wood  
James J. Wood  
Michael J. Wood  
Gary D. Wood  
Roy D. Hamilton  
Judy M. Hamilton  
Magnolia Health Management Corporation

Assigned Attorneys: Dotan Weinman (MWR)  
Patricia Hsue

Alleged Conduct: Deceptive acts and practices in violation of Sections 5 of FTC Act and the Telemarketing Sales Rule in connection with the advertising, marketing and sale of healthcare insurance.

Status: Complaint filed 9/18/12.  
TRO as to all defendants entered 9/18/12.

***FTC v. INFORMATION MANAGEMENT FORUM, INC.***, No. 6:12-cv-00986 (M.D. Fla.)

Parties: Information Management Forum, Inc.d/b/a Vacation Property Marketing,  
Inc.  
Edward Lee Windsor

Assigned Attorneys: Steven Elg (SER)  
Valerie Verduce

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the advertising, marketing, promotion and sale of time share rentals or resale services.

Status: Complaint filed 6/28/12.  
TRO entered 6/28/12.  
Preliminary injunction entered 7/9/12.

***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.  
Default judgment against defendant Sam Jain entered 2/24/10; amended 3/4/10.  
Default judgments against defendants Daniel Sundin and Innovative Marketing, Inc. entered 2/24/10.  
Commission's motion for summary judgment filed 11/19/10; response filed 12/17/10.  
Stipulated final judgment against defendants Marc D'Souza and Maurice D'Souza, entered 1/10/11.  
Joint motion for disbursement of funds filed 9/27/11; order granting disbursement of funds entered 9/27/11.  
Memorandum opinion denying Commission's motion for summary judgment entered 6/11/12.  
Commission's supplemental motion for summary judgment filed 6/25/12.  
Order in favor of the Commission, granting a permanent injunction and consumer redress, entered 9/24/12.

***FTC v. IVY CAPITAL, INC.***, No. 2:11-CV-00283 (D. Nev.)

<b>Parties:</b>	Ivy Capital Inc.	Virtual Profit, LLC
	Fortune Learning Systems, LLC.	Dream Financial
	Fortune Learning, LLC.	ICI Development Inc.
	Vianet, Inc.	Ivy Capital, LLC
	Enrich Wealth Group, LLC	Logic Solutions, LLC
	Business Development Division, LLC	Oxford Debts Holdings, LLC
	Nevada Credit Division, LLC	Revsynergy LLC
	Corporate Credit Division, LLC	Sell IT Visions, LLC
	Tax Planning Division, LLC	Kyle Kirchbaum
	Zyzac Commerce Solutions, Inc.	John Harrison
	The Shipper, LLC	Steven Lyman
	3 Day MBA, LLC	Benjamin Hoskins
	Global Finance Group, LLC	Christopher Zelig
	Steven Sonnenberg	James Hanchett

Joshua Wickman  
Oxford Financial, LLC  
Virtucon LLC  
Mowab, Inc  
Melyna Harrison  
Leanne Hoskins

Cherrytree Holdings, LLC  
S&T Time, LLC  
Curva, LLC  
Keirsten Kirschbaum  
Tracy Lyman

Assigned Attorneys: Emily Burton (BCP/MP)  
Shameka Gainey

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 2/22/11  
TRO entered 2/22/11.  
Preliminary injunction entered 3/25/11.  
Default as to defendants Business Development Division, LLC, Corporate  
Credit Division, LLC, Credit Repair Division, LLC, Nevada  
Corporate Division, Inc., and Tax Planning Division, LLC entered  
4/4/11.  
Motion for summary judgment by defendant Benjamin Hoskins filed  
8/8/12; Commission's response filed 9/18/12.  
Commission's motion for summary judgment filed 9/18/12.

**FTC v. JEREMY JOHNSON**, Nos. 11-17265, 11-17267, 12-15778, 12-16213 (9th Cir.); No.  
2:10-CV-02203 (D. Nev.)

Parties: Jeremy D. Johnson  
Big Bucks Pro, Inc.  
Blue Streak Progressing, Inc.  
Bottom Dollar, Inc.  
Business First, Inc.  
CPA Upsell, Inc.  
Cloud Nine Marketing, Inc.  
Costnet Discounts, Inc.  
Diamond J Media, Inc.  
Ebusiness Success, Inc.  
Employee Plus, Inc.  
Duane Fielding  
Fitness Processing, Inc.  
Success, Inc. GG Processing, Inc.  
GGL Rewards, Inc.  
Hooper Processing, Inc.  
Internet Business Source, Inc.

Anthon Holdings Corp.  
Blue Net Progress, Inc.  
Bolt Marketing, Inc.  
Bumble Marketing, Inc.  
Business Loan Success, Inc.  
CS Processing, Inc.  
Cold Bay Media, Inc.  
Cutting Edge Processing, Inc.  
EBusiness First, Inc.  
Elite Debit, Inc.  
Excess Net Success, Inc.  
Fiscal Fidelity, Inc.  
Funding Search Success, Inc. Funding  
Highlight Marketing, Inc.  
I Works, Inc.  
Internet Economy, Inc.

Internet Fitness, Inc.	JRB Media, Inc.
Jet Processing, Inc.	Andy Johnson
Loyd Johnston	Scott Leavitt
Lifestyles for Fitness, Inc.	Market Funding Solutions, Inc.
Mist Marketing, Inc.	Money Harvest, Inc.
Monroe Processing, Inc.	Scott Muir
Net Business Success, Inc.	Net Commerce, Inc.
Net Discounts, Inc.	Net Fit Trends, Inc.
Net Success, Inc.	Network Agenda, LLC
Optimum Assistance, Inc.	Bryce Payne
Kevin Pilon	Power Processing, Inc.
Premier Performance, Inc.	Pro Internet Services, Inc.
Razor Processing, Inc.	Rebate Deals, Inc.
Revive Marketing, Inc.	Ryan Riddle
Simcor Marketing, Inc.	Terrason Spinks
Success Marketing, Inc.	Summit Processing, Inc.
Tran Voyage, Inc.	TranFirst, Inc.
Unlimited Processing, Inc.	Xcel Processing, Inc.
eCom Success, Inc.	

Assigned Attorneys: Collot Guerard (BCP/MP)  
 J. Ronald Brooke  
 Teresa Chen  
 Burke Kappler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Electronic Fund Transfer Act, and Regulation E in connection with the advertisement of government grants and money-making opportunities.

Status: Complaint filed 12/21/10.  
 TRO and asset freeze entered 1/13/11.  
 Preliminary injunction entered 2/10/11.  
 Notice of interlocutory appeal by defendant Jeremy Johnson filed 9/22/11.  
 Notice of interlocutory appeal by defendants Duane Fielding et al., filed 9/23/11.  
 Appeal No.11-17267 dismissed on appellant's motion 11/17/11.  
 Appellant's opening brief in appeal No. 12-15778 due 7/16/12 but not filed.  
 Appellant's opening brief in appeal No. 12-1613 due but not filed 9/7/12.

**FTC v. JOHN BECK AMAZING PROFITS, LLC**, No. 12-56665 (9th Cir.), 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: John D. Jacobs (WRLA)  
Stacy R. Procter  
Christina Tusan  
Katie Harrington-McBride  
Evan Rose (WRSF)  
Kenneth H. Abbe  
Matthew Gold  
Theodore Metzler, Jr., (OGC)

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.  
Preliminary injunction entered 11/17/09.  
Motion for order to show cause why defendants Jeff Paul, Family  
Products, LLC, Mentoring of America, LLC, Gary Hewitt, and  
Douglas Gravink should not be held in contempt of the preliminary  
injunction filed 5/19/11; opposition filed 6/1/11; reply filed 6/8/11;  
Order granting motion to show cause entered 7/21/11; supplemental  
response by defendants filed 8/15/11; Commission's objection  
filed 8/24/11.  
Commission's motion for summary judgment filed 8/15/11; defendants'  
opposition filed 9/24/11; Commission's reply filed 10/11/11.  
Order granting Commission's motion for summary judgment and ordering  
supplemental briefing on scope of injunctive relief and monetary  
damages entered 4/20/12; Commission's brief filed 5/7/12;  
defendants' response brief filed 5/14/12; Commission's reply  
brief filed 5/21/12.  
Final order granting permanent injunction and other equitable relief entered  
8/23/12.  
Defendant's notice of appeal filed 9/7/12.

***FTC v. LAKHANY***, No. 8:12-CV-00337 (C.D. Cal.)

Party: Sameer Lakhany  
The Credit Shop LLC  
Fidelity Legal Services LLC  
Titanium Realty Inc.  
Precision Law Center Inc.  
Precision Law Center LLC  
Brian Pacios  
Assurity Law Group Inc.  
National Legal Network Inc.

Assigned Attorneys: John David Jacobs (WRO)  
Mark L. Glassman (BCP/FP)  
Soyoung Cho  
Teresa N. Kosmidis

Alleged Conduct: Complaint filed 3/5/12  
TRO with asset freeze and other equitable relief entered 3/7/12.  
Preliminary injunction with asset freeze and other equitable relief as to  
defendants Sameer Lakhany, The Credit Shop, LLC, Fidelity Legal  
Services LLC, and Titanium Realty Inc. entered 3/19/12.  
Preliminary injunction with asset freeze and other equitable relief as to  
defendants Precision Law Center Inc., and Precision Law Center  
LLC entered 3/22/12.  
First amended complaint filed 3/22/12;  
Preliminary injunction with asset freeze and other equitable relief as to  
defendants Brian Pacios and National Legal Network Inc. entered  
4/24/12.

***FTC v. LAKSHMI INFOSOUL SERVICES PVT LTD.***, No. 1:12-CV-07191 (S.D.N.Y.)

Parties: Lakshmi Infosoul Services Pvt Ltd.  
Somenath Das  
Piyush Kheria

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC  
Act, the Telemarketing Sales Rule, and Telemarketing and Consumer  
Fraud Abuse Protection Act in relation to the marketing, sale, and  
promotion of computer protection software.

Status: Complaint filed 9/24/12.

***FTC v. LANE LABS-USA, INC.***, No. 09-3909 (3rd Cir.); 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)  
Michele Arington (OGC)

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.  
Commission's motions for contempt and for order to show cause against Lane Labs-USA, Andrew Lane, and I. William Lane filed 1/12/07; opposition filed 3/19/07; order granting motion to show cause entered 12/18/07.  
Trial 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.  
Order denying motion for contempt entered 8/10/09.  
Notice of appeal filed 10/5/09.  
Commission's opening brief filed 12/16/09.  
Appellees' answering brief filed 1/15/10.  
Commission's reply brief filed 2/5/10.  
Oral argument held 9/14/10.  
Opinion vacating district court's order and remanding for further proceedings entered 10/26/10.  
District court order directing the parties to file proposed findings of fact on the issues remanded by the Third Circuit entered 11/1/2010.  
Parties' proposed findings filed 12/15/10.  
Order granting Commission's contempt motion entered 11/18/11.



Stipulated order for briefing on damages entered 12/05/11.  
Commission's brief on damages filed 1/25/12; defendants' response filed  
3/12/12; Commission's reply filed 4/2/12.

***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.  
Final judgment and order of permanent injunction and other equitable  
relief entered 1/27/10.  
Commission's motions for contempt and for TRO and preliminary  
injunction pending decision on contempt motion filed 4/6/12.  
TRO with asset freeze entered 5/5/12.  
Preliminary injunction entered 6/1/12.  
Contempt hearing held 8/28/12.

***FTC v. LEANSPA LLC***, No. 3:11-CV-01715 (D. Conn.)

Parties: LeanSpa, LLC  
NutraSlim, LLC  
NutraSlim U.K. LTD  
Boris Mizhen

Assigned Attorneys: David W. Dulabon (NER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Electronic  
Fund Transfer Act in connection with the advertising, marketing,  
promotion, offering for sale, or sale of weight-loss and related health  
products through various websites.

Status: Complaint filed 11/07/11.  
TRO granted in part 11/14/11.  
Preliminary injunction entered 11/22/11.

**FTC v. LESHIN**, Nos. 12-12811, 10-10875, 09-15972, 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)  
Douglas Wolfe (BCP/ENF)  
David Sieradzki (OGC)  
Robin Moore (BCP/ENF)

**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.

Order consolidating appeals entered 7/2/09.

Appellants' brief filed 8/19/09.

Commission's answering brief filed 10/9/09.

Appellants' reply brief filed 10/27/09.

District court orders approving monitor reports entered 10/27/09 and 10/30/09.

Notice of appeal (09-15972) filed 11/23/09.

District court orders entered 11/16/09 and 11/17/09.

Amended notice of appeal seeking review of 11/16/09 and 11/17/09 orders filed 12/2/09.

Appellants' motion to stay appeal (09-15972) filed 12/14/09; 11th Cir. order granting stay entered 12/29/09.

11th Cir. order (09-15972) requesting filings on jurisdictional issue entered 12/31/09; appellants' and Commission's responses filed 1/14/10.

Final judgment of disgorgement and consumer redress entered 1/26/10; clarified 1/28/10; corrected 1/29/10.

Emergency motion to stay final judgment filed 2/19/10; order denying motion entered 2/25/10.

Notice of appeal (10-10875) filed 2/19/10.

Appellants' emergency motion for relief from judgment filed 3/12/10; Commission's response filed 3/26/10; order denying motion entered 4/1/10.

Appellants' motion for stay pending appeal filed 3/17/10; Commission's response filed 3/26/10; order granting stay pending resolution of 09-11679 and 09-12003 entered 4/1/10.

Oral argument (09-11679, 09-12003) held 4/14/10.

Order consolidating 10-10875 with 09-11679 and 09-12003 entered 4/15/10.

Appellants' renewed motion for relief from judgment filed 4/27/10; Commission's response in opposition filed 4/30/10; denied 7/7/10.

Order consolidating 09-15972 with other appeals entered 5/14/10.

Appellants' brief (10-10875) filed 5/24/10.

Commission's brief (10-10875) filed 6/28/10.

Commission's 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 6/23/10; defendants' response filed 7/28/10; Commission's reply filed 8/4/10.

Commission's supplemental motion for contempt filed 7/14/10; defendants' response filed 8/2/10; Commission's reply filed 8/12/10.

Opinion (10-10875, consolidated with and also issued in 09-11679, 09-12003, and 09-15972) affirming district court's decisions issued 9/3/10.

Order granting in part Commission's motion for contempt entered 3/8/11.

Order denying Commission's supplemental motion for contempt entered 3/24/11.

Commission's motion to convert unpaid balance of civil contempt remedy to a money judgment filed 9/07/11; Defendants' opposition by filed 9/22/11; Commission's reply filed 9/28/11.

Defendant Randall L. Leshin's and Charles Ferdon's motion for new trial or in the alternative for reconsideration filed 3/13/12; Commission's opposition filed 3/27/12; defendants' reply filed 3/30/12; order denying motion for new trial entered 4/24/12;

Notice of appeal filed 5/22/12.

Commission's brief filed 9/27/12.

***FTC v. LIGHTS OF AMERICA, INC.***, No. 8:10-CV-01333 (C.D. Cal.)

Parties: Lights of America, Inc.  
Farooq Vakil  
Usman Vakil

Assigned Attorneys: Gregory J. Madden (BCP/ENF)  
Robin R. Spector  
Stacy R. Procter (WRLA)  
Mark S. Hegedus (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with defendants' advertising and sale of lighting products.

Status: Complaint filed 9/07/10.  
Order granting motion to dismiss complaint as to individual defendants and granting the Commission leave to file an amended complaint entered 12/17/10.  
Amended complaint filed 2/8/11; answer to complaint filed 4/18/11.  
Order denying individual defendants' motion to dismiss the FTC's amended complaint and denying Lights of America, Inc.'s application to retain the amended complaint under seal entered 3/31/11.  
Defendants' motion for summary judgment filed 2/13/12; Commission's opposition filed 3/12/12.

***FTC v. LOANPOINTE, LLC***, No. 12-4006 (10th Cir.); No. 2:10-CV-00225 (D. Utah).

Parties: LoanPointe, LLC  
Eastbrook, LLC  
Joe S. Strom  
Benjamin J. Lonsdale  
James C. Endicott  
Mark S. Lofgren

Attorneys: Christopher Koegel (BCP/FP)  
Stephanie Rosenthal  
Gregory A. Ashe  
Jeannette F. Swent (AUSA)  
Imad D. Abyad (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Fair Debt Collection Practices Act, and the Credit Practices Rule in connection with payday loans and related collection practices.

Status: Complaint filed 3/15/10.  
Stipulated preliminary injunction entered 4/2/10.  
Stipulated orders for voluntary dismissal of defendants Benjamin J. Lonsdale and James C. Endicott entered 6/18/10.  
Stipulated final order for permanent injunction and settlement of claims as to defendant Mark Lofgren entered 8/26/10.  
Commission's motion for summary judgment filed 2/16/11; opposition by defendants Eastbrook, LLC, LoanPointe, LLC, and Joe Strom filed 4/18/11; reply filed 5/5/11.  
Summary judgment granted 9/16/11.  
Commission's revised proposed final order filed 10/03/11; defendants' response filed 10/07/11.  
Final order of judgment and permanent injunction as to defendants Eastbrook, LLC, Loanpointe, LLC, and Joe Storm entered 12/09/11.  
Notice of appeal filed 1/6/12.  
Appellants' opening brief filed 3/19/12; Commission's brief filed 4/23/12.  
Oral argument held 9/19/12.

***FTC v. LOEWEN***, No. 2:12-CV-01207 (W.D. Wash.)

Parties: Matthew Loewen  
0803065 B.C. Ltd.  
0881046 B.C. Ltd.  
Ready Pay Services, Inc.  
Xavier Processing Services LLC

Assigned Attorneys: Jennifer Larabee (NWR)  
Richard McKewen

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with telemarketing of vehicle financing.

Status: Complaint filed 7/13/12.

***FTC v. LOMA INTERNATIONAL BUSINESS GROUP, INC.***, No. 1:11-CV-01483 (D. Md.)

Parties: Loma International Business Group, Inc.  
Services LatinoAmericanos De Maryland, Inc.  
Manuel E. Alban  
Lola Alban  
Henry M. Stichel

Assigned Attorneys: Eliseo N. Padilla (SWR)  
Deanya T. Kueckelham  
Gary D. Kennedy  
Luis H. Gallegos

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with advertising, marketing, and sale of United States immigration and naturalization services.

Status: Complaint filed 6/1/11.  
TRO granted 6/2/11.  
Motion to extend the ex parte TRO filed 6/10/11; extension granted 6/13/11.  
Defendant's motion for release frozen assets filed 6/10/11.  
Answer to complaint filed 6/23/11.  
Motion for pretrial relief from TRO; motion for TRO; motion for order to show cause filed 6/24/11.  
Order granting partial release of frozen funds 6/30/11.  
Stipulated preliminary injunction entered 7/25/11.  
Amended complaint filed 10/28/11; answer filed 11/14/11.  
Default as to defendant Marco V. Alban entered 1/23/12; joint motion to set aside default filed 2/17/12; order granting motion entered 2/22/12.  
Commission's motion for summary judgment filed 4/19/12; denied 4/20/12.  
Motion for summary judgment by Marco Alban filed 4/5/12;  
Commission's opposition filed 6/8/12; reply filed 6/25/12.

***FTC v. LUCASLAWCENTER***, Nos. 10-56985, 09-72443 (9th Cir.); No. 8:09-CV-00770  
(C.D. Cal.)

Parties: LucasLawCenter “Incorporated”, d/b/a Lucas Law Center  
Future Financial Services, LLC, d/b/a Lucas Law Center  
Paul Jeffrey Lucas  
Christopher Francis Betts  
Frank Sullivan

Assigned Attorneys: James E. Elliott (SWR)  
James E. Hunnicutt  
John D. Jacobs (WRLA)  
Michael Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of mortgage loan modification services and refunds to consumers.

Status: Complaint filed 7/7/09.  
Amended order granting TRO with asset freeze entered 7/9/09; extended 7/16/09, 8/3/09, and 8/18/09.  
Defendants’ motion to release frozen funds to pay attorneys’ fees filed 7/15/09; granted 7/29/09.  
Commission’s motion to reconsider and opposition to defendants’ request for release of frozen funds to pay attorneys’ fees filed 7/30/09; order granting motion and vacating 7/29/09 order entered 7/30/09.  
Commission’s motion for contempt filed 7/31/09.  
Petition for a writ of mandamus and motion to stay district court proceedings filed 7/31/09.  
Order by Ninth Circuit denying motion to stay entered 7/31/09.  
Commission’s response to petition filed 8/7/09.  
District court’s response to petition filed 8/7/09.  
Order by Ninth Circuit denying petition for a writ of mandamus entered 8/21/09.  
Stipulated preliminary injunction entered 8/24/09.  
Order denying Commission’s motion for contempt and defendants’ motion to release frozen funds to pay attorneys’ fees entered 9/30/09.  
Commission’s motion for summary judgment filed 4/26/10; defendants’ response in opposition filed 5/3/10; Commission’s reply filed 5/10/10.  
Order granting in part and denying in part summary judgment entered 6/3/10.  
Final order for permanent injunction and other equitable relief effective at conclusion of case entered 6/3/10.

Order denying Commission's motion for reconsideration of denial of summary judgment entered 6/21/10.

Order granting joint stipulation to dismiss count 1 without prejudice entered 6/24/10.

Judgment entered 6/25/10.

Notice of appeal by defendant Paul Lucas filed 12/9/10.

Appellant's opening brief filed 8/15/11.

Commission's answering brief filed 10/6/11.

Appellant's reply brief filed 10/11/11.

Opinion affirming the district court in full entered 9/25/12.

***FTC v. MALLETT***, No. 1:11-CV-01664 (D.D.C.)

Parties: Christopher Mallett, d/b/a Department of Consumer Services Protection Commission, U.S. Debt Care, World Law Debt, US Mortgage Relief Counsel, gov-usdebtreform.net, worldlawdebt.org, fha-homeloan.info

Assigned Attorneys: Gregory Ashe (BCP/FP)  
K. Michelle Grajales  
Lisa Anne Rothfarb

Alleged Conduct: Deceptive acts and practices in violation of Section 5, TSR, and MARS Rule in connection with the marketing and sale of debt relief, tax relief, and mortgage relief services.

Status: Complaint filed 9/14/11.  
Preliminary injunction entered 10/13/11.  
Order staying case pending approval of settlement entered 3/27/12.  
Stipulated final order entered 6/14/12.

***FTC v. MARCZAK***, No. 1:12-CV-07192 (S.D.N.Y.)

Parties: Mikael Marczak a/k/a Michale Marczak, d/b/a Virtual PC Solutions, First PC Solutions, Direct PC Solution, Virtual IT Supports, Global Innovative Solutions

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and Telemarketing and Consumer



Fraud Abuse Protection Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.

***FTC v. NAFSO VLM, INC.***, No. 2:12-CV-00781 (E.D. Cal.)

Parties: NAFSO VLM, Inc., d/b/a Vehicle Loan Modification  
Kore Services, LLC, d/b/a Auto Debt Consulting and Car Loans  
Modification  
Naythem Nafso  
Michael Kamfiroozie

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

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with advertising, marketing, and sale of vehicle loan assistance relief services.

Status: Complaint filed 3/27/12.  
TRO granted in part and denied in part 3/29/12.  
Stipulated preliminary injunction entered 4/20/12.

***FTC v. NATIONAL AWARDS SERVICE ADVISORY, LLC***, No. 4:10-CV-05418 (N.D. Cal.)

Parties: National Awards Service Advisory, LLC  
Central Processing of Nevada, LLC  
International Award Advisors, Inc.  
Spectrum Caging Service, Inc.  
Prize Registry Bureau, Inc.  
Consolidated Data Bureau, Inc.  
Registered Data Analytics, Inc.  
Lloyd Brannigan Exchange, Inc.  
Geovanni Sorino  
Jorge A. Castro  
Tully A. Lovisa  
Steven McClenahan  
Lisa Lovisa (relief defendant)

Assigned Attorneys: Sarah E. Schroeder (WRSF)  
Matthew D. Gold  
Kerry O'Brien

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with the distribution of mailers representing that consumers have won a multi-million dollar cash prize.

Status: Complaint filed 11/30/10.  
TRO with asset freeze entered 12/1/10.  
Preliminary injunction with asset freeze entered 12/15/10.  
Default as to defendants International Award Advisors, Inc., Spectrum Caging Service, Inc., Prize Registry Bureau, Inc., Consolidated Data Bureau, Inc., Registered Data Analytics, Inc., and Lloyd Brannigan Exchange, Inc. entered 3/17/11.  
First amended complaint adding claims against relief defendant Lisa Lovisa filed 7/12/11.  
Final order and permanent injunction entered 4/19/12.

***FTC v. NATIONAL SOLUTIONS LLC***, No. 6:11-CV-01131 (M.D. Fla.)

Parties: National Solutions LLC, d/b/a Blue Scape Timeshares International, Country Wide Timeshares, Countrywide Timesharesales MA, Landmark Timeshares, Property Direct, Quicksale Property, Sun Property Networks, Sun Property's, Universal Property, VIM Timeshares  
Landmark Marketing LLC, d/b/a Blue Scape Timeshares, Country Wide Timeshares International, Property DRK, Quick Sale Advisers, Quick Sale International, Universal Property International.  
Red Solutions LLC, d/b/a City Resorts, Resort Advisors.  
Enterprise America, LLC, d/b/a American Timeshares, Exit Week, Resort Advisors International  
Investments Group of Florida, LLC, d/b/a Resort Advisors AM  
Multiglobe LLC, d/b/a Universal Property  
Leandro Velazquez  
Samuel Velazquez  
Joel Velazquez  
Kiomary Cruz  
Edgar Gonzalez  
Vicente Virgilio  
Aaron Weiss  
Rebecca Melendez (Contempt Defendant)

Assigned Attorneys: William Hodor (MWR)  
Theresa Marie McGrew

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale/resale of timeshare properties.

Status: Complaint filed 7/11/2011.  
Ex parte TRO with asset freeze, appointment of receiver and other equitable relief entered 7/12/11.  
Preliminary injunction as to all defendants except Vicente Virgilio entered 8/09/11.  
Motion for order to show cause why defendants Leandro Velazquez and non-party Rebecca Melendez should not be held in civil contempt filed 12/16/11.  
Clerk's entry of default as to National Solutions LLC entered 1/3/12.  
Clerk's entry of default as to Enterprise America, Investments Group of Florida, LLC, Landmark Marketing LLC, Multiglobe LLC, Red Solutions LLC, entered 1/3/12.  
Order granting stipulated motion to dismiss Vicente Birgilio and Aaron Weiss entered 1/9/12.  
Contempt hearing held 3/6/12.  
Commission's memorandum in support of its contempt motion filed 5/2/12; response in opposition filed 5/23/12.  
Order denying Commission's contempt motion entered 7/9/12.  
Commission's motion for summary judgment against defendants Kiomary Cruz, Enterprise America , LLC, Investment Group of Florida, LLC, Landmark Marketing, LLC, Multiglobe LLC, National Solutions LLC, Red Solutions LLC filed 8/29/12.  
Commission's motion for summary judgment against defendant Leandaro Velaquez filed 8/31/12.

***FTC v. NATIONAL UROLOGICAL GROUP, INC.***, No. 10-125 (S. Ct); 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.  
Final judgment entered 12/16/08.  
Notice of appeal filed 2/4/09.  
Opinion affirming district court order entered 12/15/09.  
Petition for rehearing en banc filed 1/29/10; order denying petition entered 4/26/10.  
Appellant's petition for a writ of certiorari filed 7/23/10; Commission's opposition filed 9/24/10; appellant's petition denied 11/1/10.  
Commission's motion to hold defendants Hi-Tech Pharmaceuticals, Stephen Smith and Jared Wright in contempt filed 11/1/11; defendant's opposition filed 12/2/11.  
Commission's motion to hold defendant Terrill Mark Wright in contempt filed 3/21/12.  
Order to show cause why defendants Wright, Hit-Tech Pharmaceuticals, Stephen Smith, and Jared Wright should not be held in contempt entered 5/11/12.

***FTC v. NELSON GAMBLE & ASSOCIATES***, No. 8:12-cv-01504 (C.D. Cal.)

**Parties:** Nelson Gamble & Associates  
Jackson Hunter Morrison & Knight LLP  
Blackrock Professional Corporation  
Mekhia Capital, LLC  
Jeremy R. Nelson

**Assigned Attorneys:** Gregory A. Ashe (BCP/FP)  
Jason Adler  
Lisa Rothfarb  
Raymond McKown

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with the marketing, promotion, and sale of debt relief services.

**Status:** Complaint filed 9/10/12.  
Order granting TRO and asset freeze entered 9/10/12.  
Hearing on preliminary injunction set for 10/12/12.

***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  
iProlog Corporation  
FreeQuick Wire Corporation

Assigned Attorneys: Carmen Christopher (BCP/MP)  
Russell Deitch  
Arturo DeCastro  
Laura Schneider (BCP/ENF)  
Korin Ewing  
John D. Jacobs (WRLA)  
Leslie Melman (OGC)  
Theodore Metzler, Jr.

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.  
Final order for permanent injunction and other equitable relief entered 1/7/09.  
Notice of appeal by defendants filed 1/16/09.  
Motion for order to show cause why Thomas Villwock, James M. Danforth, G7 Productivity Systems, Inc., iProlog Corporation, and FreeQuick Wire Corporation should not be held in contempt filed 10/15/09.  
Order requiring Commission to show cause why contempt motion should not be dismissed entered 10/16/09; Commission's response filed 10/21/09  
Order by district court staying contempt proceedings pending appeal entered 1/19/10.  
Opinion affirming district court order entered 5/14/10; amended 6/15/10.  
Contempt proceedings reopened 5/14/10.  
Final order finding defendants Neovi, Productivity Systems, Thomas Villwock, and James M. Danforth in contempt entered 7/11/12.  
Notice of appeal by defendants filed 9/7/12; Commission's cross appeal filed 9/21/12.  
Order by the Ninth Circuit requiring defendants to show cause why appellate jurisdiction exists entered 9/24/12.

***FTC v. NHS SYSTEMS, INC.***, Nos. 12-2375, 11-2375, 09-3899 (3d Cir.); 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, d/b/a American Health Benefits On Line  
Donna Newman  
John E. Bartholomew  
Plus Health Savings, Inc.  
Physicians Health Systems, Inc.  
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)  
Steven W. Balster  
Theodore Metzler, Jr. (OGC)

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 defendants NHS Systems, Inc.; Harry F. Bell, Jr.; Physician Health Service, LLC; Plus Health Savings, Inc.; Physician Health Systems, Inc.; and Health Management, LLC entered 6/10/08.  
Stipulated preliminary injunction as to defendants John E. Bartholomew; Interface Management, Inc.; and Beginning Again, Inc. 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 7/6/09.  
TRO with asset freeze as to defendants 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; and Nevada Business Solutions, Inc. entered 7/9/09.

Preliminary injunction as to defendants 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; and Nevada Business Solutions, Inc. entered 7/24/09.

Order granting Commission's motion to require third party Teledraft, Inc. to turn over funds to receiver entered 9/24/09.

Notice of appeal by Teledraft filed 10/5/09.

Teledraft's motion for stay pending appeal filed 8/5/09; Commission's memorandum in opposition filed 10/20/09, modified 10/21/09; order denying motion entered 12/10/09.

3d Cir. order requiring parties to file memorandum on jurisdiction entered 10/18/09; memoranda filed 11/2/09.

Appellant's motion for stay filed 12/18/09; Commission's response in opposition filed 12/23/09.

Order dismissing appeal for lack of jurisdiction entered 1/8/10.

Motion to show cause why Teledraft should not be held in contempt filed 3/17/10; Teledraft response in opposition filed 3/31/10.

Commission's motion for summary judgment as to NHS/PHS defendants (NHS Systems, Inc.; Harry F. Bell, Jr.; Physician Health Service, LLC; Donna Newman; Plus Health Savings, Inc.; Physicians Health Systems, Inc.; Health Management, LLC; 6676529 Canada, Inc; Nicole Bertrand; Barry Kirstein; David James Greer a/k/a Dannie Boie; PHS Enterprises, Inc.; First Step Management, Inc.; Gold Dot, Inc.; Linke Jn Paul; Tasha Jn Paul; and Nevada Business Solutions, Inc.) filed 10/1/10; response filed 9/19/11.

Order of contempt as to defendant Teledraft entered 5/13/11.

Notice of appeal of contempt order by Teledraft filed 5/19/11.

Commission's motion to dismiss appeal for lack of jurisdiction filed 6/10/11; response by appellant filed 6/23/11; Commission's reply filed 6/30/11; order granting motion to dismiss case for lack of jurisdiction entered 7/20/11.

Order staying contempt order until magistrate has made final determination as to amount of compensatory sanctions owed by Teledraft entered 6/17/11.

Order imposing compensatory sanction on Teledraft entered 7/8/11.

Defendants Tasha Jn Paul and Linke Jn Paul response to motion for summary judgment filed 8/3/11; Commission's reply 11/3/11.

Commission's second motion to approve stipulated final order for permanent injunction and monetary relief as to defendant Donna Newman filed 11/18/11.

Order by District Court Judge affirming magistrate judge's 7/07/11 order awarding compensatory damages and referred matter to magistrate judge for further findings entered 11/30/11.

Commission's second motion for entry of stipulated final order  
for permanent injunction and monetary relief as to defendant  
Harry F. Bell, Jr. filed 2/16/12.  
Stipulated final order for permanent injunction and monetary relief as to  
defendant Donna Newman filed 5/4/12.  
Notice of appeal by Teledraft filed 8/14/12.  
Appellant's brief due 11/5/12.

***FTC v. NORTH AMERICAN MARKETING AND ASSOCIATES LLC***, No. 2:12-cv-00914 (D.  
Ariz.)

Parties: North American Marketing and Associates LLC  
NAMAA LLC  
TM Multimedia Marketing LLC  
National Opportunities LLC  
World Wide Marketing LLC, d/b/a WWM LLC  
Precious Metals Resources LLC  
Guaranteed Communications LLC  
Superior Multimedia LLC  
Kimberly J. Birdsong  
Joseph W. Lowry  
Tracey J. Morris  
Sarah L. Stapel  
Alyssie M. Tramel  
Daniel Vigil  
Sheila A. Lowry  
Carl E. Morris, Jr.

Assigned Attorneys: Ann D. LeJeune (SWR)  
Gary D. Kennedy  
James E. Elliot  
Luis H. Gallois

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and  
the TSR in connection with the sale and marketing of work-at-home  
opportunities.

Status: Complaint filed 5/1/12.  
TRO entered 5/2/12.  
Preliminary injunction and asset freeze as to defendants Carl E. Morris,  
Marketing Strategies LLC, Daniel Vigil, National Opportunities,  
LLC, and Kimberly J. Birdsong entered 5/23/12.  
Preliminary injunction and asset freeze as to defendants Joseph W. Lowry,  
North American Marketing and Associates, LLC, NAMAA LLC,  
Multimedia Marketing, LLC, World Wide Marketing, LLC, Precious



Metal Resource, LLC, Guaranteed Communications, LLC, Superior Multimedia, LLC, and Sheila A. Lowry entered 5/24/12.

***FTC v. PAYDAY FINANCIAL LLC***, No. 3:11-CV-03017 (D. S.D.)

Parties: Payday Financial, LLC, d/b/a Lakota Cash, Big Sky Cash, Big \$ky Cash  
Great Sky Finance, LLC, d/b/a Great Sky Cash, Great \$ky Cash, Gsky  
Western Sky Financial, LLC  
Red Stone Financial, LLC, d/b/a Red Stone Cash  
Management Systems, LLC, d/b/a Gsky  
24-7 Cash Direct, LLC  
Red River Ventures, LLC  
High Country Ventures, LLC  
Financial Solutions, LLC  
Martin A. Webb, individually and as an officer of Payday Financial, LLC;  
Western Sky Financial, LLC; Red Stone Financial, LLC;  
Management Systems, LLC; 24-7 Cash Direct, LLC; Red River  
Ventures, LLC; High Country Ventures, LLC; Financial Solutions,  
LLC

Assigned Attorneys: K. Michelle Grajales (BCP/FP)  
LaShawn M. Johnson  
Nikhil Singhivi

Alleged Conduct: Unfair and deceptive acts and practices in violation of section 5, Credit Practices Rule, and Electronic Fund Transfer Act in connection with the offering and extension of credit in the form of high-fee, short-term “payday” loans, and the collection of those loans.

Status: Complaint filed 9/6/11.  
Stipulated preliminary injunction entered 9/8/11.  
Amended complaint filed 3/1/12.  
Motion for partial summary judgment by all defendants filed 5/18/12;  
Commission’s response filed 6/14/12; reply by all defendants filed  
7/2/12.

***FTC v. PCCARE247 INC.***, No. 1:12-CV-07189 (S.D.N.Y.)

Parties: PCCare247 Inc.  
PC Care Solutions Private Limited  
Connexions Infotech Inc.  
Connexions IT Services Private Limited, d/b/a Connexions InfoTech  
Services Pvt. Ltd.  
Vikas Agrawal  
Navin Pasari  
Anuj Agrawal  
Sanjay Agarwalla  
Parmeshwar Agrawal

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and Telemarketing and Consumer Fraud Abuse Protection Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.

***FTC v. PECON SOFTWARE, LTD.***, No. 1:12-CV-07168 (S.D.N.Y.)

Parties: Pecon Software, Ltd., d/b/a Pecon Software, Inc., Pecon Software Services  
Pecon Infotech, Ltd.  
Pecon Software U.K., Ltd.  
Mahesh Kumar Shah, a/k/a MK Shah  
Prateek Shah  
Sujoy Roy  
Zulfiquar Ali  
Vikas Kumar Gupta

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and Telemarketing and Consumer Fraud Abuse Protection Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.

***FTC v. PREMIER NATIONWIDE CORPORATION***, No. 1:12-CV-00009 (D. Ariz)

Parties: Premier Nationwide Corporation, d/b/a Premier Savings  
Eric C. Synstad

Assigned Attorneys: Joseph Lipinsky (NWR)  
Mary T. Benfield  
Richard McKewen

Alleged Conduct: Deceptive acts and practices in violation of section 5 and the TSR in connection with the marketing and sale of debt relief services.

Status: Complaint filed 1/3/12; answer to complaint filed 1/30/12.  
TRO entered 1/5/12.  
Stipulated preliminary injunction and other equitable relief entered 1/27/12.  
Final order granting permanent injunction entered 7/16/12.

***FTC v. PREMIER PRECIOUS METALS, INC.***, No. 0:12-CV-60504 (S.D. Fla.)

Parties: Premier Precious Metals, Inc.  
Rushmore Consulting Group, Inc.  
PPM Credit, Inc.  
Anthony J. Columbo

Assigned Attorneys: Barbara Bolton (SER)  
Dama Brown

Alleged Conduct: Deceptive acts and practices in violation of section 5 and the TSR in connection with the marketing and sale of precious metals.

Status: Complaint filed 3/20/12.  
TRO entered 3/20/12.  
Preliminary injunction entered 4/3/12.  
Trial scheduled for 2/11/13.

***FTC v. PRIME LEGAL PLANS, LLC***, No. 0:12-CV-61872 (S.D. Fla.)

Parties: Prime Legal Plans, LLC  
Consumer Legal Plans, LLC  
Freedom Legal Plans, LLC

Frontier Legal Plans, LLC  
Reaching U Network, Inc.  
123 Save a Home, Inc.  
American Hardship LLC  
Back Office Support Systems LLC  
Consumer Acquisition Network LLC  
Legal Service and Billing Partners LLC  
Lazaro Dihh  
Kim E. Landolfi  
Derek B. Radzikowski  
Andrew Primavera  
Christopher N. Edwards  
Jason C. Desmond  
The 2007 Irrevocable Life Insurance Trust (Relief Defendant)  
Maria Soltura (Relief Defendant)

Assigned Attorneys: Jane Ricci (BCP/FP)  
Leah Frazier  
Rebecca M. Unruh

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Mortgage Assistance Relief Services Rule in connection with the advertising, marketing, promotion and sale of mortgage relief services.

Status: Complaint filed 9/24/12.  
TRO entered 9/25/12.

***FTC v. PRO CREDIT GROUP, LLC***, No. 8:12-CV-00586 (M.D. Fla.)

Parties: Pro Credit Group, LLC  
Brett Fisher  
Sanders Legal Group, P.A.  
Sanders Law, P.A.  
Andre Keith Sanders  
My Success Track, LLC  
Consumer Credit Group, LLC  
Dale Robinson  
First Financial Asset Services, Inc.  
William Balsamo

Assigned Attorneys: Julia Solomon Ensor (BCP/ENF)  
Melinda Claybaugh

Alleged Conduct: Deceptive acts and practices in violation of section 5 and the TSR in connection with the advertising, marketing, promotion and sale of interest rate reduction services, and telemarketing of debt relief services.

Status: Complaint filed 3/19/12.  
TRO entered 3/20/12.  
Order lifting TRO and asset freeze as to Dale Robinson, Consumer Credit Group, and Ideal Interest Inc., entered 4/5/12.  
Commission's supplemental brief in support of a permanent injunction filed 4/16/12.  
Stipulated preliminary injunction as to defendants Brett Fischer and Pro Credit Group entered 4/25/12.  
Stipulating preliminary injunction as to defendants Andre Keith Sander, Sanders Legal Group, Sanders Law, P.A. entered 4/25/12.

***FTC v. PUBLISHERS BUSINESS SERVICES, INC.***, No. 11-17270 (9th Cir.); 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 (WRLA)  
Raymond E. McKown  
Maricela Segura  
John F. Daly (OGC)

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.  
Commission's and defendants' cross-motions for summary judgment filed 7/31/09; responses in opposition filed 11/23/09; replies filed 12/7/09.  
Defendants' motion to strike Commission's summary judgment motion filed 8/7/09; Commission's response filed 8/25/09; defendants' reply filed 9/8/09; order denying motion entered 10/30/09.  
Order granting Commission's motion for summary judgment and denying defendants' motion for summary judgment entered 4/7/10.  
Order granting permanent injunction entered 4/7/10.  
Commission's brief on monetary relief filed 4/20/10; defendants' brief filed 4/30/10; Commission's reply brief filed 6/1/10.  
Evidentiary hearing on monetary relief held 3/30-31/11, 6/7/11, 6/8/11, and 6/9/11.  
Judgment against defendants Publishers Business Services, Inc; Ed Dantuma Enterprises, Inc, d/b/a Publisher Direct Services, and Publishers Business Services; Edward Dantuma; and Dries Dantumain the sum of \$191,219.00 entered 7/25/11.  
Commission's notice of appeal filed 9/23/11.  
Commission's opening brief filed 2/13/12.  
Appellees' brief filed 4/13/12.  
Commission's reply brief filed 5/11/12.

***FTC v. RINCON MANAGEMENT SERVICES, LLC***, No. 5:11-CV-01623 (C.D. Cal.)

Parties: Rincon Management Services LLC., d/b/a Rincon Debt Management,  
Rincon Filing Services, Pacific Management Recovery  
Prime West Management Recovery LLC  
Union Management Services LLC., d/b/a Union Filing Services  
National Filing Services LLC  
City Investment Services LLC  
Global Filing Services LLC  
Pacific Management Recovery Services LLC  
Jason R. Begley  
Wayne W. Lunsford  
Richard E. Weissman

Assigned Attorney's: Maricela Segura (WRLA)  
Raymond E. McKown

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Fair Debt  
Collection Practices Act in connection with the collection of debts.

Status: Complaint filed 10/11/11  
TRO entered 10/11/11.

Preliminary injunction entered 11/10/11.  
Defendant's motion for modify preliminary injunction filed 12/21/11;  
Commission's opposition filed 1/9/12; reply filed 1/13/12.  
Trial set for 10/23/12.

***FTC v. RMB GROUP, LLC***, No. 3:12-CV-04632 (N.D. Cal.)

Parties: RMB Group, LLC  
Howard Brenner  
Bruce Brenner

Assigned Attorneys: Kerry O'Brien (WRSF)  
Linda K. Badger

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with advertising of purported toning footwear products.

Status: Complaint filed 9/5/12.  
Permanent injunction entered 9/18/12.

***FTC v. SKECHERS USA, INC.***, No. 1:12-cv-01214 (N.D. Ohio)

Parties: Skechers USA, Inc.

Assigned Attorneys: Christopher Panek (MWR)  
Dana Barragate  
Michael Milgroom  
Lariassa Bungo

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with advertising of purported toning footwear products.

Status: Complaint seeking permanent injunction and other equitable relief filed 5/16/12.  
Proposed stipulated final judgment and order for permanent injunction filed 5/16/12.  
Final order and permanent injunction entered 7/12/12.

***FTC v. SPRINGTECH 77376, LLC***, No. 3:12-CV-04631 (N.D. Cal.)

Parties: Springtech 77376, LLC  
Cedarcide Industries, Inc.  
Chemical Free Solutions LLC

Cedar Oil Technologies Corp.  
David Glassel

Assigned Attorneys: Kerry O'Brien (WRSF)  
Linda K. Badger

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with advertising, marketing, and sale of pest control products.

Status: Complaint filed 9/5/12.

***FTC v. STERLING PRECIOUS METALS, LLC***, No. 9:12-CV-80597 (S.D. Fla.)

Parties: Sterling Precious Metals, LLC  
Kerry Marshal  
Matthew Mayer  
Francis R. Zolfay

Assigned Attorneys: Dama J. Brown (SER)  
Gideon E. Sinashon

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC and the TSR in connection with the sale and marketing of precious metals.

Status: Complaint filed 6/4/12.  
Motion to dismiss complaint by all defendants filed 7/11/12; Commission's opposition filed 7/27/12.  
Order denying preliminary injunction and TRO entered 9/11/12.

***FTC v. TRUDEAU***, No. 12-6 (S. Ct.) Nos. 10-2418, 10-1383, 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: Michael P. Mora (BCP-ENF)



Laureen Kapin  
Elizabeth Tucci  
Sandhya Prabhu  
David O'Toole (MWR)  
John F. Daly (OGC)  
David Sieradzki

**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 finding 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 monetary payment 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 (08-4249) 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.  
Opinion affirming Trudeau contempt finding but vacating and remanding on monetary payment and other relief entered 8/27/09.

Commission's renewed motion to modify stipulated final order for permanent injunction as to defendant Trudeau filed 11/13/09; defendant's response in opposition filed 12/17/09; Commission's reply filed 2/1/10; defendant's sur-reply filed 3/12/10.

Commission's renewed motion for compensatory monetary remedy as to defendant Trudeau filed 11/13/09; defendant's response in opposition filed 12/17/09, supplemented 1/19/10; Commission's reply filed 2/1/10; defendant's sur-reply filed 3/12/10.

Order finding defendant Trudeau in criminal contempt of court entered 2/11/10; modified 2/17/10.

Notice of appeal (10-1383) of criminal contempt order filed 2/17/10.

Order staying payment of fine pending appeal entered 2/24/10.

Trudeau's motion to stay proceedings pending appeal filed 3/9/10; order denying motion entered 3/12/10.

Supplemental order modifying the stipulated order for permanent injunction and awarding monetary relief entered 4/16/10.

Trudeau's motion to amend the supplemental order filed 4/22/10; Commission's response in opposition filed 5/7/10; Trudeau's reply filed 5/21/10; Commission's sur-reply filed 6/1/10.

Commission's motion to amend the supplemental order filed 5/7/10; Trudeau's response filed 5/21/10.

Opinion (10-1383) vacating finding of criminal contempt and remanding for further proceedings entered 5/20/10.

Corrected supplemental order modifying the stipulated order for permanent injunction and awarding monetary relief entered 6/2/10.

Notice of appeal (10-2418) of supplemental and corrected supplemental orders filed 6/11/10.

Trudeau's emergency motion for stay pending appeal filed 6/15/10; Commission's response filed 6/23/10; Trudeau's reply filed 6/28/10; order denying motion filed 7/14/10.

Trudeau's brief filed 7/23/10.

Commission's brief filed 8/23/10.

Oral argument held 9/24/10.

Order by district court denying Trudeau's motion for declaratory judgment regarding scope of performance bond provision in supplemental final order entered 9/27/10.

Court of appeals opinion affirming contempt sanctions and modification of decree, issued 11/29/11.

Trudeau's petition for rehearing *en banc* filed 1/13/12; denied 1/30/12.

Trudeau's petition of certiorari filed 6/28/12; Commission's brief in opposition filed 8/23/12; Trudeau's reply brief filed 9/12/12.

***FTC v. VACATION PROPERTY SERVICES, INC.***, No. 8:11-CV-00595 (M.D. Fla.)

Parties: Vacations Property Services, Inc.  
Vacation Property Sellers Inc. d/b/a Timeshare Experts; Higher Level  
Marketing Inc. d/b/a Vacation Services  
Albert M. Wilson  
David S. Taylor  
Frank M. Perry, Jr.

Assigned Attorneys: William T. Maxson (BCP/MP)  
Dotan Weinman

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

Status: Complaint filed 3/22/11.  
TRO entered 3/23/11.  
Order denying motion for preliminary injunction and dissolving TRO  
as to defendant David Taylor entered 4/21/11.  
Order granting stipulated preliminary injunction as to defendants  
Vacation Property Sellers, Inc. and Frank M. Perry, Jr. entered  
4/21/11.  
Order granting in part and denying in part motion for preliminary  
injunction entered 5/5/11.  
Stipulated final judgment and order for permanent injunction as to  
defendants Frank M. Perry, Jr, Higher Level Marketing, Inc., and  
Vacation Property Sellers, Inc. entered 9/30/11.  
Commission's motion for summary judgment filed 1/6/12.  
Commission's motion for default judgment against Vacation Property  
Services, Inc. filed 1/13/12.  
Order granting motion to approve settlement as to defendant David S.  
Taylor entered 3/15/12  
Stipulated final judgment and order for permanent injunction as to  
defendant David S. Taylor entered 3/20/12.  
Order granting in part Commission's motions for summary and default  
judgment entered 5/21/12.

***FTC v. WASHINGTON DATA RESOURCES, INC.***, Nos. 12-13392, 10-12901, 10-10716, 10-10715 (11th Cir.); No. 8:09-CV-02309 (M.D. Fla.)

Parties: Washington Data Resources, Inc.  
Optimum Business Solutions, LLC  
Crowder Law Group, P.A.  
Richard A. Bishop  
Brent McDaniel  
Tyna Caldwell  
Douglas A. Crowder  
Bruce Meltzer  
Kathleen Lewis, a/k/a Kathy Lewis

Assigned Attorneys: Jonathan L. Kessler (ECR)  
Julie A. Lady  
Michael Milgrom  
Christopher D. Panek  
Harris A. Senturia  
Mark S. Hegedus (OGC)  
Michael D. Bergman

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing and sale of mortgage loan modification and foreclosure relief services.

Status: Complaint filed 11/12/09.  
TRO with asset freeze entered 11/13/09.  
Stipulated preliminary injunction as to defendants Optimum Business Solutions, LLC; Crowder Law Group, P.A.; Tyna Caldwell; Bruce Meltzer; and Kathleen Lewis entered 11/8/09; modified 3/17/10.  
Stipulated preliminary injunction as to defendant Douglas A. Crowder entered 11/23/09; modified 11/25/09.  
Stipulated preliminary injunction as to defendant Brent McDaniel entered 12/4/09.  
Order adopting Magistrate Judge's report and issuing preliminary injunction as to defendant Richard A. Bishop entered 12/14/09.  
Order granting in part and denying in part defendant Brent Mc Daniel's motion to modify asset freeze and denying Richard A. Bishop's emergency motion to modify or dissolve asset freeze entered 1/15/10.  
Notices of appeal (10-10715, 10-10716) by defendant Richard A. Bishop filed 2/12/10.  
Order dismissing appeal (10-10716) of denial of asset freeze motion for lack of jurisdiction entered 4/13/10.  
Richard A. Bishop's renewed motion to modify asset freeze filed 4/30/10; Commission's opposition filed 5/14/10; reply filed 5/26/10.  
Order denying renewed motion to modify asset freeze entered 6/15/10.

Notice of appeal (10-12091) by Richard A. Bishop filed 6/22/10.  
Bishop's appellate brief filed 8/23/10.  
Commission's answering brief filed 9/27/10.  
Bishop's reply brief filed 10/21/10.  
Commission's proposed stipulated final judgment and order as to defendants Crowder Law Group, P.A. filed 11/19/10.  
Commission's proposed stipulated final judgment and order as to defendants Kathleen Lewis and Optimum Business Solutions, LLC filed 11/19/10.  
Defendants' motions for summary judgment denied 3/25/11.  
Stipulated judgment against defendants Crowder Law Group, P.A., Optimum Business Solutions, LLC, Bruce Meltzer, and Kathleen Lewis entered 3/28/11.  
Oral argument held 4/14/11.  
Opinion upholding preliminary injunction against defendant Richard Bishop but vacating asset freeze issued 4/25/11.  
Commission's motion to modify preliminary injunction as to Richard Bishop filed 5/20/11; response filed 6/03/11.  
Order granting motion in part and denying motion in part entered 8/12/11.  
Permanent injunction and judgment against Douglas A. Crowder entered 9/29/11.  
Trial held on 10/3-11/11.  
Order in favor of Commission entered 4/23/12.  
Order for permanent injunction against Richard Bishop, Brent McDaniel and Tyna Caldwell entered 6/8/12.  
Judgment in favor of the Commission against Washington Data Resources, Inc., Brent McDaniel, Richard A. Bishop, and Tyna Caldwell entered 6/20/12.  
Notice of appeal filed 6/22/12.  
Appellant's opening brief filed 8/13/12; Commission's response brief due 10/3/12.

**FTC v. WATSON PHARMACEUTICALS, INC.**, No. 10-12729 (11th Cir.); 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  
Cynthia A. Liebes (SER)  
Mark S. Hegedus (OGC)

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.  
Commission's motion to stay proceeding filed 6/15/09; defendants' opposition filed 6/17/09; Commission's reply filed 7/6/09; order denying motion entered 7/17/09.  
Defendants' motions to dismiss second amended complaint filed 7/20/09; Commission's opposition filed 8/21/09; defendants' replies filed 9/11/09.  
Order granting motion to dismiss Commission's second amended complaint entered 2/22/10.  
Judgment dismissing Commission's claims with prejudice entered 4/21/10  
Notice of appeal filed 6/10/10.  
Commission's opening brief filed 7/26/10.  
Defendants' answering brief filed 11/10/10.  
Commission's reply brief filed 12/15/10.  
Oral argument held 5/13/11.  
Opinion affirming district court issued on 4/25/12.  
Commission's petition for rehearing *en banc* filed 6/11/12.  
Order denying petition for rehearing *en banc* entered 7/18/12.

**FTC v. WELLNESS SUPPORT NETWORK, INC.,** No. 3:10-CV-04879 (N.D. Cal.)

Parties: Wellness Support Network, Inc.  
Robert Held  
Robyn Held

Assigned Attorneys: Laura Fremont (WRSF)  
Kenneth Hatheway Abbe

Alleged Conduct: Deceptive acts and practices in violation of Sections 5 and 12 of the FTC Act in connection with the marketing and sale of dietary supplements for the treatment of diabetes.

Status: Complaint filed 10/28/10.  
Defendants' motion to dismiss filed 12/29/10; memorandum in opposition filed 1/14/11; reply to opposition filed 1/21/11; order granting in part and denying in part motion entered, 4/4/11.  
Amended complaint filed 4/29/11.  
Defendants' motion to dismiss first amended complaint filed 6/8/11, Commission's opposition filed 6/29/11; reply filed 7/8/11.  
Order denying motion to dismiss entered 9/12/11.

**FTC v. WILLMS,** No. 2:11-CV-00828 (W.D. Wash)

Parties: Jesse Willms  
Peter Graver  
Adam Sechrist  
Brett Callister  
Carey Milne  
1021018 Alberta Ltd. d/b/a Just think Media  
1016363 Alberta Ltd. d/b/a edirect software  
1524948 Alberta Ltd. d/b/a terra Marketing Group  
Circle Media Bids Limited d/b/a Swipebids.com  
CoastWest Holdings Limited  
Elizabeth Graver  
Farend Service Ltd.  
JDW Media LLC  
Mobile Web Media LLC  
NetSoft Media LLC  
Sphere Media LLC d/b/a SwipeBids.com  
True Net LLC d/b/a selloffauctions.com

Assigned Attorneys: Julie K. Mayer (NWR)  
Kathryn C. Decker  
Nadine Samter

Eleanor Durham

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5 in connection with the advertising, marketing and sale of variety of teeth whiteners, quick weight loss products and work from home schemes.

**Status:** Complaint filed 5/16/11.  
Amended complaint filed 9/2/11.  
Preliminary injunction entered 9/13/11.  
Joint notice of settlement filed 11/30/11.  
Stipulated final judgment and order for permanent injunction and monetary relief entered 3/6/12.  
Order modifying final judgment and order entered 6/26/12.

***FTC v. WYNDHAM WORLDWIDE CORP.***, No. 2:12-CV-01365 (D. Ariz.)

**Parties:** Wyndham Worldwide Corp.  
Wyndham Hotel Group, LLC  
Wyndham Hotels Resorts, LLC  
Wyndham Hotel Management Inc.

**Assigned Attorneys:** John A. Krebs (BCP/DPIP)  
Katherine E. McCarron  
Kevin H. Moriarty  
Kristin K. Cohen  
Lisa N.W. Schifferle

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with failing to maintain reasonable of appropriate data security of consumer for consumers sensitive information.

**Status:** Complaint filed 6/26/12.  
Defendants' motion to dismiss filed 8/27/12.

***FTC v. YELLOW PAGE MARKETING B.V.***, No. 1:11-CV-05035 (N.D. Ill.)

**Parties:** Yellow Page Marketing B.V., d/b/a Yellow Page B.V. and Yellow Page (Netherlands) B.V.  
Yellow Publishing Ltd.  
Yellow Data Services Ltd.  
Jan Marks

**Assigned Attorneys:** Rozina Cynthia Bhimani (MWR)  
Matthew H. Wernz



**Alleged Conduct:** Deceptive acts and practices in violation of Section 5 of the FTC Act involving a campaign to induce small business and nonprofit organizations in the United States and elsewhere to pay for unordered listings in an internet directory.

**Status:** Complaint filed 7/26/11.  
Ex parte TRO with asset freeze entered 7/26/11.  
Preliminary injunction as to defendants Yellow Page Marketing B.V., Yellow Publishing Ltd., and Yellow Data Services Ltd. entered 8/9/11.  
Commission's motion for default against defendants Yellow Page Marketing B.V., Yellow Data Services LTD., and Yellow Publishing LTD. filed 12/05/11; granted 12/13/11.

***FTC v. YOUR BABY CAN LLC***, 3:12-CV-02114 (S.D. Cal.)

**Parties:** Your Baby Can LLC  
Hugh Penton, Jr.  
Robert Titzer

**Assigned Attorneys:** Robin Spector (BCP/AP)  
Rosemary Rosso

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the sale, marketing and promotion of Your Baby Can Read! products.

**Status:** Complaint filed 8/27/12.  
Final order granting permanent injunction and other equitable relief against all defendants entered 9/12/12.

***FTC v. ZEAL IT SOLUTIONS PVT LTD.***, No. 1:12-CV-07188 (S.D.N.Y.)

Parties: Zeal IT Solutions Pvt Ltd.  
Khishore Gosh

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Christine M. Torado  
Colleen Brennan Robbins  
Kelly Ann Horne

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and Telemarketing and Consumer Fraud Abuse Protection Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.

**CIVIL PENALTY AND ENFORCEMENT CASES\*\*\*\***

**(A) Consumer Protection**

***UNITED STATES v. ANDREW TORREGROSSA & SONS, INC.***, No. 1:12-CV-03198 (E.D. N.Y.)

Parties: Andrew Torregrossa & Sons, Inc.  
Andrew L. Torregrossa  
John L. Torregrossa

Assigned Attorneys: Richard K. Hayes (AUSA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and Funeral Rule in connection with providing funeral goods and services.

Status: Complaint filed 6/27/12.  
Consent order entered 8/29/12.

***UNITED STATES v. B.K. HENRY FUNERAL CHAPEL, INC.***, No. 1:11-CV-01258 (D.D.C.)

Parties: B.K. Henry Funeral Chapel, Inc.  
Brian K. Henry  
Lisa Henry

Assigned Attorneys: Cindy Cho (DOJ/CPB)

Alleged Conduct: Violations of the Funeral Rule by failing to provide written casket pricing list for customers who inquire in person.

Status: Complaint filed 7/12/11.  
Answer to complaint with jury demand filed 9/26/11.  
Consent decree entered 7/31/12.

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

**UNITED STATES v. BUSINESS RECOVERY SERVICES, LLC**, No. 11-17677 (9th Cir.), No. 2:11-CV-00390 (D. Ariz.)

Parties: Business Recovery Services, LLC  
Brian Hessler

Assigned Attorneys: Jessica R. Gunder (DOJ/CPB)

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 3/1/11.  
Answer to complaint filed 3/28/11; amended answer filed 6/19/12.  
Order granting preliminary injunction entered 4/15/11.  
Order denying defendants' motion to modify preliminary injunction, entered 10/17/11.  
Notice of appeal from order denying motion to modify preliminary injunction filed 11/5/11; appellant's brief filed 12/5/11; United States' brief filed 1/17/12.  
Defendants' motion to dismiss filed 1/16/12; United States' response filed 2/1/12; reply filed 2/13/12; order denying motion entered 4/10/12.  
Appeal argued 6/15/12.  
Court of appeals per curiam affirmance issued 6/20/12.

**UNITED STATES v. CARTER**, No. 1:11-CV-04801 (N.D. Ill.)

Parties: Harry J. Carter, III, individually, and d/b/a Carter Funeral Chapels, Ltd.

Assigned Attorneys: Adrienne Fowler (DOJ/CPB)  
LaShonda Hunt (AUSA)

Alleged Conduct: Violation of the Funeral Rule by failing to provide a printed general price list.

Status: Complaint filed 7/15/11.  
Defendants' answer to complaint filed 2/8/12.  
Joint motion for consent judgement filed 9/19/12.

**UNITED STATES v. COX**, No. 8:11-CV-01910 (C.D. Cal.)

Parties: Roy M. Cox, Jr.  
Capital Solutions Group, S.A. and its foreign affiliate  
Transfers Argentina, S.A. and its foreign affiliate  
Public Service and its foreign affiliate  
Marketing Strategy Group and its foreign affiliate  
Castle Rock Capital Management Inc. and its foreign affiliate  
Castle Rock Capital Management, S.A. and its foreign affiliate  
Capital Solutions Group, S.A. and its foreign affiliate

Assigned Attorneys: Carol Lyn Wallack (DOJ/CPB)  
Matthew Samuel Ebert

Alleged Conduct: Deceptive acts and practice in violation of Section 5 and the  
Telemarketing Sales Rule in connection with telephone calls made to  
person's on the National Do Not Call Registry.

Status: Complaint filed 12/12/11.

**UNITED STATES v. DANIEL CHAPTER ONE**, No. 10-5370 (D.C. Cir.); No. 1:10-CV-01362  
(D.D.C.)

Parties: Daniel Chapter One  
James Feijo

Assigned Attorneys: Laura DeMartino (BCP/ENF)  
Kristin M. Williams  
Jessica R. Grunder (DOJ/CPB)

Alleged Conduct: Violation of an FTC final cease and desist order in connection with  
defendants' continued deceptive advertising, promotion, and sale of "cancer-  
cure" products and failure to send required notification to prior purchasers of  
such products.

Status: Complaint filed 8/13/10.  
United States' motion for preliminary injunction filed 8/25/10.  
Defendants' motion to dismiss filed 9/1/10.  
Order denying United States' and defendants' motions, and staying case  
pending resolution of defendants' appeal of the Commission's cease  
and desist order entered 9/14/10.  
Notice of appeal by United States filed 11/12/10. United State's motion to  
dismiss appeal voluntarily by United States filed 1/3/11.  
Stay lifted 3/7/11.

United States' motion for preliminary injunction filed 3/11/11; opposition filed 3/25/11; reply filed 4/1/11.  
Defendants' motion for stay filed 3/25/11; opposition filed 4/1/11; reply filed 4/8/11; motion denied 5/10/11.  
Order granting United States' motion for preliminary injunction entered 6/22/11.  
United States' motion for order to show cause why Daniel Chapter One, James Feijo, and Patricia Feijo should not be held in contempt of 6/22/11 order filed 7/29/11.  
United States' motion for summary judgment on liability filed 9/30/11; opposition filed 10/21/11; reply filed 11/30/11.  
Order finding defendants in contempt entered 5/9/12; contempt purged and order vacated 5/24/12.  
Summary judgment in favor of the United States entered 9/24/12.

***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/CPB)  
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.  
Defendant's motion to dismiss filed 5/21/09; plaintiff's response in opposition filed 7/17/09; defendant's reply filed 7/27/09; plaintiff's sur-reply filed 9/11/09.  
Order denying motion to dismiss entered 11/21/09.  
Defendant's motion for reconsideration or interlocutory appeal filed 11/19/09; plaintiff's response filed 12/22/09; order denying motion entered 2/4/10.  
Memorandum in opposition to motion/petition filed 5/21/10.  
Motion to compel 7/30/10; memorandum in opposition to motion 8/16/10; memorandum in support of motion filed 9/24/10; order on motion to compel entered, 12/9/10.  
Appeal of magistrate judge decision to district court filed 12/29/10.  
Defendants' motion to stay action under doctrine of primary jurisdiction filed 12/21/10; opposition filed 1/12/11.

Order directing the parties to file an administrative complaint with the  
FCC, to obtain its interpretation of statutory language, entered  
2/4/11.  
Trial set for 6/4/13.

***UNITED STATES v. FEATURE FILMS FOR FAMILIES, INC.***, No.2:12-CV-00811 (D. Ut.)  
No. 4:11-CV-00197 (N.D. Fla.)

Parties: Feature Films for Families, Inc.  
Corporations for Character LC  
Family of Utah, Inc.  
Forrest Sandusky Baker, III

Assigned Attorneys: Peter G. Fisher (AUSA)  
Daniel M. Bacza (DOJ/CPB)  
Michael Tankersley (BCP)  
Arturo DeCastro

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing  
Sales Rule in connection with telemarketing to induce the purchase of goods  
or services, and to induce charitable contributions, telemarketing calls to  
consumers on the “Do-Not-Call” list.

Status: Complaint filed 5/5/11.  
Defendants’ motion to dismiss for failure to state a claim and for improper  
venue filed 7/25/11; United States’ memo in opposition filed  
8/8/11; order denying motion entered 10/25/11.  
Defendants’ counterclaim against the United States filed 11/14/11.  
United States’ motion to dismiss counterclaims for lack of jurisdiction  
filed 12/21/11; response in opposition filed 1/09/12; motion denied  
5/19/12.  
Case transferred to the District of Utah 8/20/12.

***UNITED STATES v. GOOGLE, INC.***, No. 2:2012-CV-04177 (N.D. Cal.)

Parties: Google, Inc.

Assigned Attorneys: Adrienne Louise Fowler (AUSA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in  
connection with tracking consumers.

Status: Complaint filed 8/8/12.  
Proposed stipulated final order filed 8/9/12.

Motion by Consumer Watchdog for leave to file an amicus brief filed 8/21/12; granted 8/28/12.  
Brief of amicus Consumer Watchdog opposing entry of stipulated order, filed 9/21/12.  
Response by United States to brief of amicus curiae filed 9/29/12.

***UNITED STATES v. HARRISON FUNERAL HOME***, No. 7:12-CV-03733 (S.D.N.Y.)

Parties: Harrison Funeral Home  
John Balsamo

Assigned Attorneys: Natalie N. Kuehler (AUSA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and Funeral Rule in connection with providing funeral goods and services.

Status: Complaint filed 5/10/12.

***UNITED STATES v. HIRERIGHT SOLUTIONS, INC.***, No. 1:12-CV-01313 (D.D.C.)

Parties: HireRight Solutions, Inc.

Assigned Attorneys: Alan Phelps (DOJ/CPB)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the Fair Credit Reporting Act in connection with the sale of credit and background reports.

Status: Complaint filed 8/8/12.  
Final order for permanent injunction and other equitable relief entered 8/29/12.

***UNITED STATES v. JASON PHARMACEUTICALS, INC.***, No. 1:12-CV-01476 (D.D.C.)

Parties: Jason Pharmaceuticals, Inc.

Assigned Attorneys: Alan Phelps (DOJ/CPB)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the advertising, marketing, and sale of weight loss products.

Status: Complaint filed 9/7/12.



**UNITED STATES v. RMCN CREDIT SERVICES, INC.,** No. 4:11-CV-00650 (E.D. Tex.)

Parties: RMCN Credit Services, Inc.  
Doug Parker  
Julie Parker

Assigned Attorneys: Philip Martin Toomjian (DOJ/CPB)  
J. Kevin McClendon (AUSA)

Alleged Conduct: Deceptive acts and practices in violation of the Credit Repair Organization Act in connection with advertising and sale of credit repair services.

Status: Complaint filed 10/12/11.  
Defendants' motion to dismiss filed 12/12/11; United States' opposition filed 1/23/12.  
Order denying motion to dismiss filed 9/30/12.

**UNITED STATES v. SONKEI COMMUNICATIONS INC.,** No. 8:11-CV-01777 (C.D. Cal.)

Parties: Sonkei Communications Inc., d/b/a Sonkie and Sonkie One  
Peter J. Turpel  
Joseph Turpel

Assigned Attorneys: Sondra L. Mills (DOJ/CPB)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in making telemarketing calls to telephone numbers on the Do Not Call Registry

Status: Complaint filed 11/17/11; answer to complaint filed 1/12/12.  
Trial scheduled for 2/13/12.

**UNITED STATES v. SPOKEO, INC.,** No. 2:12-CV-05001 (C.D. Cal.)

Parties: Spokeo, Inc.

Assigned Attorneys: Wendy L. Weiss (AUSA)  
Alan Phelps (DOJ/CPB)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the Fair Credit Reporting Act in connection with furnishing credit reports.

Status: Complaint filed 6/7/12.  
Consent decree and order for civil penalties, permanent injunction, and other relief entered 6/19/12.

**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/CPB)  
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; vacated 2/10/10.  
United States' motion for summary judgment filed 12/17/10.  
Judgment against Edward Sumpolec entered 9/12/11.  
United States' motion for permanent injunction and civil penalties filed 10/11/11; defendant's response filed 12/09/11; hearing held 7/27/12.

**(B) Competition**

**UNITED STATES v. BIGLARI HOLDINGS, INC.**, No. 1:12-CV-01586 (D.D.C)

Parties: Biglari Holdings Inc.

Assigned Attorneys: Kenneth Libby (BC/ENF)

Alleged Conduct: Violations of the notice and waiting requirements of the Hart-Scott-Rodinio Act.

Status: Complaint filed 9/25/12.  
Plaintiff's motion for entry of stipulated final order filed 9/25/12.

**SUBPOENA AND CID ENFORCEMENT PROCEEDINGS**

***FTC v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.***, No. 1:09-MC-00564  
(D.D.C.)

Parties: Boehringer Ingelheim Pharmaceuticals, Inc.

Assigned Attorneys: Imad D. Abyad (OGC)  
Robert B. Mahini  
Leslie R. Melman  
David C. Shonka

Alleged Conduct: Petition for an order to enforce a subpoena.

Status: Petition filed 10/23/09.  
Order to show cause entered 12/4/09.  
Matter transferred to magistrate judge 12/1/10.  
Status conference held on 10/24/11.  
Hearing on merits held 12/09/11.  
Order denying Commission's petition as to financial analysis documents and  
ordering Boehringer to redact and produce the remaining records  
entered 9/27/12.

***FTC v. LABMD, INC.***, No. 1:12-CV-03005 (N.D. Ga.)

Parties: LabMD, Inc.  
Michael J. Daugherty

Assigned Attorneys: Burke Kappler (OGC)  
Bradley Grossman

Alleged Conduct: Petition for an order to enforce a CID.

Status: Petition filed 8/29/12.  
Order to show cause entered 9/5/12.  
Hearing held 9/19/12.  
Commission's supplemental memorandum of law filed 9/24/12.

## SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

***BASIC RESEARCH v. FTC***, No. 2:09-CV-00779 (D. Utah)

Parties: Basic Research  
A.G. Waterhouse  
Sovage Dermalogic Laboratories  
Carter-Reed Company, LLC  
Dynakor Pharmacal  
Dennis Gay  
Mitchell K. Friedlander

Assigned Attorneys: Mark Hegedus (OGC)  
Drake Cutini (DOJ/CPB)  
Jeannette Swent (AUSA)

Nature of Action: Declaratory judgment action claiming violations of plaintiffs' free speech and due process constitutional rights in connection with advertising for weight loss products.

Status: Complaint filed 8/31/09.  
Motion to dismiss complaint filed 10/30/09; plaintiffs' response in opposition filed 12/23/09; Commission's reply filed 1/22/10; plaintiffs' sur-reply filed 4/1/10.  
Plaintiffs' motion to consolidate case with *United States v. Basic Research, L.L.C.*, No. 2:09-CV-00972 (D. Utah) filed 11/6/09; Commission's response in opposition filed 11/23/09; plaintiffs' reply filed 12/14/09.  
Oral argument on pending motions held 5/6/10.  
Memorandum decision denying motion to dismiss complaint and granting motion to consolidate case with *United States v. Basic Research, L.L.C.*, No. 2:09-CV-00972 entered 5/23/11.  
Plaintiffs' motion for partial summary judgment filed 8/27/11;  
Commission's opposition filed on 9/28/11; reply filed 11/01/11.  
Commission's motion for partial summary judgment filed 5/24/12; hearing on motion held 5/31/12.  
Order granting Commission's motion for partial summary judgment entered 6/1/12.  
Defendants' motion for summary judgment filed 9/12/12.

***CARTER, FULLERTON & HAYES, LLC v. FTC***, No. 1:12-CV-00448 (E.D.Va.)

Parties: Carter, Fullerton, & Hayes LLC

Assigned Attorneys: Stephen Obermeir (AUSA)  
David Sieradzki (OGC)  
Dione Stearns

Nature of Action: Action alleging violation of the Freedom of Information Act.

Status: Complaint filed 4/24/12; Commission's answer filed 6/4/12.  
Commission's motion for summary judgment filed 8/2/12; Carter's  
opposition filed 9/27/12.

***CAUSE OF ACTION v. FTC***, No. 1:12-CV-00850 (D.D.C.)

Parties: Cause of Action

Assigned Attorneys: Mitchell Zeff (AUSA)  
Michael Bergman (OGC)  
Dione Stearns

Nature of Action: Action alleging violation of the Freedom of Information Act.

Status: Complaint filed 5/25/12.  
Commission's motion for summary judgment filed 9/28/12.

***CAUSEY v. PORTFOLIO ACQUISITIONS, LLC***, No. 2:10-CV-02781 (E.D. Cal.)

Parties: Jeanine Causey, a/k/a Jeanine Boyd (Plaintiff)  
Robert Causey (Plaintiff)  
Portfolio Acquisitions, LLC (Defendant)  
NCC (Defendant)  
OSI Collect Services, Inc (Defendant)  
NCO Funding, Inc (Defendant)  
Citigroup, Inc. (Defendant)  
JP Morgan Chase & Co. (Defendant)  
Federal Trade Commission (Defendant)  
State of California Department of Consumer Affairs (Defendant)  
NCO Group (Defendant)

Assigned Attorneys: Bobbie Montoya (AUSA)  
John Singer (OGC)

Nature of Action: Action for damages and declaratory relief for violations of the Fair Debt Collect Practices Act.

Status: Complaint filed 8/27/10.  
Commission's motion to dismiss filed 3/20/12; statement of non-opposition to Commission's motion by Jeanine and Robert Causey filed 4/11/12.  
Order dismissing the case with prejudice entered 9/27/12.

***DINGLER v. EQUIFAX***, No. 3:12-CV-00455 (N.D. Tex.)

Parties: Joseph Dinger (Plaintiff)  
Equifax (Defendant)  
Experian (Defendant)  
Transunion (Defendant)  
Federal Trade Commission (Defendant)

Assigned Attorneys: Burke Kappler (OGC)

Nature of Action: Action for declaratory and injunctive relief under the Fair Credit Reporting Act.

Status: Complaint filed 2/13/12.  
Amended complaint filed 4/27/12.

***HI-TECH PHARMACEUTICALS v. FTC***, No. 1:12-CV-02043 (N.D. Ga.)

Parties: Hi-Tech Pharmaceuticals (Plaintiff)

Assigned Attorneys: Drake Cutini (DOJ/CPB)  
Robert Duvall (AUSA)  
David Sieraszki (OGC)

Nature of Action: Action for declaratory relief to enjoin agency's contempt action against Hi-Tech Pharmaceuticals.

Status: Complaint filed 6/13/12.  
Commission's motion to dismiss filed 9/24/12.

**MODERN IMAGING SOLUTIONS, INC. v. UNITED STATES**, No.1:11-CV-0071; 1:11-CV-00344 (Fed. Cl.)

Party: Modern Imaging Solutions, Inc.

Assigned Attorneys: Michele Arington (OGC)  
Daniel B. Volk (DOJ/CLB)

Nature of Action: Action for breach of contract in connection with agency's non-payment for unauthorized purchases by FTC employee.

Status: Complaint filed 5/31/11.  
Order granting plaintiff's motion to voluntarily dismiss complaint without prejudice entered 8/9/11.  
Complaint refiled 10/26/11.  
United States' motion to dismiss filed 12/27/11; plaintiff's opposition filed 2/23/12; United States' reply filed 3/12/12; order denying motion to dismiss entered 8/16/12.

**NAT'L AUTOMOBILE DEALERS ASS'N v. FTC**, No. 12-5191 (D.C. Cir.); 1:11-CV-01711 (D. D.C.)

Parties: National Automobile Dealers Association

Assigned Attorney's: David Sieradzki (OGC)  
Drake Cutini (DOJ/CPB)

Nature of Action: Action for injunction and declaratory relief with respect to the FTC's rules implementing credit score disclosure requirements of the Dodd-Frank Act.

Status: Complaint filed 9/22/11.  
Plaintiff's motion for summary judgment filed 12/16/11.  
Commission's motion to dismiss filed 12/21/11; opposition filed 2/17/12; reply filed 3/23/12.  
Order denying plaintiff's motion for summary judgment and dismissing case entered 5/22/12.  
Notice of appeal filed 6/15/12.  
Appellant's brief due 10/24/12; Commission's brief due 11/23/12.

***NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS v. FTC***, No. 11-1679  
(4th Cir.), No. 5:11-CV-0049 (E.D.N.C.)

Party: North Carolina State Board of Dental Examiners

Assigned Attorneys: Melissa Westman-Cherry (BC)  
Imad D. Abyad (OGC)

Nature of Action: Action for declaratory and injunctive relief with respect to pending Commission adjudicative proceeding.

Status: Complaint filed 2/1/11.  
Motion for TRO filed 2/2/11.  
Response in opposition to motion filed 2/7/11.  
Order denying TRO entered 2/9/11.  
Motion to dismiss filed 2/28/11; opposition filed 3/24/11; reply filed 4/7/11.  
Order granting motion to dismiss entered 5/3/11.  
Notice of appeal filed 6/27/11.  
Appellant's brief filed 10/6/11; Commission's brief filed 11/28/11;  
Appellant's reply brief filed 12/15/11.  
Oral argument scheduled for 12/5/12.

***POM WONDERFUL, LLC v. FTC***, No. 1:10-CV-01539 (D.D.C.)

Parties: POM Wonderful, LLC

Assigned Attorneys: David L. Sieradzki (OGC)  
Drake S. Cutini (DOJ/CPB)

Nature of Action: Declaratory judgment action claiming violation of the FTC Act, the Administrative Procedure Act, and plaintiff's First and Fifth Amendment rights in connection with Commission's application of substantiation standard to POM.

Status: Complaint filed 9/13/10.  
Commission's motion to dismiss filed 11/16/10; POM Wonderful's opposition filed 1/13/11; Commission's reply filed 1/24/11.  
Order granting motion to dismiss entered 9/30/12.



***TRUDEAU v. FTC***, No. 1:12-CV-00574 (N.D. Ill.)

Parties: Kevin Trudeau

Assigned Attorneys: David Sieradzki (OGC)  
Abigail L. Peluso (AUSA)

Nature of Action: Petition to enjoin the FTC from improperly withholding certain agency records under the Freedom of Information Act (FOIA).

Status: Complaint filed 1/26/12; amended 1/30/12.  
Answer to amended complaint filed 3/6/12.  
Commission's motion to dismiss complaint filed 6/20/12.  
Order dismissing complaint with prejudice entered 6/21/12.

**AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS**

***AURARIA STUDENT HOUSING v. CAMPUS VILLAGE APARTMENTS LLC***, No.11-1569  
(10th Cir.)

Assigned Attorneys: John F. Daly (OGC)  
Michael Bergman  
Robert B. Nicholson (DOJ/AD)  
Nickolai Levin

Nature of Action: Private action involving whether dismissal of an antitrust claim under the state action doctrine is immediately appealable under the collateral order doctrine.

Status: Brief of the United States and FTC as amici curiae in support of appellee filed 4/13/12.  
Oral argument held 9/20/12.

***IN RE EFFEXOR XR ANTITRUST LITIGATION***, No. 3:11-CV-05479 (D. N.J.)

Assigned Attorney: Jamie R. Towey (BC)  
Timothy J. Slattery  
Melanie J. Brown  
John F. Daly (OGC)

Nature of Action: Private action involving an agreement by a branded company not to launch an authorized generic in competition with a generic company.

Status: Brief of Commission as amicus curiae addressing the significance of the Third Circuit's decision in *In Re K-Dur Litigation* filed 8/13/12.

***IN RE K-DUR ANTITRUST LITIGATION***, Nos. 12-245, 12-265 (S.Ct.) Nos. 10-2077, 10-2078, 10-2079 (3d Cir.)

Assigned Attorney: John F. Daly (OGC)  
Mark S. Hegedus  
Malcolm L. Stewart (DOJ/OSG)

Nature of Action: Private action involving antitrust claims that a drug manufacturer restricted generic drug companies from marketing generic versions of its prescription medication when the manufacturer made settlement agreements with two of the generic companies.

Status: Brief of Commission as amicus curiae in support of plaintiffs/  
appellants filed 5/18/11.  
Oral argument held 12/12/11.  
Opinion reversing the district court entered 7/16/12.  
Petitions for writ of certari filed 8/24/12 and 8/29/12.  
Responses to petitions due 11/5/12.

***KING v. GENERAL INFORMATION SERVICES***, No. 2:10-CV06850 (E.D. Pa.)

Assigned Attorney: John F. Daly (OGC)

Nature of Action: Private action under the Fair Credit Reporting Act.

Status: Brief of the United States, joined by the FTC and Consumer Financial  
Protection Bureau, as intervenor supporting the constitutionality  
of the FCRA, filed 5/3/12.

***MARX v. GENERAL REVENUE CORP.***, No.11-1175 (S.Ct.)

Assigned Attorney: David Sieradzki (OGC)

Nature of Action: Private action under the Fair Debt Collection Practices Act.

Status: Brief of the United States, joined by the FTC and Consumer Financial  
Protection Bureau, in support of the petitioner filed 8/3/12.  
Oral argument scheduled for 11/7/12.

**MINN-CHEM INC., ET. AL., v. AGRIMUM, ET. AL.,** No. 10-1712 (7th Cir.)

Assigned Attorney: John F. Daly (OGC)  
Catherine G. O’Sullivan (DOJ/AD)  
Robert B. Nicholson  
James J. Fredricks  
Nickolai H. Levin  
Kristen C. Limarzi

Nature of Action: Alleged foreign conspiracy to fix the price of potash in violation of Section 1 of the Sherman Act.

Status: Brief of Commission and United States as amici curiae in support of neither part on rehearing en banc filed 1/23/12.  
Appellants’ supplemental brief in response to government’s brief filed 1/26/12.  
Oral argument held 2/8/12.  
Opinion affirming district court entered 6/27/12.  
Extension of time within which to file a petition for certari to 11/24/12 granted 9/13/12.

**MOORE v. VERIZON,** No. 4:09-CV-01823 (N.D. Cal.)

Assigned Attorneys: David Sieradzki (OGC)  
Robin Moore (BCP/Enf)

Nature of Action: Private class action alleging “cramming” of unauthorized charges onto consumer telephone bills.

Status: Brief of the Commission as amicus curaie in opposition to a proposed settlement filed 8/1712.

**MYLAN PHARMACEUTICALS v. SEBELIUS,** No.1:12-CV-00524 (D.D.C.)

Assigned Attorneys: Markus H. Meier (BC)  
Bradley S. Albert

Nature of Action: Private action under the Hatch-Waxman Act, addressing the question whether a branded drug seller can control 180-day generic exclusivity rights.

Status: Brief of Commission as amicus curiae, in support of neither party, filed 4/12/12.  
Motion for dismissal of case with prejudice by plaintiff Mylan Pharmaceuticals filed 7/19/12.

***RITZ CAMERA & IMAGE, LLC v. SCANDISK CORP.***, No. 12-1183 (Fed. Cir.)

Assigned Attorneys: John F. Daly (OGC)  
Michele Arington  
Catherine F. O'Sullivan (DOJ/AD)  
Kristin Limarzi

Nature of Action: Private action under Section 2 of the Sherman Act alleging illegal monopolization of the market for flash drives using patents procured through fraud.

Status: Joint brief of the United States and the Commission as amici curiae in support of appellee Ritz Camera filed 5/22/12.  
Oral argument scheduled for 10/5/12.

***ST. JOSEPH ABBEY, ET. AL. v. PAUL CASTILE, ET. AL.***, No. 11-20756 (5th Cir.); 2:10-CV-2717 (E.D. La.)

Assigned Attorney: John F. Daly (OGC)

Nature of Action: Private action concerning Louisiana's licensing restrictions on retail casket sales and their effect on the Funeral Rule.

Status: Brief of Commission as amicus curiae in support of neither party filed 12/16/11.  
Oral argument held 6/7/12.