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2006 DEC 11 AM 9:43
CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

FILED

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FEDERAL TRADE COMMISSION

Plaintiff,

v.

GLOBAL MARKETING GROUP,
INC.; GLOBAL BUSINESS
SOLUTIONS, LLC; GLOBALPAY,
INC.; GLOBALPAY, LLC;
GLOBALPAY BV; SYNERGY
CONSULTING SERVICES, LLC;
FIRST PROCESSING
CORPORATION; and
IRA N. RUBIN;

Defendants, and

PHOELICIA DANIELS;

Relief Defendant.

Civ. No. 8:06cv2272-T30TGW

**COMPLAINT FOR INJUNCTIVE AND
OTHER EQUITABLE RELIEF**

Plaintiff Federal Trade Commission ("FTC" or "Commission") for its Complaint alleges:

1. The FTC brings this action under Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 53(b) and 57b, and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§

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6101 *et seq.*, to obtain preliminary and permanent injunctive relief, rescission of contracts, restitution, redress, disgorgement, and other equitable relief for Defendants' deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the FTC's Trade Regulation Rule entitled "Telemarketing Sales Rule" ("TSR"). 16 C.F.R. Part 310.

JURISDICTION AND VENUE

2. Subject matter jurisdiction is conferred upon this Court by 15 U.S.C. §§ 45(a), 53(b), 57b, 6102(c), and 6105(b), and 28 U.S.C. §§ 1331, 1337(a), and 1345.
3. Venue in this district is proper under 15 U.S.C. § 53(b) and 28 U.S.C. §§ 1391(b) and (c).

PLAINTIFF

4. Plaintiff, the FTC, is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41 *et seq.* The Commission is charged, *inter alia*, with enforcing Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The Commission also enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive or abusive telemarketing practices.
5. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), authorizes the FTC to initiate federal district court proceedings, in its own name by its designated attorneys, to enjoin violations of any provision of law enforced by the FTC, and to secure such equitable relief as may be appropriate in each case, including redress, restitution and

disgorgement. 15 U.S.C. §§ 53(b), 57b, 6102(c), and 6105(b).

DEFENDANTS

6. Defendant Global Marketing Group, Inc. is a Florida corporation with its principal place of business located in Tampa, Florida. Global Marketing Group was incorporated on October 2, 2001, and does or has done business as “Global Processing” and “Global Processing, Inc.” Global Marketing Group transacts or has transacted business in the Middle District of Florida and throughout the United States.
7. Defendant Global Business Solutions, LLC is a Florida limited liability corporation with its principal place of business located in Tampa, Florida. Global Business Solutions was incorporated on October 2, 2001, and does or has done business as “Global Processing” and “Global Processing, Inc.” Global Business Solutions transacts or has transacted business in the Middle District of Florida and throughout the United States.
8. Defendant Globalpay, Inc. is a Delaware corporation with its principal place of business located in Tampa, Florida. Globalpay, Inc. was incorporated on January 7, 2004, and does business or has done business as “Global Processing” and “Global Processing, Inc.” Globalpay, Inc. transacts or has transacted business in the Middle District of Florida and throughout the United States.
9. Defendant Globalpay, LLC is a Florida corporation with its principal place of business located in Tampa, Florida. Globalpay, LLC was incorporated on January

