

**QUARTERLY FEDERAL COURT
LITIGATION STATUS REPORT**

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

June 30, 2014

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SUMMARY OF CASES

	D. Ct.	Ct. App.*	S. Ct.	Total
PETITIONS FOR REVIEW	0	3	1	4
INJUNCTION AND CONSUMER REDRESS CASES	72	16	1	89
CIVIL PENALTY AND ENFORCEMENT CASES	14	0	0	14
SUBPOENA AND CID ENFORCEMENTS	3	2	0	5
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	12	2	0	14
AMICUS CURIAE BRIEFS	1	11	0	12
TOTALS	103	34	2	139

* 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. 13-534 (S. Ct.);
No. 12-1172 (4th Cir.)

Parties: North Carolina State Board of Dental Examiners

Assigned Attorneys: Imad D. Abyad (OGC)
Brian Fletcher (DOJ/OSG)

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 held 12/5/12.
Opinion holding in the Commission's favor on all issues issued 5/31/13.
Rehearing denied 7/30/13.
Petition for writ of certiorari filed 10/25/13.
Brief of amici curiae in support of petitioner by the North Carolina State Bar,
the North Carolina Board of Law Examiners, the West Virginia State
Bar filed 11/27/13.
Brief of amici curiae in support of petitioner by the American Dental
Association, the American Medical Association et al. filed 11/27/13.
Commission's brief in opposition filed 1/22/14.
Board's reply filed 2/3/14.
Petition for certiorari granted 3/3/14.
Petitioner's brief filed 5/23/14; Commission's brief due 7/30/14.
Argument set for October 14, 2014.

POM WONDERFUL v. FTC, No. 13-1060 (D.C. Cir.)

Parties: POM Wonderful LLC
Roll Global LLC
Stewart A. Resnick
Lynda Rae Resnick
Matthew Tupper

Assigned Attorneys: Imad D. Abyad (OGC)

Nature of Action: Petition for review of final Commission order.

Status: Petition filed 3/8/13.
POM and Tupper's opening briefs filed 8/14/13.
Commission's brief in opposition filed 2/7/14.
POM and Tupper's joint reply brief filed 3/4/14.
Oral argument held 5/2/14.

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 filed 11/14/12.
ProMedica's reply brief filed 12/12/12.
Oral argument held 3/7/13.
ProMedica's petition for rehearing and rehearing en banc filed 6/3/14.

McWANE, Inc. v. FTC, No. 14-11363 (11th Cir.)

Parties: McWane, Inc.

Assigned Attorneys: Jack Metzler (OGC)

Nature of Action: Petition for review of final Commission order.

Status: Petition filed 3/28/14.
McWane opening brief filed 6/27/14; FTC brief due 8/29/14.

(B) Rulemakings

(None Pending)

INJUNCTION AND CONSUMER REDRESS CASES

(A) Preliminary Injunctions (Mergers/Acquisitions)

FTC v. ARDAGH GROUP S.A. ET AL., No. 1:13-CV-1021 (D.D.C)

Parties: Ardagh Group S.A.
Compagnie De Saint-Gobain
Saint Gobain Containers, Inc.

Assigned Attorneys: Edward D. Hassi (BC)
Amanda J. Hamilton
Angelike A. Mina
Brendan J. McNamara
Catherine M. Moscatelli
James E. Abell, III
Sebatian A. Lorigo
Victoria L. Lippincott
David Sieradzki (OGC)

Alleged Conduct: Action for preliminary injunction for violations of Section 5 of the FTC Act and Section 7 of the Clayton Act, to enjoin Ardagh Group S.A.'s impending acquisition of Saint-Gobain Containers from Compagnie de Saint-Gobain.

Status: Sealed complaint and motion for preliminary injunction filed 7/3/13.
Commission's memorandum in support of its motion for preliminary injunction filed under seal 8/29/13; defendants' memorandum in opposition filed 9/18/13.
Stipulated order prohibiting consummation of acquisition until Commission accepts a consent order or completion of administrative action entered 11/8/13.
Stipulation of dismissal with prejudice filed 5/1/14.

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: Imad D. Abyad (OGC)
Leslie R. Melman
Malcolm L. Stewart (DOJ/OSG)
Edward D. Hassi (BC)
Priya Viswanath
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.
Respondents' brief filed 10/1/12.
Commission's reply brief filed 10/31/12.
Oral argument held 11/26/12.
Supreme Court decision reversing Court of Appeals issued 2/19/13.
Court of Appeals remand order issued 5/10/13.
Stipulated preliminary injunction order entered by district court 6/5/13.
Amended complaint against all defendants filed 7/8/13.

(B) Preliminary Injunctions (Other)

(None pending)

(C) Permanent Injunctions/Consumer Redress^{*}

FTC v. 7051620 CANADA, INC., No. 1:14-cv-22132 (S.D. Fla.)

Parties: 7051620 Canada, Inc., d/b/a Nationwide Marketing Bureau, Inc.,
National Business Advertising, National Biz Ads, Yellow Business
Ads
Francois Egberongbe
Robert N. Durham, Sr.

Assigned Attorneys: Anna M. Burns (SERA)
Timothy A. Butler
Steven S. Elg

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 of the FTC Act in
connection with the sale of business directories.

Status: Complaint filed 6/9/14.

FTC v. A+ FINANCIAL CENTER, LLC, Nos. 2:12-CV-14373; 1:13-mc-23727 (S.D. Fla)

Parties: A+ Financial Center, LLC
Accelerated Accounting Services, LLC
Christopher L. Miano
Dana M. Miano

Assigned Attorneys: Bikram Bandy (BCP/MP)
William Maxson

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing
Sales Rule in connection with the sale of phony credit card interest rate
reduction services.

Status: Complaint filed 10/23/12.

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

TRO entered 10/24/12.
Preliminary injunction entered 11/1/12.
Motion for stipulated final judgment filed 7/3/13; hearing held 7/24/13.
Order consolidating case with action to enforce CID against National Processing Co. and Vantiv, *FTC v. National Processing*, No. 1:13-mc-23727, entered 11/5/13.
Order granting Commission's motion to compel compliance with CID entered 12/18/13.

FTC v. A TO Z MARKETING, INC., No. 8:13-cv-00919 (C.D. Cal.)

Parties: A to Z Marketing, Inc.
 Apex Members, LLC
 Apex Solutions, Inc.
 Backend, Inc.
 Expert Processing Center, Inc.
 Smart Funding Corp.
 William D. Goodrich, Atty, Inc.
 Ratan Baid
 Madhulika Baid
 William D Goodrich
 Nationwide Law Center, P.C.
 United States Law Center, P.C.
 Emax Loans, Inc.
 Millennium Law Center, P.C.
 Legal Marketing Group, Inc.
 SC Law Group, P.C.
 Interstate Law Group, LLC
 Backend Services, Inc.
 Top Legal Advocates, P.C.
 Evergreen Law Offices, PLLC
 Amir (Alex) Montazeran
 Business Team LLC (relief defendant)

Assigned Attorneys: Jonathan L Kessler (ECR)
 Maria Del Monaco
 Stacy Rene Procter
 Steven W. Balster

Alleged Conduct: Deceptive acts and practices in violation of Section 5 through the operation of a nationwide scheme regarding mortgage assistance relief services, including loan documentation and transaction services, and loan modification services.

Status: Complaint filed 6/18/13.

TRO entered 6/18/13.
Preliminary injunction against Backend, Inc. entered 7/12/13.
Stipulated preliminary injunction against remaining defendants entered
7/19/13.
Amended complaint adding 11 new defendants and one relief defendant filed
12/16/13.

FTC v. ACQUINITY INTERACTIVE LLC, No. 0:14-cv-60166 (S.D. Fla.), No. 1:13-cv-5380
(N.D. Ill.)

Parties: Acquinity Interactive, LLC
7657030 Canada, Inc.
Gary Jonas
Revenue Path E-Consulting Private
Worldwide Commerce Associates, LLC, d/b/a WCA
Sarita Somani
Firebrand Group, S.L., LLC
Matthew Beucler
Revenuepath Limited

Assigned Attorneys: Steven M. Wernikoff (MWR)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and
the Telemarketing Sales Rule, in connection with advertising purportedly
free merchandise through unsolicited text messages and robocalls.

Status: Complaint filed 7/29/13.
Motion by Acquinity Interactive to transfer venue to the Southern District of
Florida filed 9/30/13; Commission's response filed 11/7/13;
defendant's reply filed 11/21/13.
Defendant's motion to transfer venue granted 1/6/14.

FTC v. ACTAVIS, INC. (formerly WATSON PHARMACEUTICALS, INC.), No. 12-416 (S. Ct.);
Nos. 12-16488, 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)
Saralisa Brau
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.
Commission's petition for writ of certiorari filed 10/4/12.
Petition granted 12/7/12.
Commission's petition to district court to unseal document filed 12/10/12; motion granted and temporary stay pending appeal entered 12/19/12.
Notice of appeal of order unsealing document by AbbVie Products filed 12/21/12; emergency motion to expedite briefing and stay unsealing order filed 12/26/12; granted 1/10/13.
Commission's Supreme Court merits brief filed 1/22/13.
AbbVie Products' opening brief in 11th Circuit filed 1/31/13; Commission's response filed 2/7/13; AbbVie Products' reply filed 2/19/13.
Respondents' Supreme Court briefs filed 2/21/13.
Commission's Supreme Court reply brief filed 3/18/13.
Oral argument in 11th Circuit held 3/20/13.
11th Circuit opinion affirming district court order lifting seal and dissolving stay filed 3/21/13.
Supreme Court grant of Solicitor General's motion to lift seal on sealed

volume of joint appendix entered 3/22/13.
Supreme Court oral argument held 3/25/13.
Supreme Court decision in favor of the FTC, reversing the
Eleventh Circuit Court of Appeals and remanding the case for further
proceedings consistent with its opinion entered 6/17/13.
Eleventh Circuit order vacating the district court judgment and remanding the
case to the district court entered 9/9/13.
Order making Eleventh Circuit's mandate the judgment of the district court
entered 11/15/13.
Motion to dismiss for failure to state a claim filed 1/15/14; Commission's
opposition filed 2/14/14; defendant's reply brief filed 3/3/14.
Order denying motion to dismiss entered 4/21/14.

FTC v. ADVERT MARKETING, No. 4:13-CV-00590 (S.D. Tex.)

Parties: Advert Marketing, Inc.
Scott A. Dalrymple
Robert Jerrold Wence

Assigned Attorneys: Eliseo Noel Padilla (SWR)
James E. Elliott

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing
Sales Rule in connection with text message spam sent to consumers
regarding purportedly free merchandise and gift cards.

Status: Complaint filed 3/5/13.
Preliminary injunction entered 3/18/13.
Commission's motion for summary judgment filed 3/3/14.
Stipulated final order entered 6/9/14.

FTC v. AFD ADVISORS, LLC, No. 1:13-cv-6420 (N.D. Ill.)

Parties: AMG Associates, LLC, d/b/a AMG Medical, d/b/a AMG Medical Associates
Park 295 Corp.
Cal Consulting, LLC, d/b/a Clinacall
9262-2182 Quebec Inc.
9210-7838 Quebec Inc.
Aaron F. Dupont
Charles A. Lamborn, III
Stephane Scebbba
Fawaz Sebai, a.k.a. Frank Sebag
AFD Advisors, LLC, d/b/a AFD Medical Advisors

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

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule, in connection with marketing and selling a medical discount plan primarily to elderly and infirm customers.

Status: Complaint filed 9/9/13.
Order granting TRO and asset freeze entered 9/10/13.
Stipulated preliminary injunction with asset freeze as to defendant Aaron Dupont entered 9/19/13.
Preliminary injunction with asset freeze and other equitable relief as to Defendants AFD Advisors, LLC; AMG Associates, LLC; Park 295 Corp.; Cal Consulting, LLC; 9262-2182 Quebec Inc.; 9210-7838 Quebec Inc.; and Charles A. Lamborn, III entered 10/3/13.
Stipulated preliminary injunction with asset freeze and other equitable relief as to defendants Stephane Scebbba and Fawaz Sebai entered 10/3/13.
Motion to dismiss by 9262-2182 Quebec Inc., Stephane Scebbba, 9210-7838 Quebec Inc., and Fawaz Sebai filed 10/24/13; Commission's response filed 11/22/13; defendants' reply filed 12/23/13.
Order denying Defendants 9262-2182 Quebec Inc., Stephane Scebbba, 9210-7838 Quebec Inc., and Fawaz Sebai's motion to dismiss entered 1/24/14.
Commission's motion for entry of default against defendants AFD Advisors, LLC; AMG Associates, LLC, and Park 295 Corp. filed 2/27/14.
Default against AFD Advisors, LLC, AMG Associates, LLC, and Park 295 Corp. entered 3/11/14.

FTC v. ALCOHOLISM CURE CORP., 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)
Serena Viswanathan
Jack Metzler (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.
Final judgment and order for permanent injunctive and other equitable relief entered 7/3/12.
Contempt proceedings filed 3/19/14.

FTC v. AMERICAN BUSINESS BUILDERS LLC, No. 2:12-CV-02368 (D. Ariz.)

Parties: American Business Builders, LLC
ENF LLC, also d/b/a Network Market Solutions
UMS Group LLC
United Merchant Services LLC
Universal Marketing and Training LLC
Unlimited Training Services LLC
Shane Michael Hanna, a/k/a Shane Michael Romeo
Stephen Spratt

Assigned Attorneys: Faye Chen Barnouw (WRLA)
Nicholas Matthew May
Stacy Procter

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Business Opportunity Rule in connection with purported low-cost credit card and other payment processing services for small businesses.

Status: Complaint filed 11/6/12.
TRO entered 11/6/12.
Amended complaint filed 12/14/12.
Preliminary injunction entered 8/29/13.

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, payday 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.
Partial withdrawals of motions to dismiss filed 10/15/12 and 10/16/12.
Stipulated preliminary injunction entered 12/27/12.
Commission's amended motion for partial summary judgment filed 3/7/13; defendants' responses filed 3/25/13.
Motion for legal determination on tribal sovereign immunity by defendants AMG Services, Inc., Red Cedar Services, Inc., SFS, Inc., and Tribal Financial Services filed 4/8/13; cross-motion for legal determination by defendant Troy Little Axe filed 4/10/13; Commission's response filed 4/19/13.
Commission's amended complaint filed 4/12/13.
Report and recommendation by magistrate that Commission's motion for partial summary judgment and defendant's motion for legal determination on tribal sovereign immunity be granted in part and denied in part entered 7/16/13.
Joint motion for permanent injunction and judgment as to defendants AMG Services, SFS, Inc., MNE Services, Inc., AMG Capital Management, LLC, Level 5 MotorSports, LLC, LeadFlash Consulting, LLC, Black Creek Capital Corp., Broadmoor Capital Partners, LLC, Scott A. Tucker, Blaine A. Tucker, Don E. Brady, Robert D. Campbell, and Troy L. Little Axe, Jr. filed 7/18/13.
Motion for summary judgment by Commission filed 9/30/13; Muir defendants' opposition filed 11/29/13; remaining defendants' opposition filed 12/4/13; Commission's reply filed 12/20/13.
Motions for summary judgment by defendants filed 9/30/13; Commission's opposition filed 12/4/13; defendants' reply filed 12/20/13.
Order granting joint motion for permanent injunction and judgment as to defendants AMG Services, SFS, Inc., MNE Services, Inc., AMG Capital Management, LLC, Level 5 MotorSports, LLC, LeadFlash Consulting, LLC, Black Creek Capital Corp., Broadmoor Capital Partners, LLC, Scott A. Tucker, Blaine A. Tucker, Don E. Brady, Robert D. Campbell, and Troy L. Little Axe, Jr. entered 10/8/13.
Report and recommendation by magistrate that Commission's motion for summary judgment be granted in part and denied in part, and that

defendant's motion for summary judgment be denied, entered 1/28/14; defendant's objections filed 2/14/14; Commission's response filed 3/2/14.
Order adopting magistrate's report and recommendations entered 3/7/14.

FTC v. APPLIED MARKETING SCIENCES, LLC, No. 2:13-cv-6794 (C.D. Cal.)

Parties: Applied Marketing Sciences, LLC
Standard Registration Corporation, d/b/a Consolidated Research Authority and CRA
Worldwide Information Systems Inc., d/b/a Specific Monitoring Service, d/b/a Specific Reporting Service, d/b/a Universal Information Services, d/b/a Compendium Sampler Services, d/b/a CSS
Liam O. Moran

Assigned Attorneys: David A. O'Toole (MWR)
Faye C. Barnouw
Joannie T. Wei

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, in connection with a prize promotion scheme.

Status: Complaint filed 9/16/13.
TRO granted 9/16/13.
Stipulated preliminary injunction entered 9/30/13.

FTC v. APPLY KNOWLEDGE, LLC, No. 2:14-cv-0088 (D. Utah)

Parties: Apply Knowledge, LLC, d/b/a Apply Knowledge Institute and Coaching Dept.
Dahm International, LLC
Dominion of Virgo Investments, Inc.
Ecommerce Support, LLC
Essent Media, LLC
Evertex Solutions, LLC
EVI LLC, d/b/a Members Learning Center
Nemrow Consulting, LLC
Novus North, LLC, d/b/a Mymentoring, Yes International, LLC and Your Ecommerce Support International, LLC
Purple Buffalo, LLC, d/b/a NetMarketing
Supplier Source, LLC
365 Dailyfit, LLC, d/b/a Net Training
Vensure International
VI Education, LLC

David Gregory Bevan
Jessica Bjarnson
Phillip Edward Gannuscia
Chad Huntsman
Richard Nemrow
Jeffrey Nicol
Thomas Riskas
Babata Sonnenberg
Ken Sonnenberg

Assigned Attorneys: Collot Guerard (BCP/MP)
Svetlana Gans
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing and Consumer Fraud Abuse and Prevention Act in connection with work-from-home business opportunity scheme.

Status: Complaint filed 2/10/14.
TRO entered 2/11/14.

FTC v. ASSET AND CAPITAL MANAGEMENT GROUP, No. 8:13-cv-1107 (C.D. Cal.)

Parties: Asset and Capital Management Group
Crown Funding Company, LLC
Green Fidelity Allegiance, Inc., d/b/a WRA
SJ Capitol, LLC, d/b/a SCG
Western Capital Group, Inc., d/b/a ERA and LMR
Credit MP, LLC
One FC, LLC
Thai Han
Jim Tran Phelps
Keith Hua
James Novella

Assigned Attorneys: Gregory A. Ashe (BCP/FP)
Michael D. White
Seena D. Gressin
Maricela Segura (WRLA)

Alleged Conduct: Alleged violations of Section 5(a) of the FTC Act and the Fair Debt Collections Practices Act in connection with abusive and deceptive debt collection practices.

Status: Complaint filed 7/22/13.

TRO entered 7/24/13.
Stipulated preliminary injunction entered 8/19/13.
Order granting motion to stay case pending finalization of settlement
agreement entered 12/12/13.
Stipulated final orders entered 5/19/14.

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: Austin A.B. Ownbey (WRSF)
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.
Kirit Patel indicted on 21 counts of mail and wire fraud on 8/23/12
Order granting six-month stay entered 9/17/12.
Orders extending stay entered 3/7/13, 7/8/13, and 11/18/13.
Order extending stay entered 2/7/14.

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 Rob 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 filed 4/1/13.

Reply briefs from defendants Burnlounge, Arnold, and Taylor filed 6/17/13.

Oral argument held 12/6/13.

Opinion affirming district court's judgment entered 6/2/14.

FTC v. CAPRICE MARKETING LLC, No: 1:13-CV-6072 (N.D. Ill.)

Parties: Nuvue Partners LLC
Capital Advance LLC
Loan Assistance Company
ILife Funding LLC
Sean C. Mulrooney
Odafe Stephen Ogaga
Caprice Marketing LLC

Assigned Attorneys: James Davis (MWR)
Elizabeth Coulter Scott
Theresa M. McGrew

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing of payday loans.

Status: Complaint filed 8/27/13.
TRO entered 8/29/13.
Stipulated preliminary injunction with asset freeze entered 9/12/13.

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)
Bradley S. Albert
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.
Notice by Commission of Supreme Court decision in *FTC v. Actavis* filed 6/19/13.
Motion for partial summary judgment by the Commission filed 9/20/13; defendant's opposition filed 11/19/13; Commission's reply filed 12/20/13.
Motion to dismiss for lack of jurisdiction by Cephalon, Inc. filed 9/20/13; Commission's response filed 11/18/13; defendant's response filed 12/20/13.
Motion to join Teva Pharmaceutical Industries Ltd. by Commission filed 12/9/13.

FTC v. COMMERCE PLANET, INC., No. 12-57064 (9th Cir.); 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
Michele Arington (OGC)

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

Appellant filed his reply 1/31/14.

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.

Defendant Charles Gugliuzza's notice of appeal filed 11/13/12.

Appellant's opening brief filed 7/5/13; Commission's answering brief filed 11/18/13; appellant's reply brief filed 1/31/14.

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)

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.
Commission's motion for summary judgment filed 7/23/2013; opposition by John Schwartz and Wendi Tow filed 8/30/13 and 11/7/13; partial oppositions by Rita Brum Werner, Ronald Kent Werner, Jeffrey Burman, Century Senior Services, Guarantee Trust Life Insurance Company, Richard Holson, III, Barbara Taube, Vantage America Solutions, Inc. filed 11/6/13; cross-motions for summary judgment by

Rita Werner, GTL, Vantage, Century, Rick Holson, Jeff Burman, and Barbara Taube filed 9/4/13, 9/5/13 and 9/6/13.
Order granting motion by the Commonwealth of Massachusetts to modify the stipulated order of preliminary injunction entered 12/5/13.

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/FP)
John David Jacobs
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; appellant's reply brief filed 8/8/12.
Order dismissing appeal for failure to pay fees filed 1/11/13.
Kissi's motion to reinstate appeal filed 1/31/13; granted 2/08/13.
Commission's motion to reinstate order dismissing appeal filed 2/20/13; Kissi's opposition filed 3/12/13; motion denied 3/28/13.
Order dismissing appeal for lack of standing entered 12/9/13.
Petition for rehearing filed 12/27/13.
Petition for rehearing denied 4/25/14.

FTC v. CREAM GROUP, INC., No. 2:13-cv-8843 (C.D. Cal.)

Parties: Cream Group, Inc., d/b/a Terra Nova, TNT, Inc., d/b/a CRM, Inc.
Sami Charchian, d/b/a Oro Marketing, d/b/a Modo, d/b/a Modo Industry, d/b/a Oro Max, d/b/a Casa de Oro, d/b/a Casa de Moda, d/b/a Oro Mundo, d/b/a Mation/Modo

John Charchian, a/k/a Djahangir Charchian, a/k/a Jahangir John Charchian
Norma Rae Ramos

Assigned Attorneys: Julie K. Mayer (NWR)
Laura M. Solis
Raymond E. McKown (WRLA)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule, in connection with the sale of purported brand-name merchandise for resale.

Status: Complaint filed 12/3/13.
TRO entered 12/3/13.
Stipulated preliminary injunction entered 1/9/14.
Default by clerk against Cream Group entered 3/18/14.

FTC v. THE CUBAN EXCHANGE, INC., LLC, No. 1:12-CV-05890 (E.D.N.Y.)

Parties: The Cuban Exchange, Inc., also d/b/a CrediSure America and MyiPad.us
Suhaylee Rivera

Assigned Attorneys: Bikram Bandy (BCP/MP)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing Sales Rule in connection with scheme to trick consumers into providing bank account and other personal information by falsely claiming that defendants can speed up refund payments from FTC lawsuits that result in consumer redress.

Status: Complaint filed 11/28/12.
TRO entered 11/30/12.
Preliminary injunction entered 1/7/13.
Commission's petition for entry of default filed 3/1/13.
Default entered 12/4/13.
Motion for default judgment filed 2/6/14; referred to magistrate for ruling 2/14/14.
Magistrate's report recommending granting of motion for default judgment entered 6/25/14.

FTC v. DAYTON FAMILY PRODUCTIONS, INC., No. 13-17448 (9th Cir.); No. 2:97-CV-00750 (D. Nev.)

Parties: Glen E. Burke, d/b/a American Health Associates, LLC

Assigned Attorneys: Reenah L. Kim (BCP/ENF)

Sarah Waldrop
Joel Marcus-Kurn (OGC)
Blaine T. Welsh (AUSA)

Alleged Conduct: Deceptive acts and practices in violation of a 1998 order for permanent injunction in connection with telemarketing, by misrepresenting to consumers that they have won a valuable prize and requiring payment in order to retrieve the alleged prize.

Status: Complaint filed 6/20/97.
Permanent injunction entered 10/1/98.
Motion for contempt and stipulated preliminary injunction filed 1/28/13.
Order granting preliminary injunction entered 3/5/13.
Hearing held 9/5/13.
Order finding civil contempt liability entered 9/27/13.
Notice of appeal filed 11/26/13.
Opening brief due by 3/6/14; answering brief due 4/7/14.
Commission's motion in district court for an indicative ruling and to clarify judgment filed 2/10/14.
Commission's motion in court of appeals to suspend briefing schedule and stay proceeding filed 2/11/14; order by court of appeals staying case entered 2/14/14.
Commission's motion in court of appeals for remand filed 3/4/14; order remanding case entered 3/14/14.

FTC v. DEBTPRO 123, LLC, No. 8:14-cv-0693 (C.D. Cal.)

Parties: Debtpro 123, LLC
Allstar Processing Corp.
Allstar Debt Relief, LLC
Redwave Management Group
BET Companies, Inc.
Bryan E. Taylor, a/k/a B. Edward Taylor
Ryan Foland, a/k/a R Eugene Foland
Stacey Frion
Kara Taylor

Assigned Attorneys: Stacy Rene Procter (WRLA)
Benjamin J. Theisman (BCP/ENF)
Miriam R. Lederer

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act, the Telemarketing Sales Rule, and the Credit Repair Organization Act in relation to advertising and business practices by credit repair

organizations.

Status: Complaint filed 5/2/14.

FTC v. E.M.A. NATIONWIDE, INC., No. 13-4169 (6th Cir.); 1:12-cv-02394 (N.D. Ohio)

Parties: E.M.A. Nationwide, Inc.
New Life Financial Solutions, Inc.
1UC, Inc.
7242701 Canada, Inc.
7242697 Canada, Inc.
7246293 Canada, Inc.
7246421 Canada Inc.
James Benhaim
Daniel Michaels
Phillip Hee Min Kwon
Joseph Shamolian
Nissim N. Ohayon

Assigned Attorneys: Chris Panek (ECR)
Sara DePaul
David L. Sieradzki (OGC)

Alleged Conduct: Deceptive acts in practices in violation of Section 5 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.
Stipulated preliminary injunction as to defendants Benhaim, Michaels, and all corporate defendants entered 10/25/12.
Stipulated preliminary injunction as to defendant Ohayon entered 10/25/12.
Stipulated preliminary injunction as to defendant Shamolian entered 11/20/12.
Stipulated preliminary injunction as to defendant Kwon entered 11/27/12.
Motion to dismiss by defendants Benhaim, Michaels, and corporate defendants filed 12/11/12; Commission's opposition to motion to dismiss filed 1/14/13; reply filed 2/17/13.
Stipulated permanent injunction against defendant Kwon entered 5/14/13.
Renewed motion to stay proceedings by defendants 1UC Inc., 7242701 Canada Inc., 7246293 Canada Inc., 7246421 Canada Inc., E.M.A. Nationwide, Inc., Daniel Michaels, and New Life Financial Solutions, Inc. filed 6/4/13; defendants' motion to delay trial date filed 6/11/13; order denying motion to stay and motion to delay entered 6/12/13.
Commission's motion for an order to show cause why defendant Dan

Michaels should not be held in contempt filed 6/26/13.
Stipulated permanent injunction against defendant Shamolian entered 6/27/13.
Motion for summary judgment as to Dan Michaels, James Benhaim, and the seven corporate defendants, filed 7/8/13.
Order granting motion for summary judgment entered 8/26/13.
Joint stipulated permanent injunction resolving the remaining claims against Nissim Ohayon entered 9/16/13.
Notice of appeal by Daniel Michaels, James Benhaim, and corporate defendants filed 9/24/13.
Opening brief filed 12/11/13; Commission's answering brief filed 2/13/14; appellant's reply brief filed 3/19/14.
Argument held 6/20/14.

FTC v. EMERICA MEDIA CORPORATION, No. 9:13-CV-00003 (D. Mont.)

Parties: Emerica Media Corporation
Global Voice Mail, Ltd.
Network Assurance, Inc.
Techmax Solutions, Inc.
Voice Mail Professionals, Inc.
Steven V. Sann
Terry D. Lane, a/k/a Terry D. Sann
Nathan M. Sann
Robert M. Braach
Bibliologic, Ltd.
American eVoice, Ltd.
FoneRight, Inc.
HearYou2, Inc.
SecuraDat, Inc.

Assigned Attorneys: Kathryn Decker (NWR)
Richard McKewen

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with recurring charges on consumers' monthly telephone bills for telecommunications services that consumers neither requested nor authorized.

Status: Complaint filed 1/8/13.
Stipulated preliminary injunctions as to all defendants entered 5/8/13.
Order staying the case until at least 7/8/13, pending developments in a parallel criminal investigation entered 5/9/13.
Order staying the case pending the resolution of a parallel criminal prosecution entered 9/24/13.

FTC v. EWING, No. 2:07-cv-00479-PMP-GWF (D. Nev.)

Parties: Crystal A. Ewing
Consumer Direct Enterprises, LLC
Top Choice, Inc.
Classic Productions, LLC
Response Processing, LLC
David F. Ewing
Top Choice, Inc., d/b/a Sweepstakes Information Reporting Services,
Cash Claim Information Center, Consumer Award Advisory
Service, Mega Marketing Group, and Prize Distribution Center

Assigned Attorneys: Kathryn Decker (NWR)
Mary Benfield

Alleged Conduct: Violation of Section 5 in connection with deceptive sweepstake claims.
Status: Complaint for injunctive and other equitable relief filed 4/11/07.
Consent judgment and order for permanent injunction in favor of
Commission entered 6/14/07.
Commission's contempt motion against Crystal Ewing filed 5/1/14.

FTC v. EWING, No. 2:14-cv-0683 (D. Nev.)

Parties: Crystal Ewing
Classic Productions, LLC
Health Nutrition Products, LLC d/b/a W8-B-Gone, Quick & Easy
Howard Raff, a/k/a Howard Bruce
David Raff
Omni Processing Center
MBE Management, LLC
Shirley Murphy
Ronald Boyde
Global Access Management Systems, Inc.
Ricki Black

Assigned Attorneys: Alejandro Rosenberg (BCP/ENF)
Elsie B. Kappler
Korin Ewing Felix

Alleged Conduct: Violations of Sections 5(a) and 12 of the FTC act in connection with the
advertising, marketing and sale of purported weight loss pills.

Status: Complaint filed 5/1/14.

FTC v. FEDERAL CHECK PROCESSING, INC., No. 1:14-cv-0122 (W.D.N.Y.)

Parties: Federal Check Processing, Inc.
Federal Recoveries, LLC
Federal Processing Services, Inc.
Federal Processing, Inc.
United Check Processing, Inc.
Central Check Processing, Inc.
Central Processing Services, Inc.
Nationwide Check Processing, Inc.
American Check Processing, Inc.
State Check Processing, Inc.
Check Processing, Inc.
US Check Processing, Inc.
Flowing Streams, F.S., Inc.
Mark Briandi
William Moses
Empowered Racing, LLC, Relief Defendant

Assigned Attorneys: Colin A. Hector (BCP/FP)
Katherine M. Worthman

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Fair Debt Collection Practices Act in Connection with debt collection operation.

Status: Complaint filed 2/24/14.
Ex parte TRO entered 3/24/14.
Stipulated preliminary injunction entered 3/25/14.

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: Anne D. LeJeune (SWR)
John A. Singer (BCP/ENF)

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 filed 11/21/12.
Appellees' brief filed 1/25/13.
Commission's reply brief filed 3/12/13.
Oral argument held 6/3/13.
Decision affirming district court judgment entered 8/12/13.
Application to district court for attorney's fees and expenses under the Equal Access to Justice Act filed 12/9/13; Commission's opposition filed 2/12/14; defendants' reply filed 3/14/14.
Order denying motion for attorney fees entered 4/22/14.

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. Todaro
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.
TRO entered 10/5/12.
Preliminary injunction entered 10/9/12.
Commission's motion for entry of default filed 2/7/14.

Order to show cause why default judgment should not be entered
against defendants entered 6/10/14.

FTC v. FIRST CONSUMERS, LLC, No. 2:14-cv-1608 (E.D. Pa.)

Parties: First Consumers, LLC
Standard American Marketing, Inc.
Powerplay Industries, LLC
1166519075 Quebec Inc., d/b/a Landmark Holdings, Inc.
1164047236 Quebec Inc., d/b/a Madicon Inc.
Ari Tietolman
Marc Ferry
Charles W. Borie
Robert Barczai

Assigned Attorneys: David R. Spiegel (BCP/MP)

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rules in connection with marketing of supposed fraud
protection, legal protection and pharmaceutical benefit services.

Status: Complaint filed 3/18/14.
Ex parte TRO entered 3/18/14.
Preliminary injunction order entered 3/28/14.
Motion for contempt against defendant Ari Tietolman filed 5/15/14.

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
Michael Bergman (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 1st 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 filed 10/12/12; Commission's
responsive brief filed 12/13/12; Lalonde's reply brief filed 6/17/13.
Judgment and opinion affirming district court decision entered 10/23/13.
Petition for rehearing due but not filed 4/8/14.
Mandate issued as to appellant Stephan Lalonde entered 6/13/14.

FTC v. FLORA, No. 8:11-CV-00299 (C.D. Cal.)

Parties: Phillip Flora a/k/a Philip P. Flora

Assigned Attorneys: Robert G. Schoshinski (BCP/MP)
Christine M. Todaro
Raymond McKown (WR-LA)

Alleged Conduct: Violation of Section 5 in connection with the defendants' sending of
unauthorized and unsolicited commercial electronic text messages (text
message spam) to the mobile telephones and other wireless devices of
consumers throughout the United States.

Status: Complaint filed 2/22/11.
Stipulated permanent injunction and final order entered 8/16/11.
Commission's motion for order to show cause why defendant Flora
should not be held in contempt filed 2/21/14; opposition to motion
filed 3/3/14; reply in support of motion filed 3/10/14.
Order granting motion for civil contempt against Philip Flora
entered 3/25/14.

FTC v. FORTUNE HI-TECH MARKETING., No. 5:13-CV-00123 (E.D. Ky.); No. 1:13-CV-
00578 (N.D. Ill.)

Parties: Fortune Hi-Tech Marketing, Inc.
Alan Clark Holdings, LLC
FHTM Canada, Inc.
FHTM, Inc.
Fortune Network Marketing (UK) Limited
Paul C. Oberson
Thomas A. Mills

Assigned Attorneys: David O'Toole (MWR)
Elizabeth Coulter Scott
John Campbell Hallerud
Rozina Cynthia Bhimani

Alleged Conduct Violations of Section 5 of the FTC Act in connection with an illegal pyramid scheme.

Status: Complaint filed 1/24/13.
Ex parte TRO with asset freeze and appointment of receiver entered 1/24/13.
Motion to dismiss by defendants filed 2/18/13.
Defendants' motion to transfer venue from the Northern District of Illinois to the Eastern District of Kentucky granted 5/1/13; transferred 5/2/13.
Stipulated preliminary injunction as to all parties entered 5/28/13.
Order denying motion to dismiss entered 9/12/13.
Stipulated order for permanent injunction and monetary relief entered 5/9/14.

FTC v. FTN PROMOTIONS, INC., No. 14-10615-A (11th Cir.); No. 8:07-CV-01279 (M.D. Fla.)

Parties: FTN Promotions, Inc.
Guardian Marketing Services Corp.
Strategia Marketing, LLC
Co-Compliance, LLC
JPW Consultants, Inc.
Travel Agents Direct, LLC
Agent's Travel Network, Inc.
Bay Pines Travel, Inc.
Suntasia Properties, Inc.
Byron W. Wolf
Roy A. Eliasson
Alfred H. Wolf
Donald L. Booth
Jeffrey P. Wolf
John Louis Smith, II

Assigned Attorneys: Joshua Millard (BCP/ENF)
Thomas C. Goodhue
David Sieradzki (OGC)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with a telemarketing scheme which offered "free" trial memberships in travel clubs.

Status: Complaint filed 7/23/07.
Stipulated orders for permanent injunction and final judgment entered 12/30/08.
Contempt motion against defendants Byron W. Wolf, Roy A. Eliaston, and Membership Services, LLC filed 5/22/13.
Order of contempt and judgment in favor of the Commission entered 1/13/14.
Notice of appeal filed 2/12/14.

Appellants' brief due 7/2/14.

FTC v. GOLDMAN SCHWARTZ, INC., No. 4:13-CV-00106 (S.D. Tex.)

Parties: Debtcom, Inc.
Harris County Check Recovery, Inc.
The G. Wright Group, Inc.
Gerald Wright
Starlette Foster
Jennifer Zamora
Goldman Schwartz, Inc.

Assigned Attorneys: Eric Nelson Roberson (SWR)
Luis Gallegos
Thomas B. Carter

Alleged Conduct Violations of Section 5 of the FTC Act and the FDCPA by using threats
and other scare tactics to collect debts.

Status: Complaint Filed 1/14/13.
TRO entered 1/16/13.
Preliminary injunction entered 1/28/13.
Defendants' motion for partial summary judgment filed 3/7/13;
Commission's response filed 3/28/13.
Order denying motion for summary judgment 4/30/13.
Hearing held 4/30/13.
Order granting motion to stay due to settlement in principle entered 10/30/13.
Commission's notice of failure of settlement and motion to amend
scheduling order filed 3/7/14; motion granted 3/17/14.
Stipulated order for permanent injunction and monetary relief entered
5/29/14.

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)
Jack Metzler

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; Consoli-dated 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.

Appeal No. 12-15481 dismissed 10/25/12.

Order requiring that *pro bono* counsel be appointed for appellant Kyle Kimoto in No. 11-18023 entered 6/10/13.

Opening brief in No. 11-18023 filed 10/25/13; answering brief filed 12/6/13; reply brief filed 1/24/2014.

Oral argument held 4/7/14.

FTC v. HISPANIC GLOBAL WAY, CORP, No. 1:14-cv-22018 (S.D. Fla.)

Parties:

- Hispanic Global Way, Corp.
- Hispanic Global Way, LLC
- Hispanic Global Way Venez Corp., d/b/a TVO
- Hispanic Global Way Venez I Corp.
- Gold Lead USA Corp.
- Sky Advance Choices Corp.
- Sky Advance, LLC
- First Airborne Service Trading Corp., d/b/a Fast Solutions, L'Nature Lab, Movil English F.A.S.T, Molding Motion 5 First Airborne

Hispanic Network Connections, LLC, d/b/a Lo Vi En TV
Fast Solutions Plus Corp.
Grand Team Service Corp.
Maria Elizabeth Vera
Rafael Martin Hernandez
Roberto Carrasco Macedo
Maria Gisella Macedo

Assigned Attorneys: Michelle L. Schaefer (BCP/ENF)

Alleged Conduct: Violations of Sections 5(a) and 12 of the FTC act in connection with the sale of purported weight loss products.

Status: Complaint filed 6/2/14.
TRO entered 6/2/14.

FTC v. HOLD BILLING SERVICES, 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: Douglas Wolfe (BCP/ENF)

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.
Order conditionally granting Commission's motion for order to show cause

regarding contempt entered 3/26/13; further proceedings, including resolution of the contempt motion, referred to Magistrate Judge.
Order referring case to mediation entered 7/8/13; mediation completed by 9/18/13.
Evidentiary hearing held 11/4/13 to 11/14/13.
Report and recommendation of magistrate judge to grant in part Commission's motion for contempt entered 3/27/14.

FTC v. IAB MARKETING ASSOCIATES, LP, No. 12-16265 (11th Cir.); No. 0:12-CV-61830 (S.D. Fla.)

Parties: 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
Tressa K. Wood (Relief Defendant)
Avis S. Wood (Relief Defendant)

Assigned Attorneys: Dotan Weinman (MWR)
Patricia Hsue
Jack Metzler (OGC)

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.
Preliminary injunctions entered 10/9/12.
Notice of appeal of preliminary injunction by IAB Marketing Associates and other defendants filed 12/3/12.
Stipulated final order as to Health Service Providers, Inc., Magnolia

Technologies Corporation, Fav Marketing Inc., Magnolia Health Management Corporation, Roy D. Hamilton, and Judy M. Hamilton entered 2/19/13.

Commission's amended complaint adding two relief defendants filed 3/4/13.

Motion to dismiss the amended complaint filed by IAB defendants and relief defendant Tressa Wood filed 4/8/13; FTC's response filed 4/22/13.

Appellant's brief filed 3/8/13; Commission's responsive brief filed 5/10/13; appellants' reply brief filed 5/28/13.

Motion by IAB defendants and relief defendant Tressa Wood to transfer venue to the Northern District of Texas filed 6/3/13; Commission's opposition filed 6/20/13.

Motion by defendant Gary Wood to transfer venue to the Northern District of Texas filed 7/2/13; Commission's opposition filed 7/15/13; defendant's reply filed 7/22/13.

Order denying motion to dismiss entered 8/21/13.

Order stating that the asset freeze and preliminary injunction also apply to the relief defendants entered 9/16/13.

Order denying IAB defendants' motion to dismiss entered 11/8/13.

Motion for summary judgment by Avis Wood filed 11/11/13; Commission's opposition filed 11/27/13; reply filed 12/5/13.

Motion for summary judgment by Commission filed 11/11/13; opposition filed 12/10/13; reply brief filed 12/20/13.

Motion to transfer venue to the Northern District of Texas granted 2/6/14.

Oral arguments held 2/27/14.

Opinion by 11th Circuit upholding preliminary injunction entered 3/27/14.

FTC v. IDEAL FINANCIAL SOLUTIONS, No. 2:13-CV-00143 (D. Nev.)

Parties:

Ideal Financial Solutions, Inc.
 Ascot Crossing, LLC
 Bracknell Shore, Ltd.
 Chandon Group, Inc.
 AvaniX, LLC
 Fiscal Fitness, LLC
 Steven Sunyich
 Michael Sunyich
 Christopher Sunyich
 Shawn Sunyich
 Melissa Sunyich Gardner
 Kent Brown
 Shane Mosher
 Jared Mosher
 Thomas W. McNamara

Assigned Attorneys: Megan Bartley (BCP/ENF)
Richard Michael Waller

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with a scheme to debit and charge consumers without authorization.

Status: Complaint filed 1/28/13.
TRO entered 1/30/13.
Preliminary injunction entered 2/15/13.
FTC's amended complaint and motion for preliminary injunction and asset freeze against Jared Mosher filed 4/10/13.
Preliminary injunction and asset freeze against Jared Mosher entered 5/10/13.
Settlement agreement between the Commission and Shawn Sunyich filed 3/12/14.
Commission's motion for summary judgment filed 3/19/14.
Consent judgment and permanent injunction against defendants Kent Brown and Shawn Sunyich entered 6/5/14.
Default judgment against Ascot Crossing, LLC, Avanix, LLC, Bracknell Shore, Ltd., Chandon Group, Inc., Fiscal Fitness, LLC, and Ideal Financial Solutions entered 6/6/14.

FTC v. INNOVATIVE MARKETING, INC., No. 13-1426 (S. Ct.); No. 12-2340 (4th Cir.); 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

Assigned Attorneys: Colleen Robbins (BCP/MP)
Paul Spelman
Jack Metzler (OGC)

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.
Notice of appeal by defendant Kristy Ross filed 10/24/12.
Appellant's opening brief filed 3/5/13; Commission's responsive brief filed 5/6/13; appellant's reply filed 6/4/13.
Oral argument held 10/31/13.
Opinion affirming judgment of the district court entered 2/25/14.
Petition for certiorari filed 5/27/2014; Commission's opposition due 7/30/2014.

FTC v. INNOVATIVE WEALTH BUILDERS, No. 13-11009 (11th Cir.); No. 8:13-CV-00123
(M.D. Fla.)

Parties: Innovative Wealth Builders, Inc.
Carly Janene Pelland, a/k/a Carla Zurita
Tamara Dawn Johnson
Sheryl Leigh Lopez
Independent Resources Corp., d/b/a IRN Payment Systems

Assigned Attorneys: S. Spencer Elg (SER)
Valerie M. Verduce
David Sieradzki (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the TSR by calling consumers and offering services that purportedly will substantially reduce consumers' credit card interest rates.

Status: Complaint filed 1/14/13.
TRO entered 1/14/13.
Stipulated preliminary injunction entered 1/25/13.
Motion by non-party Independent Resources Network Corp. (IRN) for modification of stipulated preliminary injunction denied 3/4/13.
Notice of appeal by IRN filed 3/5/13.
Emergency motion in district court for stay pending appeal denied 3/14/13.
Motion for stay pending appeal in 11th Circuit filed 3/21/13.
Jurisdictional question by 11th Circuit issued 3/22/13; appellee and appellant responses filed 4/5/13.
Appeal dismissed for lack of jurisdiction on 5/15/13.
Amended complaint adding Independent Resources Corp., d/b/a IRN Payment Systems, as a defendant entered 6/4/13.
Stipulated permanent injunction and final judgment as to Innovative Wealth Builders, Carly Janene Pell, Tamara Dawn Johnson, and Sheryl Leigh Lopez entered 9/9/13.
Stipulated order for permanent injunction and monetary judgment entered 6/10/14.

FTC v. INSTANT RESPONSE SYSTEMS, LLC, No. 1:13-CV-00976 (E.D.N.Y.)

Parties: Instant Response Systems, LLC
B.B. Mercantile, Ltd.
Medical Alert Industrial
Medical Alert Services
Jason Abraham

Assigned Attorneys: Arturo DeCastro (BCP/MP)
Paul Spelman

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act, Telemarketing Sales Rule, and the Unauthorized Merchandise Statute in connection with unsolicited calls to elderly consumers to sell medical alert services.

Status: Complaint filed 2/25/13.
TRO entered 2/25/13.
Preliminary injunction entered 3/18/13.
Default judgment against defendant Instant Response Systems entered 1/31/14.
Commission's motion for summary judgment filed 6/6/14.

FTC v. IVY CAPITAL, INC., No. 13-16052 (9th Cir.); No. 2:11-CV-00283 (D. Nev.)

Parties:	Ivy Capital Inc. Fortune Learning Systems, LLC. Fortune Learning, LLC. Vianet, Inc. Enrich Wealth Group, LLC Business Development Div., LLC Nevada Credit Division, LLC Corporate Credit Division, LLC Tax Planning Division, LLC Zyzac Commerce Solutions, Inc. The Shipper, LLC 3 Day MBA, LLC Global Finance Group, LLC Steven Sonnenberg Joshua Wickman Oxford Financial, LLC Virtucon LLC Mowab, Inc Melyna Harrison Leanne Hoskins	Virtual Profit, LLC Dream Financial ICI Development Inc. Ivy Capital, LLC Logic Solutions, LLC Oxford Debts Holdings, LLC Revsynergy LLC Sell IT Visions, LLC Kyle Kirchbaum John Harrison Steven Lyman Benjamin Hoskins Christopher Zelig James Hanchett Cherrytree Holdings, LLC S&T Time, LLC Curva, LLC Keirsten Kirschbaum Tracy Lyman
Assigned Attorneys:	Emily Burton (BCP/MP) Shameka Gainey Leslie Melman (OGC) Burke W. Kappler	
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. Motion for summary judgment by Defendant Leanne Hoskins filed 9/12/12. Commission's motion for summary judgment filed 9/12/12. Stipulated final judgment and order for permanent injunction as to 30 defendants and relief defendants entered 12/20/12.	

Order granting summary judgment entered 3/26/13.
 Notice of appeal by Ben Hoskins, Dream Financial, Leanne Hoskins, and Oxford Financial filed 5/23/13.
 Order holding appeal in abeyance until post-judgment motion in district court is resolved entered 5/29/13.
 Order granting FTC's motion for default judgment against Business Development Division, Corporate Credit Division, Credit Repair Division, and Tax Planning Division entered 6/26/13.
 Final judgment and order for permanent injunction and monetary relief entered 7/5/13.
 Amended notice of appeal filed 7/10/13.
 Appellant's brief filed 12/16/13; Commission's answering brief filed 2/21/14; appellant's reply brief filed 3/28/14.

FTC v. JEREMY JOHNSON, Nos. 11-17265, 11-17267, 12-15778, 12-16213, 13-15768, 13-15778, 13-15822 (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. Funding Success, Inc. GGL Rewards, Inc. Hooper Processing, Inc. Internet Business Source, Inc. Internet Fitness, Inc. Jet Processing, Inc. Loyd Johnston Lifestyles for Fitness, Inc. Mist Marketing, Inc. Monroe Processing, Inc. Net Business Success, Inc. Net Discounts, Inc. Net Success, Inc. Optimum Assistance, Inc. Kevin Pilon	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. GG Processing, Inc. Highlight Marketing, Inc. I Works, Inc. Internet Economy, Inc. JRB Media, Inc. Andy Johnson Scott Leavitt Market Funding Solutions, Inc. Money Harvest, Inc. Scott Muir Net Commerce, Inc. Net Fit Trends, Inc. Network Agenda, LLC Bryce Payne Power Processing, Inc.
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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
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 (Appeal No. 11-17265) filed 9/22/11; dismissed 6/27/12.
Notice of interlocutory appeal by defendants Duane Fielding, Anthon Holdings Corp., and Network Agenda, LLC (Appeal No. 11-17265) filed 9/23/11; dismissed on appellant's motion 11/17/11.
Notice of appeal of order granting first omnibus motion for sale (Appeal No. 12-15778) filed 4/6/12; appellant's opening brief due but not filed 7/16/12; dismissed by 9th Cir. 11/5/12.
Notice of appeal of order granting receiver's motion for fees (Appeal No. 12-16213) filed 5/21/12; appellant's opening brief due but not filed 9/7/12.
Appeal dismissed for failure to prosecute, 12/20/12.
Notices of appeal of order clarifying preliminary injunction (Nos. 13-15768 and 13-15778) filed 4/18/13 and 4/19/13; appeals consolidated and appellants' opening brief filed 5/17/13; Commission's responsive brief filed 6/28/13; reply brief filed 7/15/13.
Notice of appeal (No. 13-15822) filed 4/24/13; appellants' opening brief filed 6/26/13; Commission's answering brief filed 8/7/13.
Motion for summary judgment against all liability and relief defendants filed 11/26/13.
Motion for partial summary judgment by relief defendants filed 11/29/13.
Voluntary dismissal of appeal 13-15822 entered 1/21/14.
Oral argument in appeals 13-15768 and 13-15778 held 2/3/14.

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
Evan Rose (WRSF)
Kenneth H. Abbe
Matthew Gold
Jack Metzler (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 Beck's notice of appeal filed 9/7/12.
Defendant Beck's motion for a stay pending appeal filed 10/9/12; denied 10/9/12.

Appellant's brief filed 2/19/13; Commission's responsive brief filed 4/18/13;
Reply brief filed 5/2/13.

FTC v. KOBENI, INC., No. 0:14-cv-60143 (S.D. Fla.)

Parties: Kobeni, Inc.
Yair Shalev

Assigned Attorneys: Steven M. Wernikoff (MWR)
John C. Hallerud

Alleged Conduct: Deceptive acts and practices in violation of Section 5 relating to unsolicited commercial email messages.

Status: Complaint filed 1/21/14.
Answer filed 3/6/14; amended answer filed 3/7/14.

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. Todaro
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.
TRO entered 9/25/12.
Preliminary injunction entered 10/9/12.
Commission's motion for default filed 2/6/14.
Order to show cause why default judgment should not be entered against defendants entered 6/10/14.

FTC v. LANE LABS-USA, INC., Nos. 14-1705, 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)
Amanda C. Basta
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 refile 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.
Amended stipulation and order for briefing on damages entered 11/28/12;

second amended stipulation and order for briefing on damages entered 2/26/13; supplemental briefing on damages concluded on 12/18/13.
Order assessing a compensatory contempt sanction against defendants entered 1/23/14.
Commission's notice of appeal filed 3/21/14.
Stipulated final judgment in district court entered 6/20/14.
Commission's motion for voluntary dismissal of appeal filed 6/30/14.

FTC v. LEANSPA LLC, No. 13-653 (2d Cir.); No. 3:11-CV-01715 (D. Conn.)

Parties: LeanSpa, LLC
NutraSlim, LLC
NutraSlim U.K. LTD
Boris Mizhen
Leadclick Media, Inc.
Richard Chiang
Angelina Strano, Relief Defendant
CoreLogic, Inc., Relief Defendant

Assigned Attorneys: Darren Lubetzky (NER)
Michael Bergman (OGC)

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.
Amended complaint filed 7/26/12.
Motion for preliminary injunction against defendant Richard Chiang and relief defendant Angelina Strano filed 9/11/12; opposition by Angelina Strano filed 11/15/12; Commission's reply filed 11/29/12.
Motion for stipulated preliminary injunction against Richard Chiang filed 11/15/12.
Preliminary injunction against Richard Chiang entered 1/17/13.
Preliminary injunction against relief defendant Angelina Strano entered 1/29/13.
Second amended complaint filed 2/19/13.
Notice of appeal by relief defendant Angelina Strano filed 2/21/13.
Appellant Strano's opening brief filed 4/22/13; Commission's brief filed 5/28/13; appellant Strano's reply brief filed 6/11/13.

Oral argument heard 6/18/13.
 Summary order and judgment by court of appeals affirming preliminary injunction order against Angelina Strano issued 6/20/13.
 Commission's motion for leave to amend complaint to add CoreLogic, Inc. as relief defendant filed 6/10/13; defendant Leadclick Media's response filed 7/1/13; Commission's reply filed 7/15/13; order granting motion to amend complaint entered 8/28/13.
 Joint motion for entry of stipulated order for permanent injunction and monetary judgment as to defendants LeanSpa, LLC, NutraSlim, LLC, NutraSlim U.K., Ltd. (also d/b/a LeanSpa U.K., Ltd.) and Boris Mizhen and relief defendant Angelina Strano filed 12/23/13.
 Stipulated order for permanent injunction and monetary judgment as to defendants LeanSpa, LLC, NutraSlim, LLC, NutraSlim, U.K., Ltd, and Boris Mizhen, and relief defendant Angelina Strano entered 1/7/14.
 Commission's motion for summary judgment against LeadClick and relief defendant CoreLogic filed 5/5/14; LeadClick's motion for summary judgment filed 5/5/14; CoreLogic's motion for summary judgment filed 5/5/14; Commission's opposition to defendants' motions filed 5/27/14; defendants' oppositions to Commission's motion filed 6/10/14

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 Marco Alban
Assigned Attorneys:	Eliseo N. Padilla (SWR) 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.
 Commission's request for leave to file amended complaint adding Marco Alban as a defendant granted 10/28/11.
 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.
 Bench trial held 5/7/12 - 5/15/12 concerning the original defendants, Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel Alban and Lola Alban; final arguments held 7/19/12.
 Stipulated final judgment and permanent injunction against original defendants entered 3/28/13.
 Order denying Marco Alban's motion for summary judgment entered 3/28/13.
 Stipulated final order for permanent injunction against Marco Alban entered 8/14/13.
 Permanent injunction and monetary relief against Manuel Alban, Lola Alban and Loma International Business group entered 3/24/14.

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 Wahid Ali Conquest Audit Corp.
Assigned Attorneys:	Kelly Ann Horne (BCP/MP) Benjamin Davidson Christine M. Todaro Colleen Brennan Robbins
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.

TRO entered 9/25/12.
Preliminary injunction as to defendant Wahid Ali entered 10/9/12.
Stipulated final order for permanent injunction and monetary relief against
defendants Conquest Audit Corp. and Mikael Marczak entered
4/25/13.
Commission's application for entry of default judgment against defendant
Wahid Ali filed 3/4/14.
Order to show cause why default judgment should not be entered against
Wahid Ali entered 6/11/14.

FTC v. MERCHANT SERVICES DIRECT LLC, No. 2:13-cv-00279 (E.D. Wash.)

Parties: Merchant Services Direct LLC, d/b/a Sphyr Inc.
Boost Commerce Inc.
Generation Y Investmenrs LLC
Kyle Lawson Dove
Shane Patrick Hurley

Assigned Attorneys: Jennifer Larabee (NWR)
Nadine S. Samter
Eleanor Durham

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, in
connection with the defendants' marketing and sale of debit and credit card
payment processing services and equipment.

Status: Complaint filed 7/30/13.
TRO motion hearing held 8/12/13.
Motion to withdraw motion for preliminary injunction filed 8/15/2013;
granted 8/20/13.
Trial set for 10/6/14.

FTC v. MODERN TECHNOLOGY, INC., No. 1:13-cv-8257 (N.D. Ill.)

Parties: Modern Technology, Inc., d/b/a Online Local Yellow Pages
Strategic Advertisement Ltd, d/b/a Online Local Yellow Pages
Dynamic AD Corp., d/b/a Yellow National Directory and Yellowpages Local
Directory
Wisetak Inc., d/b/a Online Local Yellow Pages and US Public Yellow Pages
Internet Solutions, LLC d/b/a Public Yellow Pages
Yellow Pages Express, Inc., d/b/a Yellow Pages Express
Yellow Pages Online, Inc., d/b/a Yellow Pages Online
Cesstech Inc., d/b/a Yellow US Pages
Seo Online Inc., d/b/a Yellow Local Directory

Cc Recovery Corp., d/b/a Cc Recovery
M&A Recovery Inc., d/b/a MA Recovery
Seo Online LLC
Seonline, d/b/a Public Yellow Pages
Sem Pundits Inc., d/b/a Yellow Pages Online
Mohamad Khaled Kaddoura

Assigned Attorneys: Guy G. Ward (MWR)
Matthew Wernz

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act in connection with the sale of listings in internet business directories.

Status: Complaint filed 11/18/13.
TRO entered 11/18/13.
Preliminary injunction entered 12/2/13.
Motion to dismiss filed 12/17/13.
Default as to all defendants except Kaddoura entered 1/15/14.
Order of contempt against Kaddoura entered 2/5/14.
Default as to defendant Kaddoura entered 4/15/14.
Default judgment and order for permanent injunction and other equitable relief against all defendants entered 5/8/14.

FTC v. MONEY NOW FUNDING LLC, No. 2:13-cv-1583 (D. Ariz)

Parties: Money Now Funding LLC, a/k/a Cash4Businesses, a/k/a
CashFourBusinesses
Rose Marketing LLC
Depaola Marketing LLC
Affiliate Marketing Group LLC
Legal Doxs LLC, a/k/a First Business LLC`
US Doc Assist LLC, a/k/a First Business LLC
Affinity Technologies LLC
Marketing Expert Solutions LLC
Lukeroy K Rose, a/k/a Luke Rose
Cordell Bess, a/k/a Blaine Thompson d/b/a JJB Marketing
Solana Depaola
Jennifer Beckman
William D. Claspell, a/k/a Bill Claspell
Richard Frost, a/k/a Richard Strickland
Dino Mitchell, a/k/a Dino Jones
Clinton Rackley a/k/a Clinton Fosse
Lance Himes, a/k/a Raymond Homes, a/k/a Lance Haist
Leary Darling
Donna Duckett, d/b/a D&D Marketing Solutions

Della Frost, d/b/a ZoomDocs LLC
Christopher Grimes, d/b/a Elite Marking Strategies
Alannah M Harre, d/b/a National Marketing Group
Ronald W. Hobbs, d/b/a Ron Hobbs & Associates, d/b/a Sales Academy
USA LLC
Janine Lilly, d/b/a Doc Assistant
Michael McIntyre, d/b/a McIntyre Marketing
Benny Montgomery, d/b/a Montgomery Marketing
Virginia Rios, d/b/a V&R Marketing Solutions
Kendrick Thomas, d/b/a KT Advertising
Global Network Marketing, LLC
Precise Payroll Services, LLC
Strategic Media Advertising, LLC
Cynthia Miller, individually and as manager of Global Network Marketing
and Precise Payroll Services, LLC, a/k/a Cynthia Metcalf

Assigned Attorneys: Janet Ammerman (BCP/MP)
Rhonda Perkins
James Evans (BCP/AP)

Alleged Conduct: Violations of Section 5(a) of the FTC Act, the Business Opportunity Rule,
and the Telemarketing Sales Rule concerning a telemarketing scheme
offering consumers business opportunities under a variety of names.

Status: Complaint filed 8/5/13.
TRO entered 8/5/13.
Preliminary injunction order entered 8/19/13.
Preliminary injunction as to defendants Cordell Bess, Clinton Rackley and
Ronald Hobbs entered 9/13/13.
Motion to hold defendants Lukeroy Rose, Cordell Bess, Ronald Hobbs,
Clinton Rackley, Della Frost, Richard Frost, Donna Duckett, Janine
Lilly, and Dino Mitchell in contempt filed 10/18/13.
Amended complaints adding defendants Cynthia Miller, Global Network
Marketing, LLC, Prices Payroll Services, LLC, and Strategic Media
Advertising, LLC filed 1/9/14.
Preliminary injunction modified 2/13/14.
Preliminary injunction order with asset freeze and other equitable relief as to
defendants Cynthia Miller, Global Network Marketing, LLC, and
Precise Payroll Service, LLC entered 4/28/14.
Default as to Global Network Marketing, LLC, Cynthia Miller, Precise
Payroll Services, LLC, and Strategic Media Advertising, LLC entered
4/30/14.

FTC v. NATIONAL CHECK REGISTRY, No. 1:14-cv-0490 (W.D.N.Y)

Parties: National Check Registry, LLC
Check Systems, LLC
American Mutual Holdings, Inc.
Goldberg Maxwell, LLC
Morgan Jackson, LLC
Mullins & Kane, LLC
Buffalo Staffing, Inc.
ECapital Services, LLC
Joseph C. Bella, III
Diane L. Bella
Luis A. Shaw
Interchex Systems, LLC

Assigned Attorneys: Colin A. Hector (BCP/FP)
Nikhil Singhvi
Thomas J. Widor

Alleged Conduct: Violations of Section 5(a) of the FTC Act and the Fair Debt Collection Practices Act in connection with abusive and deceptive debt collection practices.

Status: Complaint filed 6/23/14.
TRO entered 6/24/14.

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
Leslie Melman (OGC)
Amanda Basta (BCP/ENF)

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, Hi-Tech Pharmaceuticals, Stephen Smith, and Jared Wright should not be held in contempt entered 5/11/12; response filed 11/13/12.
Motion for contempt judgment filed 10/22/12; defendants' response filed 12/14/12; Commission's reply brief filed 1/10/13.
Order finding defendants liable for contempt and ordering further proceedings on remedy entered 8/8/13.
Trial on contempt remedies held on 1/21/14 - 1/24/14.

FTC v. NEOVI, INC., Nos. 12-56658, 12-56735, 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: Korin Ewing Felix (BCP/ENF)
John D. Jacobs (WRLA)
Leslie Melman (OGC)
Jack Metzler

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.
 Commission's memorandum on jurisdiction filed 10/24/13.
 Order dismissing appeal for lack of appellate jurisdiction entered 1/22/13.
 Contempt hearing in district court held 8/12/13.
 Order finding that defendants failed to purge their noncompliance with court's 1/7/09 final order, and granting them 30 days to comply entered 1/10/14.
 Commission's motion to modify final order filed 2/10/14; defendant's opposition filed 3/6/14; Commission's reply filed 3/13/14.

FTC v. NPB ADVERTISING, INC., No. 8:14-cv-1155 (M.D.Fla.)

Parties: NPB Advertising, Inc., d/b/a Pure Green Coffee
 Nationwide Ventures, LLC
 Olympus Advertising, Inc.
 JMD Advertising, Inc.
 Signature Group, LLC
 Nicholas Scott Congleton
 Paul Daniel Pascual
 Bryan Benjamin Walsh

Assigned Attorneys: Elizabeth O. Tucci (BCP/AP)
 Katherine A. Campbell
 Mary L. Johnson

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) and Section 12 in connection with the sale and marketing of Pure Green Coffee.

Status: Complaint filed 5/15/14.

FTC v. THE ONLINE ENTREPRENEUR, INC., No. 8:12-CV-02500 (M.D. Fla.)

Parties: The Online Entrepreneur, Inc., also d/b/a The Six Figure Program and Ben
and Dave's Program
Ben and Dave's Consulting Associates, Inc.
Benjamin Moskel
David Clabeaux

Assigned Attorneys: Barbara Bolton (SER)
Robin Rock

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Business
Opportunity Rule in connection with sale of business opportunities to
consumers.

Status: Complaint filed 11/5/12.
TRO entered 11/6/12.
Stipulated preliminary injunction entered 11/28/12.
Answer and affirmative defenses filed 3/29/13.
Stipulated order for permanent injunction and monetary judgment against
defendants The Online Entrepreneur, Ben and Dave's Consulting
Associates, and David Clabeaux entered 3/13/14.
Commission's motion for summary judgment against defendant Moskel filed
4/28/14; response and cross- motion for summary judgment filed
5/15/14; motion to strike defendant Moskel's motion for summary
judgment filed 5/16/14.

FTC v. ONLINEYELLOWPAGES TODAY.COM, INC., No. 2:14-cv-0838 (W.D. Wash.)

Parties: OnlineYellowPagesToday.com, Inc.
USYellowPageDirectory.com, Inc.
7703236 Canada, Inc.
7095333 Canada, Inc.
Oni Nathifa Julien

Assigned Attorneys: Maxine R. Stansell (NWR)

Alleged Conduct: Violations of Section 5(a) of the FTC Act in connection with deceptive
practices relating to internet business directories.

Status: Complaint filed 6/9/14.

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, the Credit
Practices Rule, and the Electronic Fund Transfer Act in connection with the
offering and extension of credit in the form of high-fee, short-term Apayday@
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.
Motion for summary judgment by Commission filed 1/31/13.
Order denying defendants' motion for partial summary judgment entered
3/28/13.
Order granting in part and denying in part motion for summary judgment
entered 9/30/13.
Order granting motion for permanent injunction and civil penalties entered
4/4/14.
Judgment against 24-7 Cash Direct, LLC, Financial Solutions, LLC, Great
Sky Finance, LLC, High Country Ventures, LLC, Management
Systems, LLC, Payday Financial, LLC, Red River Ventures, LLC,
Red Stone Financial, LLC, Western Sky Financial, LLC, Martin A.
Webb entered 4/10/14.

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

Parties: PCCare247 Inc.
PC Care247 Solutions Private Limited
Connexxions Infotech Inc.
Connexxions IT Services Private Limited, d/b/a Connexxions InfoTech
Services Pvt. Ltd.
Vikas Agrawal
Navin Pasari
Anuj Agrawal
Sanjay Agarwalla
Parmeshwar Agrawal

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

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the FTC Act in relation to the marketing, sale, and promotion of computer protection software.

Status: Complaint filed 9/24/12.
Preliminary injunction entered 11/16/12.
Stipulated final judgment and order against defendant Sanjay Agarwalla entered 4/24/13.
Stipulated final judgment and order against Navin Pasari entered 11/13/13.
Motions for entry of default against Anuj Agrawal, Connexxions Infotech
Connexxions IT Services, Parmeshwar Agrawal, PCCare247,
Vikas Agrawal filed 2/7/14.
Commission's application for entry of default against defendant PCCare
247 filed 3/4/14.
Order to show cause why default should not be entered against remaining
defendants entered 6/11/14.

FTC v. PECON SOFTWARE, LTD., No. 1:12-CV-07186 (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. Todaro
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.
TRO entered 9/25/12.
Preliminary injunction entered 10/9/12.
Motion for entry of default judgment filed 2/6/14.
Order to show cause why default should not be entered against defendants entered 6/11/14.

FTC v. PINNACLE PAYMENT SERVICES, LLC, No. 1:13-cv-3455 (N.D. Ga.)

Parties: Pinnacle Payment Services, LLC
Velocity Payment Solutions, LLC
Heritage Capital Services, LLC
Performance Payment Processing, LLC
Credit Source Plus, LLC
Reliable Resolution, LLC
Premium Express Processing, LLC
Lisa J. Jeter
Nichole C. Anderson
Hope V. Wilson
Angela J. Triplett
Demarra J. Massey
Windfall Management Systems, LLC
Heritage Management Services, LLC
Freestar World, LLC
Nationwide Payment Processors, LLC
Platinum Express, LLC
Solution Processingm LLC
Dorian Wills, a/k/a Daryll Clay
Tobias Boyland, a/k/a Lawrence Johnson
National Processors Group, LLC
Global Acceptance, LLC
Capitol Exchange, LLC
Pioneer Capital Services, LLC
Rapid Resolution, LLC

Assigned Attorneys: Courtney A. Estep (BCP/FP)
Gregory A. Ashe
Thomas Kane
Robin L. Rock (SER)

Alleged Conduct: Violations of Section 5 and the Fair Debt Collections Practices Act, in connection with the collection of purported debt.

Status: Complaint filed 10/21/13
TRO entered 10/21/13.
Preliminary injunction entered 11/4/13.
Order holding four individual defendants in contempt for failure to comply with TRO entered 11/4/13.
Amended complaint filed 12/16/13.
Preliminary injunction against newly-added defendants entered 2/25/14.
Default judgment and order for permanent injunction granted against defendant Tobias Boyland entered 5/19/14.
Stipulation to enter final order for permanent injunction and settlement of claims as to defendants Massey, Anderson, and Triplett filed 6/3/14.

FTC v. PUBLISHERS BUSINESS SERVICES, INC., No. 13-1045 (S. Ct), 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)
Maricela Segura
Leslie R. Melman (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 Dantuma in 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.
 Oral argument held 5/15/13.
 Order by court of appeals referring case for mediation entered 5/21/13.
 Case resubmitted to panel on 8/8/13.
 Decision by court of appeals vacating the district court's monetary relief
 order and remanding the case with instructions to hold Dirk Dantuma,
 Brenda Shang and Jeff Dantuma individually liable entered 9/19/13.
 Petition for certiorari filed 2/27/14; response filed 5/2/14.
 Petition for certiorari denied 6/9/14.

FTC v. RESORT PROPERTY DEPOT, INC., No. 8:13-CV-1328 (M.D. Fla.)

Parties: Resort Property Depot, Inc.
 Narendra S. Patel

Assigned Attorneys: Gideon E. Sinasohn (BCP)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the TSR in
 connection with unsolicited telephone calls to sell or rent timeshare
 properties.

Status: Complaint filed 5/20/13.
TRO entered 5/21/13.
Amended complaint filed 6/21/13.
Order granting preliminary injunction 7/26/13.
Order directing administrative closure pending receipt of final stipulation entered 3/4/14.
Notice by Commission of lodgment of stipulated order for permanent injunction and monetary judgment filed 6/23/14.

FTC v. RESORT SOLUTION TRUST, INC., No. 8:13-cv-01329 (M.D. Fla.)

Parties: Resort Solution Trust, Inc.
Lincoln Renwick II
Anthony Talavera

Assigned Attorneys: Harold E. Kirtz (SER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the TSR in connection with unsolicited telephone calls to sell or rent timeshare properties.

Status: Complaint filed 5/20/13.
TRO entered 5/20/13.
Stipulated preliminary injunction entered 6/11/13.
Stipulated order for permanent injunction and monetary judgment entered 6/25/14.

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: Maricela Segura (WRLA)

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 to modify preliminary injunction filed 12/21/11;
Commission's opposition filed 1/9/12; reply filed 1/13/12.
Order denying defendants' motion to modify preliminary injunction entered 1/31/12.
Default as to all business entities entered 2/20/14.
Final order for permanent injunction and monetary judgment against Jason R. Begley and Wayne W. Lunsford entered on 3/26/14.
Judgment and permanent injunction against Rincon Management Services, LLC, Price West Management Recovery, LLC, Union Management Services, LLC, National Filing Services, LLC, City Investment Services, LLC, Global Filing Services, LLC, and Pacific Management Recovery LLC entered 5/2/14.

FTC v. RTB ENTERPRISES, Inc., No. 4:14-cv-1691 (S.D. Tex)

Parties: RTB Enterprises, Inc., d/b/a Allied Data Corporation
Raymond T. Blair

Assigned Attorneys: Eric N. Roberson (SWR)

Alleged Conduct: Violations of Section 5(a) of the FTC Act and the Fair Debt Collection Practices Act in connection with abusive and deceptive debt collection practices.

Status: Complaint filed 6/17/14.
Stipulated order for permanent injunction and monetary judgment entered 6/20/14.

FTC v. ST. LUKE'S HEALTH SYSTEM, LTD., No. 14-35173 (9th Cir.); No. 1:13-CV-00116 (D. Idaho)

Parties: St. Luke's Health System Ltd.
Saltzer Medical Group

Assigned Attorneys: J. Thomas Greene (WRSF)
Danica Noble (NWR)
Robert J. Schroeder
Douglas Eugene Litvack (BC)

Henry Chao-Lon Su
Matthew Paul Accornero
Michael James Perry
Peter C. Herrick
Joel Marcus-Kurn (OGC)
Michael Bergman

Alleged Conduct: Violation of Section 7 of the Clayton Act resulting from hospital system's acquisition of physician group.

Status: Complaint filed 3/12/13.
Case consolidated with *Saint Alphonsus Medical Center – Nampa, Inc. v. St. Luke's Health System, Ltd.* (No. 1:12-CV-00560) on 3/19/13.
Trial held 9/23/13 to 10/21/13.
Closing argument held 11/7/13.
Final judgment entered 2/28/14.
Notice of appeal filed 3/7/14.
Motion for stay filed 3/4/14; Commission's opposition to motion for stay filed 3/28/14.
Appellants' opening brief filed 6/12/14.
Motion for stay denied by district court 6/18/14; temporary stay pending motion to Ninth Circuit entered 6/23/14.
Motion for stay in Ninth Circuit filed 6/24/14; Commission's opposition filed 7/7/14.
Commission's answering brief due 8/13/14.

FTC v. TATTO, INC., No. 2:13-cv-8912 (C.D. Cal.)

Parties: Tatto, Inc., d/b/a Winbigbidlow, d/b/a Tatto Media
Bullroarer, Inc., d/b/a Bullroarer Corporation Pty Ltd
Shaboom Media, LLC, d/b/a Tatto Media
Bune, LLC
Mobile Media Products, LLC
Chairman Ventures, LLC
Galactic Media, LLC
Virtus Media, LLC
Lin Miao
Andrew Bachman

Assigned Attorneys: Duane Charles Pozza (BCP/FP)
Heather Allen
Jane Ricci
Robin F. Thurston
Faye C. Barnouw (WRLA)

Alleged Conduct: Deceptive acts or practices in violation of Section 5, relating to unauthorized third-party charges on consumers' mobile phone bills.

Status: Complaint filed 12/5/13.
TRO entered 12/5/13.
Defendants' memorandum in opposition to TRO filed 12/18/13.
Preliminary injunction hearing held 12/18/13.
Preliminary injunction entered on 1/6/14.
Order staying case pending consideration of settlement agreement as to defendants Liu Mao, Tatto, Inc., Mobile Media Products, LLC Bune, LLC, Shaboom Media, LLC, Virtus Media, LLC, Galactic Media, LLC, and Chairman Ventures, LLC entered 3/24/14.
Stipulated order for permanent injunction and monetary judgment against defendants Tatto, Inc., Shaboom Media, LLC, Bune, LLC, Mobile Media Products, LLC, Chairman Ventures, LLC, Galactic Media, LLC, Virtus Media, LLC, and Lin Miao entered 6/11/14.

FTC v. THE TAX CLUB, INC., No. 1:13-CV-00210 (S.D.N.Y.)

Parties: The Tax Club, Inc.
Manhattan Professional Group, Inc.
5410, Inc.
Marble Base, Inc.
6015, LLC
1800Accountant, LLC
Ikongo, Inc.
Tahuya, Inc.
Visavis, Inc.
HB Marketing Services, LLC
Premier Coaching & Consulting, LLC
Skorprios Holdings, LLC
Edward B. Johnson
Michael M. Savage
Brendon A. Pack
Gary J. Milkwick
Sandra C. Savage

Assigned Attorneys: Ann F. Weintraub (NER)
Darren H. Lubetzky
Savvas Socrates Diacosavvas
Karen Dahlberg

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the TSR by inducing consumers to purchase tax preparation products and services purportedly designed to foster small business development.

Status: Complaint filed 1/9/13.
Stipulated preliminary injunction entered 2/8/13.
Commission's amended complaint filed 4/8/13.
Motion to dismiss by defendant 1800Accountant, LLC filed 5/13/13.
Order denying defendant's motion to dismiss entered 1/17/14.
Stipulated final judgment and order for permanent injunction and monetary relief as to defendants Pack, Savage, and Johnson entered 6/2/14.
Stipulation of dismissal of defendant Milkwick entered 6/9/14.

FTC v. TRUDEAU, No. 12-6 (S. Ct.); Nos. 08-4249 10-2418, 10-1383, 13-1746, 13-1747, and 13-1898 (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
Law Offices of Marc J. Lane
Winston & Strawn LLP
Website Solutions USA (WSU)
Global Information Network USA (GIN USA)
KT Radio Network (KTRN)
Nataliya Babenko

Assigned Attorneys: Michael P. Mora (BCP-ENF)
Jonathan Cohen
David O'Toole (MWR)
David Sieradzki (OGC)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of a dietary supplement; civil contempt for violations of a 1998 stipulated permanent injunction against Kevin Trudeau in connection with infomercial sales of a weight loss book; civil contempt for failure to comply with 2010 contempt sanction.

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 civil contempt for violating permanent injunction, 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.
Seventh Circuit 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.
Seventh Circuit 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; Trudeau's reply filed 9/13/10.
Oral argument held 9/24/10.
Seventh Circuit 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 8/27/12; Trudeau's reply brief filed 9/11/12.
Certiorari denied 10/9/12.

* * * * *

Motion for coercive contempt order to compel Trudeau to comply with 6/2/10 order requiring payment of \$37 million contempt sanction, filed by Commission 7/16/12
Trudeau's opposition filed 9/25/12
Commission's reply filed 10/15/12.
Order holding that the Commission has established prima facie showing of Trudeau's contempt for failing to pay sanction, and ordering that Trudeau file a sworn financial statement and appear at a hearing entered 12/6/12.

* * * * *

Order granting Commission's motions to compel Trudeau's attorneys (Winston & Strawn LLP, and Law Offices of Marc J. Lane) and Trudeau-controlled entities (GIN USA, KTRN, and WSU) to comply with subpoenas, issued 3/7/13.

Motion to hold Lane, GIN USA, KTRN, and WSU in contempt for failing to comply with order compelling subpoenas filed by Commission 4/1/13; Motion to file supporting documents under seal filed by Commission 4/1/13.

Order denying motion to file documents under seal issued 4/4/13.

Notices of appeal (13-1746 and 13-1747) of order denying motion to file under seal, filed by Trudeau, Winston & Strawn, Lane, GIN USA, KTRN, and WSU ("Trudeau appellants"), filed 4/9/13 .

Trudeau appellants' motions for emergency stay pending appeal filed with 7th Circuit 4/9/13; 7th Circuit emergency stay issued 4/10/13.

Trudeau appellants' motion for stay pending appeal filed with 7th Circuit on 4/12/13; Commission's opposition filed 4/17/13; 7th Circuit order vacating emergency stay issued 4/19/13; Trudeau appellants' motion to reconsider filed 4/19/13; 7th Circuit order denying reconsideration issued 7/24/13.

Trudeau appellants' motion to dismiss case as moot filed 4/26/13; appeals (13-1746 and 13-1747) dismissed 4/29/13.

* * * * *

Trudeau bankruptcy petition filed 4/22/13.

Trudeau motion to stay discovery in district court contempt proceeding filed 4/23/13; Commission's opposition brief and motion for ruling that automatic stay does not apply to contempt proceeding, filed 4/24/13; Trudeau opposition to Commission's motion filed 4/25/13; District court order granting Commission's motion issued 4/26/13.

Notice of appeal (13-1898) filed by Trudeau 4/26/13; Trudeau's motion for stay pending appeal filed 4/26/13; Commission's opposition filed 4/29/13.

Seventh Circuit order denying stay issued 4/30/13.

Trudeau's appeal voluntarily dismissed 5/24/13.

Bankruptcy proceeding dismissed 5/28/13.

* * * * *

Motion to hold defendant in contempt filed 7/13/12; evidentiary hearings before district court on Commission's motion to hold Trudeau in contempt for failing to pay civil contempt sanction, held 5/21/13 and 6/26-27/13.

Writ *ne exeat* ordering Trudeau to surrender passport and not to leave the

United States until further order of court issued 6/25/13.
 Order partially granting motion to hold Trudeau in contempt entered 7/26/13.
 Order finding Trudeau in contempt of court and directing the US Marshall to take him into custody entered 9/18/13; order releasing Trudeau from custody entered 9/19/13.
 Order finding Trudeau in contempt of court and ordering him incarcerated entered 10/17/13; order releasing Trudeau from custody to prepare for criminal contempt trial entered 10/28/13.
 Order directing that Trudeau be incarcerated to coerce compliance with court's prior orders, such coercive incarceration to be independent of any incarceration resulting from Trudeau's recent conviction for criminal contempt, entered 11/21/13.
 Order suspending Trudeau's civil sentence pending completion of his criminal sentence entered 3/19/14.

FTC v. VACATION COMMUNICATIONS GROUP, No. 6:13-CV-00789 (M.D. Fla.)

Parties: Vacation Communications Group, LLC
 Gardner Cline L.L.C.
 Sheldon Lee Cohen
 Mark Russell Gardner
 Tammie Lynn Cline

Assigned Attorneys: Julie Mayer (NWR)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the TSR in connection with unsolicited telephone calls to sell or rent timeshare properties.

Status: Complaint filed 5/20/13.
 TRO entered 5/20/13.
 Preliminary injunction against defendants entered 6/6/13.
 Motion for contempt as to Sheldon Cohen filed 7/2/13; contempt order entered 9/18/13; bench warrant issued 9/19/13.
 Motion for default as to Sheldon Cohen and Vacation Communications Group filed 10/31/13.
 Order granting motion for default judgment entered 3/27/14.
 Final order for permanent injunction and other equitable relief as to defendants Gardner Cline LLC, Mark Russell Gardner, and Tammie Lynn Cline entered 6/16/14.
 Default judgment as to defendants Sheldon Lee Cohen and Vacation Communications Group, LLC entered 6/16/14.

FTC v. VERMA HOLDINGS, LLC, No. 4:13-CV-00594 (S.D. Tex.)

Parties: Verma Holdings, LLC
Rishab Verma

Assigned Attorneys: Eliseo Noel Padilla (SWR)
James E. Elliott

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with unsolicited text message spam sent to consumers.

Status: Complaint filed 3/6/13.
Stipulated preliminary injunction entered 4/8/13.
Commission's motion for summary judgment filed 5/27/14.

FTC v. WELLNESS SUPPORT NETWORK, INC., No. 14-15741 (9th Cir.); 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
Mark Hegedus (OGC)

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.
Motion for summary judgment by the Commission filed 12/6/13; defendants' opposition filed 12/20/13.
Motion for summary judgment by defendants filed 12/6/13; Commission's opposition filed 12/20/13.
Order granting Commission's motion for summary judgment and denying defendant's motion for summary judgment entered 2/19/14.

Final judgment and order for permanent injunction and other equitable relief
entered 2/20/14.
Notice of appeal filed 4/18/14.

FTC v. WILLIAMS, SCOTT & ASSOCIATES, LLC, No. 1:14-cv-1599 (N.D. Ga.)

Parties: Williams, Scott & Associates, LLC
WSA, LLC
John Williams

Assigned Attorneys: Marcela C. Mateo (SER)
Robin L. Rock

Alleged Conduct: Violations of Section 5(a) of the FTC Act and the Fair Debt Collection
Practices Act in connection with abusive and deceptive debt collection.

Status: Complaint filed 5/27/14.
TRO with asset freeze entered 5/28/14.

FTC v. WORLDWIDE INFO SERVICES, No. 6:14-cv-0008 (M.D. Fla.)

Parties: Worldwide Info Services, Inc.
Elite Information Solutions, Inc.
Absolute Solutions, Inc.
Global Interactive Technologies, Inc.
Global Service Providers, Inc.
The Credit Voice, Inc.
Live Agent Response, LLC
Arcagen, Inc.
American Innovative Concepts, Inc.
Unique Information Services Inc.
Michael Hilgar
Gary Martin
Joseph Settecase
National Life Network, Inc.
Yuluisa Nieves

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

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing
Sales Rules in connection with robocalls to senior citizens marketing a
Purportedly free medical alert system.

Status: Complaint filed 1/6/14.
Order granting temporary restraining order and asset freeze entered 1/7/14.
Stipulated preliminary injunction entered 1/24/14.
Amended complaint filed 2/25/14.
Stipulated preliminary injunction with asset freeze, appointment of a receiver, and other equitable relief as to defendants national Life Network, Inc. and Yuluisa Nieves entered 5/12/14.
Order dismissing without prejudice defendant The Credit Voice entered 5/14/14.

FTC v. WRIGHT, No. 2:14-cv-258 (D. Utah); No. 2:13-cv-2215 (D. Ariz.)

Parties: Kevin Wright
HCG Platinum LLC
Right Way Nutrition LLC
Weekes Holdings LLC (relief defendant)
Primary Colors LLC (relief defendant)
Kmart Holdings LLC (relief defendant)
Nutrisport Holdings LLC (relief defendant)
Ty D. Mattingly (relief defendant)
Julie Mattingly (relief defendant)
Annette Wright (relief defendant)

Assigned Attorneys: James Anthony Prunty (BCP/AP)

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

Status: Complaint filed 10/30/13.
Motion to change venue and transfer case to D. Utah filed 2/21/14;
Commission's opposition filed 3/7/14; reply filed 3/14/14.
Order granting motion to transfer venue to D. Utah entered 4/9/14.

FTC v. WV UNIVERSAL MANAGEMENT, LLC, No. 6:12-CV-01618 (M.D. Fla.)

Parties: WV Universal Management, LLC, d/b/a Treasure Your Success
Leading Production, LLC
Global Financial Assist, LLC
HES Merchant Services Company, Inc.
Business First Solutions, Inc.
Voiceonyx Corp.
Universal Processing Services of Wisconsin, LLC
Derek Depuydt
Hal E. Smith

Jonathon E. Warren
Ramon Sanchez-Ortega
Willy Plancher
Valbona Toska

Assigned Attorneys: Fil M. de Banate (ECR)
Jonathan Kessler
Michael Milgrom

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Telemarketing Sales Rule in connection with sale of services that will purportedly reduce consumers' credit card interest rates.

Status: Complaint filed 10/29/12.
Order granting preliminary injunction entered 11/14/12.
Amended complaint filed 6/18/13.
Motion to dismiss by HES Merchant Services Company filed 8/7/13;
Commission's response filed 8/23/13.
Motion for summary judgment by Universal Processing Services filed
8/16/13; Commission's opposition filed 9/16/13; reply filed 9/30/13.
Stipulated order for permanent injunction and final judgment as to defendants
Willy Plancher, Valbona Toska, WV Universal Management LLC,
Global Financial Assist LLC, and Leading Production LLC entered
9/23/13.
Commission's motion for summary judgment filed 6/30/14.
Trial set for 12/1/14.

FTC v. WYNDHAM WORLDWIDE CORP., No. 2:13-CV-01887; 3:13-cv-1887 (D.N.J.); No.
2:12-CV-1365 (D. Ariz.)

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

Assigned Attorneys: John A. Krebs (BCP/PIP)
Katherine E. McCarron
Kevin H. Moriarty
Kristin K. Cohen
Lisa N.W. Schifferle
Jonathan Zimmerman
Andrea Arias

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; Commission's response filed 10/1/12; defendants' reply filed 10/23/12.
Motion for leave to file amicus curiae briefs filed by the Chamber of Commerce and the International Franchise Association filed 10/5/12.
Defendants' motion to transfer venue to the District of New Jersey granted 3/25/13.
Order denying defendants' motions to dismiss and amici's motions to file briefs, subject to refile in the District of New Jersey entered 3/25/13.
Defendants' motions to dismiss re-filed 4/26/13; Commission's opposition filed 5/20/13; defendants' reply filed 6/10/13.
Order denying defendant's motion to dismiss entered 6/23/14; order granting defendant's motion for leave for interlocutory review entered 6/23/14.

FTC v. YOUR BABY CAN LLC, No. 3:12-CV-02114 (S.D. Cal.)

Parties: Your Baby Can LLC
Hugh Penton, Jr.
Robert Titzer
Infant Learning, Inc., d/b/a The Infant Learning Company

Assigned Attorneys: David Koehler (BCP/AP)
Robin Spector
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 as to defendants Your Baby Can LLC and Hugh Penton, Jr. entered 9/12/12.
Amended complaint against Robert Titzer and Infant Learning, Inc. filed 2/27/13.

FTC v. YOUR YELLOW PAGES, INC., No. 1:14-cv-22129 (S.D. Fla.)

Parties: Your Yellow Pages, Inc., d/b/a EBS Collections
Rapid Pages, Inc., d/b/a Rapid Yellow Pages
City Pages, Inc., d/b/a Online City Yellow Pages
Donovan B. Hinds, a/k/a Donavan B. Hinds
Andrew Beitler
Ernest Baxter, a/k/a Ernest Baster, a/k/a Carl Jenkins

Assigned Attorneys: Anna M. Burns (SER)
Steven S. Elg

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 of the FTC Act in connection with the sale of business directories.

Status: Complaint filed 6/9/14.
Stipulated preliminary injunction order as to Andrew Beitler, Rapid Pages, Inc., Your Yellow Pages, Inc., City Pages, Inc., and Donovan B. Hinds entered 6/23/14.

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. Todaro
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.
TRO entered 9/25/12.
Preliminary injunction entered 10/9/12.
Commission's motion for entry of default as to defendants filed 2/6/14.
Order to show cause why default judgment should not be entered against defendants entered 6/10/14.

CIVIL PENALTY AND ENFORCEMENT CASES*

(A) Consumer Protection

FTC v. ABERNATHY MOTOR COMPANY, No. 3:14-cv-00063 (E.D. Ark.)

Parties: Abernathy Motor Company
 Wesley Abernathy
 David Abernathy

Assigned Attorneys: Eric N. Roberson (SWR)
 Reid Abram Tepfer

Alleged Conduct: Violations of Section 5, the Magnuson-Moss Act and the Used Car Rule for failure to display Buyers Guide providing warranty and other information on used vehicles for sale.

Status: Complaint filed 3/12/14.

UNITED STATES v. CONSUMER PORTFOLIO SERVICES, INC., No. 8:14-cv-0819 (C.D. Cal.)

Parties: Consumer Portfolio Services, Inc.

Assigned Attorneys: Ann Entwistle (DOJ/CPB)

Alleged Conduct: Violations of Section 5 of the FTC Act, the Fair Debt Collection Practices Act, and the Fair Credit Reporting Act in connection with car loans.

Status: Complaint filed 5/28/14.
 Stipulated order for permanent injunction and civil penalty entered 6/11/14.

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 Kim (BCP/ENF)

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

Brad Winter
Jessica R. Gunder (DOJ/CPB)

Alleged Conduct: Violation of an FTC final cease and desist order in connection with defendants' continued deceptive advertising, promotion, and sale of supposed 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 States' 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 on liability in favor of the United States entered 9/24/12.
United States' motion for entry of final judgment filed 4/14/14; defendants' response filed 5/19/14; reply filed 6/6/14.

UNITED STATES v. DISH NETWORK LLC., No. 13-2282 (7th Cir.); 3:09-CV-03073 (C.D. Ill.)

Parties: Dish Network L.L.C.

Assigned Attorneys: Russell Deitch (BCP/MP)
Gary Ivens
Patrick Runkle (DOJ/CPB)
Lisa Hsiao (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 11/2/09.
 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.
 Order vacating magistrate's decision denying Commission's motion for leave to file second amended complaint entered 3/12/13.
 Amended complaint filed 3/12/13.
 Petition for writ of mandamus by Dish Network filed 6/12/13.
 Order denying petition for mandamus entered 7/3/13.
 United States' motion for summary judgment filed 12/23/13; opposition filed 3/6/14.
 Motion for summary judgment by Dish Network filed 1/6/14; opposition filed 5/30/14.
 United States' motion for summary judgment filed 5/30/14.

UNITED STATES v. FEATURE FILMS FOR FAMILIES, INC., Nos. 2:12-CV-00811, 2:11-CV-00419 (D. Utah); No. 4:11-CV-00197 (N.D. Fla.)

Parties: Feature Films for Families, Inc.
 Corporations for Character LC
 Family Films 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.
Case consolidated with *Corporation for Character v. FTC*, No. 2:11-CV-00419, on 9/6/12.
Defendants' motion for partial summary judgment filed 9/6/12; United States' opposition filed 12/14/12.
United States' motion for partial summary judgment filed 3/1/13.
United States' second motion for partial summary judgment filed 5/17/13; opposition filed 7/19/13; reply filed 7/30/13.
Hearing on motions for partial summary judgment held 1/16/14.
United States' supplemental memorandum regarding motion for summary judgment filed on 2/14/14; defendants' reply to supplemental memorandum filed on 3/7/14.

UNITED STATES v. GOLOANSONLINE.COM, No. 4:14-cv-1262 (S.D. Tex.)

Parties: GoLoansOnline.com, Inc.

Assigned Attorneys: Keith E. Wyatt (AUSA)

Alleged Conduct: Violations of Section 5 of the FTC Act, the Mortgage Acts and Practices, and the Truth in Lending Act in connection with deceptive commercial communications relating to mortgage credit products.

Status: Complaint filed 5/7/14.
Stipulated judgment and order for permanent injunction and civil penalty entered 5/15/14.

UNITED STATES v. HERITAGE HOMES GROUP, INC., No. 2:14-cv-03173 (E.D. Pa)

Parties: Heritage Homes Group, Inc.
Heritage Building Group, Inc.
Heritage Highgate, Inc.
Heritage Partners, Inc.
CJL Realty Management, LLC.

Assigned Attorneys: James Harlow (AUSA)

Alleged Conduct: Violations of Section 5 of the FTC Act, the Mortgage Acts and Practices, and the Truth in Lending Act in connection with deceptive commercial communications relating to mortgage credit products.

Status: Complaint filed 6/4/14.
Stipulated order for permanent injunction and civil penalty judgment entered 6/6/14.

UNITED STATES v. INFOTRACK INFORMATION SERVICES, INC., No. 1:14-cv-02054
(N.D. Ill.)

Parties: Infotrack Information Services, Inc.
Steve Kaplan

Assigned Attorneys: Donald R. Lorenzen (AUSA)

Alleged Conduct: Violations of Section 5 and Fair Credit Reporting Act in connection with the sale of consumer data.

Status: Complaint filed 3/24/14.
Stipulated final judgment and order entered 3/25/14.

UNITED STATES v. INSTANT CHECKMATE, INC. No. 3:14-cv-0675 (S.D. Cal.)

Parties: Instant Checkmate, Inc.

Assigned Attorneys: Douglas Keehn (AUSA)

Alleged Conduct: Violations of Section 5 and Fair Credit Reporting Act in connection with the sale of consumer data.

Status: Complaint filed 3/24/14.
Stipulated final judgment and order for civil penalties, permanent injunction, and other equitable relief entered 3/25/14.

FTC v. NAVESTAD, Nos. 11-1949, 11-1950 (2d Cir.), No. 6:09-CV-06329 (W.D.N.Y.)

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

Assigned Attorneys: Russell S. Deitch (BCP/MP)
Craig Tregillus
Kathleen Daffan
Elsie Kappler
David L. Sieradzki (OGC)

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

Status: Complaint for civil penalties and other relief filed 6/25/09.
Judgment in favor of the Commission entered 4/16/12.
Motion to hold defendant Paul Navestad in civil contempt of modified order for permanent injunction and monetary relief filed 10/24/13.
Order granting contempt motion entered 11/22/13.

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 entered 9/30/12.
Motion for summary judgment by the United States filed 8/20/13; defendants' response filed 11/4/13; United States' reply filed 11/14/13.
Motion for partial summary judgment by defendants filed 8/20/13; United States' opposition filed 9/4/13; defendant's reply filed 11/12/13.

Joint notice of settlement filed 1/31/14.
Motion to approve consent judgment filed 6/18/14.

FTC v. ROSS-CLAYTON FUNERAL HOME, INC., No. 2:13-cv-851 (M.D. Ala.)

Parties: Ross-Clayton Funeral Home, Inc.
David C. Ross
Eleanor Lewis Dawkins

Assigned Attorneys: P. Connell McNulty (BCP/MP)
Patricia Hsue

Alleged Conduct: Violations of the Commission's Trade Regulation Rule Concerning Funeral Industry Practices by failing to show people a printed or typewritten casket price list.

Status: Complaint filed 11/21/13.

UNITED STATES v. VERSATILE MARKETING SOLUTIONS, INC., No. 1:14-cv-10602
(D. Mass.)

Parties: Versatile Marketing Solutions, Inc.
Jasjit Gotra

Assigned Attorneys: Ann Entwistle (DOJ/CPB)

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rules in connection with calls to consumers using sales leads obtained by illegal means.

Status: Complaint filed 3/10/14.
Stipulated final order for permanent injunction and civil penalty entered 3/10/14.

UNITED STATES v. THE ZAKEN CORP., No. 2:12-CV-09631 (C.D. Cal.)

Parties: The Zaken Corp., also d/b/a The Zaken Corporation, QuickSell, and QuikSell
Tiran Zaken

Assigned Attorneys: Ann Entwistle (DOJ/CPB)
Anoiel Khorshid (AUSA)

Alleged Conduct: Violations of Section 5 and the Business Opportunity Rule in connection with work-at-home opportunity consisting of locating and contacting

businesses with excess inventory.

Status:

Complaint filed 11/9/12.

Motion for preliminary injunction filed 1/7/13; defendants' opposition filed 2/4/13; United States' reply filed 2/15/13; defendants' opposition filed 3/4/13.

Order denying plaintiff's motion for preliminary injunction entered 7/31/13.

United States' motion for summary judgment filed 4/25/14; opposition filed 6/2/14; reply filed 6/16/14; oral argument on motion held 6/30/14.

Trial scheduled for 9/13/14.

(B) Competition

(None pending)

SUBPOENA AND CID ENFORCEMENT PROCEEDINGS

IN RE AEGIS MOBILE, LLC, No. 1:13-MC-524 (D.Md)

Parties: Aegis Mobile, LLC

Assigned Attorneys: Burke Kappler (OGC)
Leslie R. Melman

Alleged Conduct: Application for an order pursuant to 28 U.S.C. § 1782 to obtain information from Aegis Mobile LLC on behalf of the Competition Bureau, Canada, for use in foreign proceedings.

Status: Application filed 11/1/13; granted 11/1/13.
Commission's motion to compel compliance with subpoena filed 1/28/14; granted 1/31/14.
Motion to vacate court's 1/31/17 order filed 2/4/14; Commission's response filed 2/6/14; Aegis Mobile's reply filed 2/7/14; order granting motion in part entered 2/10/14.
Aegis Mobile's opposition to Commission's motion to compel compliance with subpoena filed 2/14/14; Commission's surreply filed 3/14/14; Aegis Mobile's response to surreply filed 3/21/14.
Hearing held 6/5/14.

FTC v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., No. 12-5393 (D.C. Cir.);
No. 1:09-MC-00564 (D.D.C.)

Parties: Boehringer Ingelheim Pharmaceuticals, Inc.

Assigned Attorneys: Mark Hegedus (OGC)
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.
Order holding that Boehringer failed to conduct an adequate search of its electronically stored information, and ordering Boehringer

to run additional searches entered 10/16/12.
Commission's notice of appeal filed 12/11/12.
Boehringer's motion to dismiss appeal filed 1/28/13; Commission's response
in opposition filed 2/11/13; Boehringer's reply filed 2/22/13; order
denying motion to dismiss entered 4/12/13.
Commission's initial brief filed 6/28/13; appellees' brief filed 8/28/13;
Commission's reply brief filed 9/11/13; appellee's final brief filed
10/3/13.
Argument scheduled for 10/14/14.

FTC v. COUNTRYWIDE PERIODICALS, LLC, No. 9:14-mc-0002 (D. Mont.)

Parties: Countrywide Periodicals, LLC

Assigned Attorneys: Michael Bergman (OGC)

Alleged Conduct: Petition for an order to enforce CID.

Status: Complaint filed 5/28/14.
Stipulated order to enforce CID entered 6/16/14.

FTC v. MOBILEFUNSTER, No. 1:14-mc-00112 (D.D.C.)

Parties: Mobilefunster, Inc.

Assigned Attorneys: Alice B. Bartek (OGC)
Leslie R. Melman

Alleged Conduct: Petition for an order to enforce CID.

Status: Motion for order to enforce civil investigative demand filed 2/7/14.
Order granting in part motion for order to show cause entered 6/24/14.

FTC v. THE WESTERN UNION CO., Nos. 13-3100, 13-3272 (2d. Cir.); No.1:13-MC-00131
(S.D.N.Y)

Parties: The Western Union Company
Lonnie Keene
Keene Consulting Arizona, LLC

Assigned Attorneys: Burke Kappler (OGC)
Leslie R. Melman

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

Status: Petition filed 4/15/13.
Hearing held 5/28/13.
Enforcement order entered 6/6/13; revised 6/7/13.
Motion by Western Union for clarification or reconsideration filed 6/17/13;
Commission's opposition filed 6/19/13; motion denied 6/20/13.
Notice of appeal by Commission filed 8/14/13; cross appeal by Western
Union filed 8/27/13.
Application for contempt by Commission filed 11/8/13; response by Western
Union filed 11/27/13; reply filed 12/5/13; stipulated order resolving
contempt entered 12/9/13.
Commission's opening appeal brief filed 11/27/13; Western Union's
answering and cross-appeal brief filed 2/26/14; Commission's
response and reply brief filed 4/28/14; Western Union's reply on
cross-appeal filed 5/22/14.
Oral argument scheduled for 9/10/14.

SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

***AYUDA INC. ET AL. v. FTC*, No. 13-1266 (D.D.C)**

Parties: Ayuda, Inc.
Catholic Charities of the Archdiocese of Washington DC
Catholic Legal Immigration Network, Inc.
Legal Aid Justice Center

Assigned Attorneys: Michelle Lo (AUSA)
Jack Metzler (OGC)

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

Status: Complaint filed 8/20/13
Amended complaint filed 12/2/13.
Commission's motion for summary judgment filed on 2/12/14; Ayuda's
opposition and cross-motion for summary judgment filed 4/8/14;
Commission's reply/cross-opposition due 7/17/14.

***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: Lemuel Dowdy (BCP/ENF)
Frank Gorman
Mark Hegedus (OGC)
Gerald Kell (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 8/17/11; Commission's opposition filed on 9/28/11; reply filed 11/01/11; order granting motion for partial summary judgment entered 6/1/12; hearing held 5/31/12. Commission's motion for partial summary judgment filed 5/24/12. Plaintiff's motion for summary judgment and opposition to Commission's motion for partial summary judgment filed 9/12/12; Commission's response filed 1/31/13; plaintiff's reply memorandum filed 3/29/13. Hearing on pending summary judgment motions held 5/22/13.

CARTER, FULLERTON, & HAYES, LLC v. FTC, No. 1:14-cv-0574 (E.D.Va.)

Parties: Carter, Fullerton, & Hayes, LLC

Assigned Attorneys: Lauren A. Wetzler (DOJ)
David Sieradzki (OGC)

Nature of Action: Freedom of Information Act disclosures and fee waiver application.

Status: Complaint filed 5/19/14.
Commission's motion to dismiss filed 6/19/14; response filed 6/30/14;
reply brief due 7/8/14.

CAUSE OF ACTION v. FTC, No. 13-5335 (D.C. Cir.); 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; plaintiff's opposition brief filed 11/28/12; Commission's reply brief filed 1/25/13.

Opinion and order granting in part and denying in part the Commission's motion for summary judgment entered 8/19/13.

Final consent judgment entered 9/12/13.

Notice of appeal filed 11/12/13.

Appellant's brief filed 5/6/14; Commission's answering brief due 8/6/14.

COFIELD v. UNITED STATES, Nos. 14-cv-55 (D.D.C); 2013-CA-008202 (D.C. Super. Ct.)

Parties: Keenan K Cofield

Assigned Attorneys: Kimberly J. Duplechain (AUSA)
Jack Metzler (OGC)

Nature of Action: Action alleging that the government gave the Internet Corporation for Assigned Names and Numbers an unfair monopoly over the internet, domain names, and web addresses, and asserting a FOIA claim against the FTC.

Status: Complaint filed 12/9/13.
Government motion to dismiss, or in the alternative for summary judgment filed 2/14/14; Cofield response filed 2/21/14; government reply filed 2/25/14.
Cofield motion for summary judgment 3/6/2014.
Cofield motion to compel filed 3/14/2014; government opposition filed 3/26/2014.
Cofield motion for judgment on the pleadings filed 6/4/2014; government opposition filed 6/20/2014.

COMPASSION OVER KILLING v. FTC, No. 4:13-cv-01385 (N.D. Cal.)

Plaintiffs: Compassion Over Killing
Animal Legal Defense Fund
Elizabeth Barrett
Adrea Bock
Linda Calbreath
Jason Canada
Jeri Opalk
Humberto Retana

Defendants: Food and Drug Administration and Margaret Hamburg, Commissioner
Agriculture Marketing Service and David R. Shipman, Administrator
Food Safety and Inspection Service and Alfred V. Almanza, Administrator
Federal Trade Commission and Edith Ramirez, Chairwoman

Assigned Attorney: Ann Entwistle (DOJ/CPB)

Michele Arington (OGC)

Nature of Action: Action for declaratory and injunctive relief under the Administrative Procedure Act in connection with petitions requesting rulemakings to revise or create new labeling requirements for eggs.

Status: Complaint filed 3/28/13.
Amended complaint filed 3/27/14.
Plaintiffs' motion for summary judgment due 7/23/14; government's opposition due 8/27/14.

FRANKEL v. UNITED STATES, No. 1:13-546 (Fed. Cl.)

Parties: David Frankel

Assigned Attorneys: Jessica R. Toplin (DOJ)
Olga Vaytsman (OGC)

Nature of Action: Action alleging that the Commission failed to conduct the Robocall Challenge in accordance with its own published rules.

Status: Complaint filed 8/6/13.
Motion to dismiss by USA filed 10/28/13; defendant's response filed 11/7/13; reply filed 11/26/13; sur-reply filed 12/3/13.

HI TECH PHARMACEUTICALS , INC. v. FTC, No. 1:13-CV-00489 (D.D.C.); No. 1:13-cv-4306 (N.D. Ga.)

Parties: Hi Tech Pharmaceuticals, Inc.

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

Nature of Action: Action challenging the FTC's requirement that before making a weight-loss claim, a company must possess "competent and reliable scientific evidence."

Status: Complaint filed 4/10/13.
Order transferring case to the Northern District of Georgia entered 12/20/13.
Commission's motion to dismiss filed 2/18/14; response brief filed 3/7/14;
reply brief filed 3/24/14.

LABMD v. FTC, No. 14-12144 (11th Cir.); No. 1:14-cv-0810 (N.D. Ga.)

Parties: LabMD

Assigned Attorneys: David Sieradzki (OGC)
Lauren E. Fascett (DOJ/CPB)

Nature of Action: Action for declaratory and injunctive relief in connection with the FTC's proceedings against LabMD regarding its patient-information data securing practices.

Status: Complaint and motion for preliminary injunction by LabMD filed 3/20/14. Commission's motion to dismiss filed 4/7/14; LabMD's response filed 4/11/14.
Order granting Commission's motion to dismiss entered 5/12/14.
Notice of appeal by LabMD filed 5/14/14.
LabMD's emergency motion for injunction pending appeal filed 5/15/14; Commission's opposition filed 5/19/14; motion denied 5/19/14.
LabMD's opening brief filed 6/24/14; Commission's responsive brief due 7/28/14.

MODERN IMAGING SOLUTIONS, INC. v. UNITED STATES, No.1:11-CV-7111 (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.
Order granting joint motion to stay proceedings entered 7/23/13.
Stipulation of dismissal with prejudice entered 4/18/14.

MPHJ TECHNOLOGY INVESTMENTS, LLC v. FTC, No. 6:14-cv-0011 (W.D. Tex.)

Parties: MPHJ Technology Investments, LLC

Assigned Attorneys: Perham Gorji (DOJ)
Mark Hegedus (OGC)

Nature of Action: Action challenging the FTC's jurisdiction regarding patent infringement.

Status: Complaint filed 1/13/14.
Commission's motion to dismiss filed 3/28/14; response filed 4/18/14;
Commission's reply filed 5/5/14.

PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA v. FTC, No. 1:13-cv-01974 (D.D.C)

Parties: Pharmaceutical Research and Manufacturers of America

Assigned Attorney: Michele Arington (OGC)

Nature of Action: Action for injunctive and declaratory relief under the Administrative Procedure Act challenging the FTC's issuance of a rule that addresses when a transaction involving the transfer of rights to a patent in the pharmaceutical industry is reportable under the HSR Act.

Status: Complaint filed 12/12/13.
Motion for Summary Judgment filed by PhRMA 2/7/14; Commission's opposition and cross-motion for summary judgment filed 3/10/14; PhRMA's reply and opposition to cross-motion filed 3/24/14; Commission's reply brief filed 3/31/14.
Memorandum Opinion denying PhRMA's motion for summary judgment and granting Commission's cross-motion for summary judgment entered 5/30/14.

ROBERSON v. UNITED STATES, No. 1:13-844 (Fed. Cl.)

Parties: Carol Sue Roberson

Assigned Attorneys: Meen Geu Oh (DOJ)
Olga Vaytsman (OGC)

Nature of Action: Action alleging violations in connection with the FTC's Robocall Challenge.

Status: Complaint filed 10/28/13.
Commission's motion to dismiss filed 1/31/14; Plaintiff's opposition filed 2/18/14; Commission's reply filed 3/7/14.
Case dismissed 3/14/14.

AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS

***APPLE, INC. v. MOTOROLA, INC.*, Nos. 12-1548, 12-1549 (Fed. Cir.)**

Assigned Attorneys: Suzanne Munck (OPP)
William Adkinson, Jr.

Nature of Action: A private action addressing the standards for entry of injunctive relief for patent infringement, including patents that are essential to industry standards.

Status: Brief of the FTC as amicus curiae filed 12/4/12.
Oral argument held 9/11/13.
Opinion and judgment entered 4/25/14.

***BATMAN v. FACEBOOK*, No. 13-16819 (9th Cir.)**

Assigned Attorneys: Imad Abyad (OGC)

Nature of Action: Private action concerning Facebook's use of users' names and images for advertisements without their consent.

Status: Brief of Federal Trade Commission as amicus curiae disagreeing with district court's view of federal preemption regarding the Children's Online Privacy Protection Act filed 3/21/14.

***BUCHANAN v. NORTHLAND GROUP, INC.*, No. 13-2523 (6th Cir.)**

Assigned Attorneys: Jack Metzler (OGC)

Nature of Action: Private action addressing the practice of sending debt collection notices for time-barred debts.

Status: Brief of the Consumer Financial Protection Bureau and the Federal Trade Commission as amici curiae in support of the district court's denial of Northland Group's motion to dismiss filed 9/4/13.

***DELGADO v. CAPITAL MANAGEMENT SERVICES*, No. 13-2030 (7th Cir.)**

Assigned Attorneys: Jack Metzler (OGC)

Nature of Action: Private action addressing the application of the Fair Debt Collection Practices Act to the collection of debts barred by the statute of limitations.

Status: Brief of Commission and the Consumer Financial Protection Bureau as amici curiae in response to an invitation from the Seventh Circuit filed 8/14/13.
Oral argument held 9/25/13.
Decision issued 3/11/14.

IN RE INTERSTATE BAKERIES CORP., No. 11-1850 (8th Cir.)

Assigned Attorneys: Mark Hegedus (OGC)
Robert B. Nicholson (DOJ/AD)
Adam D. Chandler

Nature of Action: Private action involving the proper application of the executory contract doctrine in 11 U.S.C. § 365 to contracts that implement antitrust divestiture decrees.

Status: Brief of the United States and the Federal Trade Commission as amici curiae in support of rehearing filed 5/31/13.
Brief of the United States and the Federal Trade Commission in opposition of the Appellee's motion to dismiss appeal as moot filed 9/26/13.
Order holding motion to dismiss as taken with the case for consideration with the balance of the case entered 10/8/13.
Oral argument held 10/22/13.
Eighth Circuit en banc decision reversing district court entered 6/6/14.

JACKSON v. PAYDAY FINANCIAL, LLC, No. 12-2617 (7th Cir.)

Assigned Attorney: Michele Arington (OGC)

Nature of Action: Private action involving a provision in payday lenders' contracts requiring arbitration of disputes on Indian reservation.

Status: Brief of Commission as amicus curiae in response to an invitation from the Seventh Circuit filed 9/13/13.

IN RE LAMICTAL DIRECT PURCHASER ANTITRUST LITIGATION, No. 14-1243 (3rd Cir.);
No.2:12-CV-00995 (D.N.J.)

Assigned Attorneys: Markus Meier (BC)
Jamie R. Towey
Melanie J. Brown
Mark S. Hegedus (OGC)

Nature of Action: Private action involving antitrust claims that an exclusive license that effectively prevents a branded company from launching an authorized generic constitutes a payment-for-delay in restraint of trade.

Status: Brief of the FTC as amicus curiae, opposing defendants' motion to dismiss, filed 10/5/12.
Order granting motion to dismiss filed 12/6/12.
Notice of appeal filed 12/21/12.
Order, staying appeal pending the Supreme Court's decision in *FTC v. Actavis, Inc.* entered 2/26/13.
Defendants motion to remand case back to district court filed 6/20/13; appellants' response filed 6/25/13.
Court of appeals order remanding the case to the district court for further proceedings entered 7/2/13.
District court order reaffirming order of dismissal entered 1/24/14.
Notice of appeal docketed 1/30/14.
Commission's brief as amicus curiae in support of appellants filed 4/28/14.

LOTES CO., LTD v. HON HAI PRECISION INDUSTRY CO., LTD., No. 13-2280 (2d Cir.)

Assigned Attorneys: Mark Hegedus (OGC)
Michael Bloom (BC)
James Fredericks (DOJ/ATR)

Nature of Action: Sherman Act damages action brought by foreign company alleging injury suffered in foreign commerce.

Status: Brief of United States and the Commission as amici curiae arguing that Foreign Trade Antitrust Improvement Act barred plaintiff's Sherman Act claim filed on 10/10/13.
Second Circuit decision affirming district court entered 6/4/14.

MOORE v. VERIZON, No. 14-15492 (9th Cir.); No. 4:09-CV-01823 (N.D. Cal.)

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

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

Status: Brief of the Commission as amicus curiae in opposition to a proposed settlement filed 8/17/12.
Order approving settlement agreement entered 8/28/13.

Final judgment entered 10/30/13.
Notice of appeal filed 3/17/14.

MORAN v. THE SCREENING PROS, No. 12-57246 (9th Cir.)

Assigned Attorney: Jack Metzler (OGC)

Nature of Action: Private action involving a Fair Credit and Reporting Act provision limiting the time period for listing misdemeanors on a report.

Status: Brief of the Consumer Financial Protection Bureau and the Federal Trade Commission as amici curiae filed in support of plaintiff's Section 605(a) claim filed on 10/7/13.

MOTOROLA MOBILITY, LLC V. AU OPTRONICS CORP., No. 14-8003 (7th Cir.);
No. 1:09-cv-06610 (E.D. Ill.)

Assigned Attorneys: Mark S. Hegedus (OGC)

Nature of Action: DOJ action involving the standard for assessing effects on U.S. commerce in applying the Foreign Trade Antitrust Improvements Act.

Status: Brief of the FTC as amicus curiae in support of petition for rehearing en banc filed 6/27/14.

MYLAN PHARMACEUTICALS, INC v. CELGENE CORP., No. 2:14-cv-02094 (D.N.J.)

Assigned Attorneys: Kara L. Monahan (BC)

Nature of Action: Private action addressing the question of whether, and to what extent, antitrust law places limits on a private company's ability to block generic access to its brand product.

Status: Brief of the FTC as amicus curiae in opposition to defendant's motion to dismiss filed 6/17/14.

SYKES v. MEL S. HARRIS AND ASSOCIATES LLC, No. 13-2742 (2d Cir.)

Assigned Attorneys: Jack Metzler (OGC)
David M. Gossett (CFPB)

Nature of Action: Class action suit brought by consumers against a group of affiliated debt-

buying companies, alleging violations of the Fair Debt Collection Practices Act.

Status: Brief of Federal Trade Commission and the Consumer Financial Protection Bureau supporting plaintiffs filed 11/13/13.
Oral argument held 2/7/14.