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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15
16 FEDERAL TRADE COMMISSION,

17 Plaintiff,

18 v.

19 REGENERATIVE MEDICAL GROUP,
20 INC., a corporation;

21 TELEHEALTH MEDICAL GROUP, INC.,
22 a corporation; and

23
24 BRYN JARALD HENDERSON, D.O.,
25 individually and as an officer of
26 REGENERATIVE MEDICAL
27 GROUP, INC. and TELEHEALTH
MEDICAL GROUP, INC.,

28 Defendants.

Case No. 8:18-cv-01838

**COMPLAINT FOR
PERMANENT INJUNCTION
AND OTHER EQUITABLE
RELIEF**

1 Plaintiff, Federal Trade Commission (“FTC” or “Commission”), for its
2 complaint alleges:

3 1. The FTC brings this action pursuant to Section 13(b) of the Federal
4 Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b), to obtain permanent
5 injunctive relief, rescission or reformation of contracts, restitution, the refund of
6 monies paid, disgorgement of ill-gotten monies, and other equitable relief for
7 Defendants’ acts or practices in violation of Sections 5(a) and 12 of the FTC Act,
8 15 U.S.C. §§ 45(a) and 52, in connection with the labeling, advertising, marketing,
9 distribution, and sale of stem cell therapy to treat, cure, and mitigate various
10 diseases and health conditions.

11 **JURISDICTION AND VENUE**

12 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C §§
13 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a) and 53(b).

14 3. Venue is proper in this district under 28 U.S.C. § 1391(b)(1), (b)(2),
15 (c)(1), (c)(2), and (d) and 15 U.S.C. § 53(b).

16 **PLAINTIFF**

17 4. The FTC is an independent agency of the United States Government
18 created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC
19 Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or
20 affecting commerce. The FTC also enforces Section 12 of the FTC Act, 15 U.S.C.
21 § 52, which prohibits false advertisements for food, drugs, devices, services, or
22 cosmetics in or affecting commerce.

23 5. The FTC is authorized to initiate federal district court proceedings, by
24 its own attorneys, to enjoin violations of the FTC Act and to secure such equitable
25 relief as may be appropriate in each case, including rescission or reformation of
26 contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten
27 monies. 15 U.S.C. §§ 53(b) and 56(a)(2)(A).

DEFENDANTS

1
2 6. Defendant Regenerative Medical Group, Inc. (“RMG”) is a California
3 corporation with its principal place of business at 615 E. Chapman Avenue,
4 Orange, CA 92866. RMG transacts or has transacted business in this district and
5 throughout the United States. At all times material to this Complaint, acting alone
6 or in concert with others, RMG has advertised, marketed, or sold stem cell therapy
7 to treat, cure, and mitigate various diseases and health conditions to consumers
8 throughout the United States.

9 7. Defendant Telehealth Medical Group, Inc. (“TMG”) is a California
10 corporation with its principal place of business at 615 E. Chapman Avenue,
11 Orange, CA 92866. TMG transacts or has transacted business in this district and
12 throughout the United States. At all times material to this Complaint, acting alone
13 or in concert with others, TMG has advertised, marketed, or sold primary care
14 medical services, including services related to stem cell therapy, to treat, cure, and
15 mitigate various diseases and health conditions to consumers throughout the
16 United States.

17 8. Defendant Bryn Jarald Henderson, D.O., J.D., is the founder, CEO,
18 and sole owner and shareholder of RMG and TMG. At all times material to this
19 Complaint, acting alone or in concert with others, he has formulated, directed,
20 controlled, had authority to control, or participated in the acts and practices of
21 RMG and TMG, including the acts and practices set forth in the Complaint.
22 Defendant Henderson resides in this district and, in connection with the matters
23 alleged herein, transacts or has transacted business in this district and throughout
24 the United States. Defendant Henderson’s family trust owns RMG’s and TMG’s
25 main office at 615 E. Chapman Avenue, Orange, California 92866.

26 9. Defendant Henderson is featured prominently in RMG’s advertising,
27 including its websites and social media platforms, where he often appears in a
28 white lab coat discussing the benefits of amniotic stem cell therapy. He speaks

1 with all prospective patients during which he discusses the benefits of amniotic
2 stem cell therapy. Defendant Henderson is aware that the vast majority of
3 amniotic stem cell research has been conducted on animal models. There are no
4 human clinical studies in the scientific literature showing that amniotic stem cell
5 therapy cures, treats, or mitigates diseases or health conditions in humans, and the
6 medical community considers amniotic stem cell therapy to be an experimental and
7 unproven treatment. He also has not conducted any studies demonstrating that
8 amniotic stem cell therapy cures, treats, or mitigates diseases or health conditions
9 in humans.

10 10. Defendant Henderson maintains final approval for all information
11 posted on the RMG website and Facebook page. He has the login credentials for
12 all of RMG's advertising platforms, including the website and social media pages.
13 In addition, Defendant Henderson has employed physicians and pharmacists to
14 work at RMG and TMG who have no experience with stem cell therapy and lack
15 appropriate licenses to practice medicine.

16 11. Defendants RMG and TMG (collectively "Corporate Defendants")
17 have operated as a common enterprise while engaging in the deceptive acts and
18 practices alleged below. These Corporate Defendants have conducted the business
19 practices described below through interrelated companies that have common
20 ownership, officers, managers, business functions, employees, and office locations.
21 Because these Corporate Defendants have operated as a common enterprise, each
22 of them is jointly and severally liable for the acts and practices alleged below.
23 Defendant Henderson has formulated, directed, controlled, had the authority to
24 control, or participated in the acts and practices of the Corporate Defendants that
25 constitute the common enterprise.

1 **COMMERCE**

2 12. At all times material to this Complaint, Defendants have maintained a
3 substantial course of trade in or affecting commerce, as “commerce” is defined in
4 Section 4 of the FTC Act, 15 U.S.C. § 44.

5 **DEFENDANTS’ BUSINESS ACTIVITIES**

6 13. Defendants advertise, offer for sale, sell, and distribute stem cell
7 therapy to treat, cure, and mitigate various diseases and health conditions.
8 Defendants use stem cells derived from the amniotic fluid of women who have had
9 full-term pregnancies and elected to undergo caesarean sections.

10 14. Defendants have advertised stem cell therapy through social media
11 and other internet marketing. Defendants also marketed and sold stem cell therapy
12 through websites owned by RMG including, but not limited to, www.stemcell.life
13 and www.cerebralpalsy.healthcare.

14 15. To induce consumers to undergo stem cell therapy, Defendants have
15 disseminated or caused to be disseminated advertisements and promotional
16 materials including, but not limited to, the attached Exhibits A through F. The cost
17 of the initial stem cell therapy Defendants sell ranges from approximately \$9,500
18 to \$15,000. From January 2014 to December 2017, Defendants generated at least
19 \$3.31 million in U.S. net sales for all of their stem cell therapy products. Dr.
20 Henderson and RMG’s other physicians encourage patients to undergo multiple
21 stem cell treatments. A follow-up “booster” of stem cells can cost between \$5,000
22 to \$8,000.

23 16. The advertisements and promotional materials referenced in
24 Paragraphs 14 and 15 contain the following statements and depictions, among
25 others:

1 A. A letter from Defendant Henderson posted on the stemcell.life
2 website and disseminated from January 1, 2015 to present (Ex. A):



Please Share this with your Healthcare Providers

If you wish we would like you to invite your physician to learn about the advances in stem cells.
We recognize that it is a challenge to keep up with all the advances in medicine but stem cells are special.
This is the only treatment that allows your body to determine how and where to make new cells.
Stem cell therapies are already playing a significant role in the treatment of many illnesses.

As often the case due to strict regulations and powerful health care companies America lags the world in stem cell therapies. Lives are being saved, the blind see, the crippled walk and the patients with heart, lung, kidney and nerve diseases can alter the course of their suffering with a simple therapy the lasts for years and impacts their lives NOW!

We currently use the most advanced stem cells - Amniotic stem cells - derived from a process approved by the FDA in a FDA licensed lab in Scottsdale, AZ.
This company is licensed to sell these stem cells globally. Amniotic stem cells are immune privileged which means that our bodies do not recognize them as foreign and therefore do not reject them.
There has never been any side effects reported from administering amniotic stem cells.

Please review the following links and encourage those you love as well as your physicians to do the same in an effort to help you make the best decisions regarding your care. We also encourage you to create a 'Google alert' with the topic of 'adult stem cells' and track the advances daily as we have done for the past five years. This is one of the most exciting advances in medicine since the discovery of antibiotics !

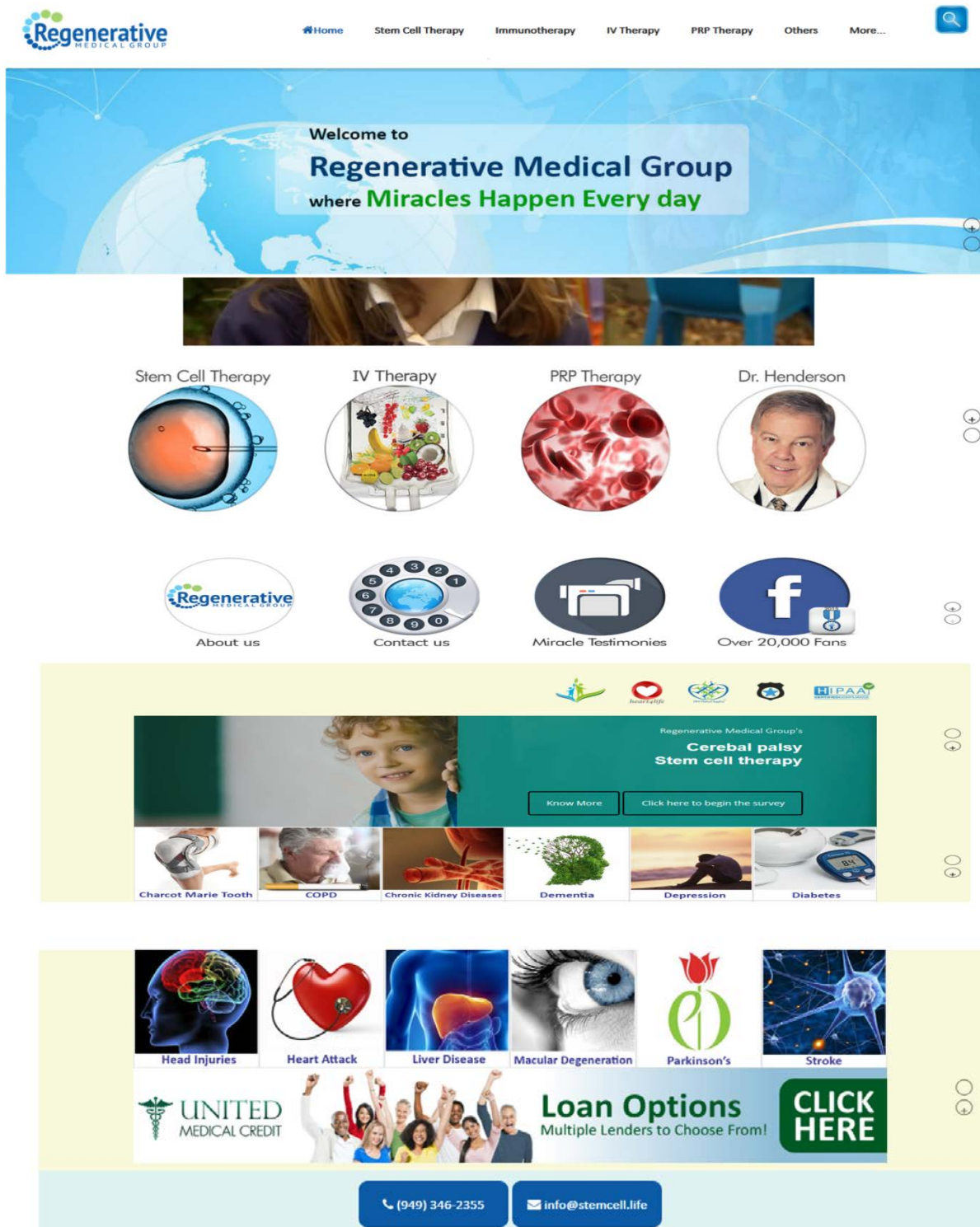
www.StemCell.life is our web site with a direct link to our Facebook page where you will find many testimonials and answers to common questions. It is also a place where you can ask other patients who have preceded you in these powerful treatments.

We welcome your questions, we discuss stem cell therapies daily with physicians from all over the world. We recognize that stem cell therapies are not for everyone and welcome learning from others in our efforts to help patients. We have a diverse team of healthcare professionals; physicians, dentists, pharmacists, chiropractors, naturopaths, and therapists from all over the world.

Bryn J. Henderson
DO, JD, FACPE, CIME
Executive leader of Regenerative Medical Group

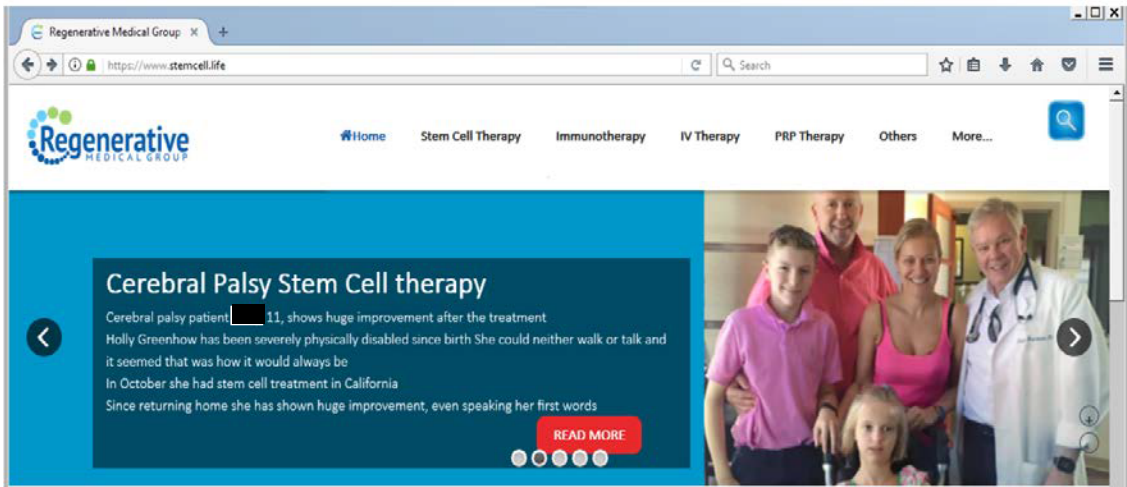
https://www.stemcell.life/uploads/3/0/0/9/30093761/dr_letter.pdf

1 B. Defendant RMG's website, www.stemcell.life, disseminated
2 from January 2015 to present (Ex. B):

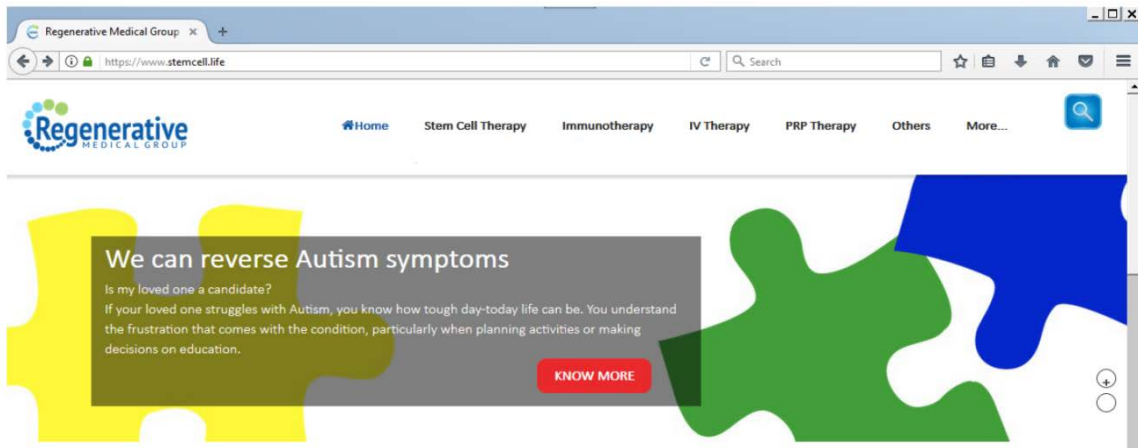


28 Ex. B(1).

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Ex. B(3).



Ex. B(4).

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There is light at the end of the tunnel

Cure for Macular Degeneration?

Eye with Degenerated Macula

Regenerative Medical Group offers patients access to Macular degeneration stem cell therapy using amniotic Stem Cells.

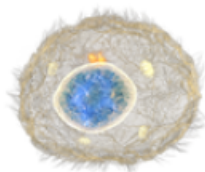
These Macular Degeneration Stem Cell Treatments have been shown to improve sight in patients with Macular degeneration. These procedures help patients who don't respond to typical drug treatment. These patients often have better results if stem cell therapy is begun early in the illness.

Since we have hundreds of patient with successful results we have been able to identify patterns of where stem cells make NEW cells. This is one of our advantages in helping you!

Be a Miracle Today!

Ex. B(5).

Can Stem Cell therapy help patients with chronic kidney disease?



Yes it can. Stem Cells can make new cells that replace damaged cells and reverse chronic kidney disease symptoms. RMG offers patients access to chronic kidney disease Stem Cell therapy using amniotic Stem Cells. These Stem Cell treatments improve complications in patients with chronic kidney disease. These procedures help patients who don't respond to typical drug treatments, want to reduce their reliance on medication, or are looking to try Stem Cell therapy before starting a lifelong drug treatment.

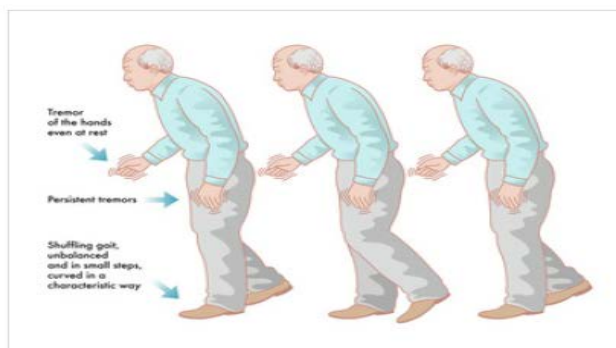
Ex. B(9).



Parkinson's Disease (PD) belongs to a group of conditions called motor system disorders, which are the result of the loss of dopamine-producing brain cells.

The four primary symptoms of PD are:

- Tremor: trembling in hands, arms, legs, jaw, and face
- Rigidity: stiffness of the limbs and trunk
- Bradykinesia: slowness of movement
- Postural instability: impaired balance and coordination.



Ex. B(12).

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The screenshot shows the 'Stroke Recovery' page on the Regenerative Medical Group website. The page features a blue header with the company logo and navigation links: Home, Stem Cell Therapy, Immunotherapy, IV Therapy, PRP Therapy, Others, and More... A search icon is in the top right. The main content area has a blue banner with the title 'Stroke Recovery'. Below this, there is a section titled 'Stroke recovery with Stem Cell- replacement of damaged cells and the restoration of the brain function'. The text explains that stroke is a leading cause of adult impairment and describes ischemic and hemorrhagic strokes. A video player is embedded, showing a man in a white t-shirt sitting on a bench outdoors. The video title is 'Stroke Patient Able to Walk Again After Stem Cell Therapy'. To the right of the video, there is a section for 'Our offices are in:' with buttons for Orange, Upland, La Jolla, and Florida. Below this is a circular portrait of Dr. Bryan J. Henderson, with a quote: 'We give YOU HELP and HOPE where YOU and others have given up'. A 'Schedule Appointment' button and contact information '(949)346-2355' are also present.

Ex. B(15).

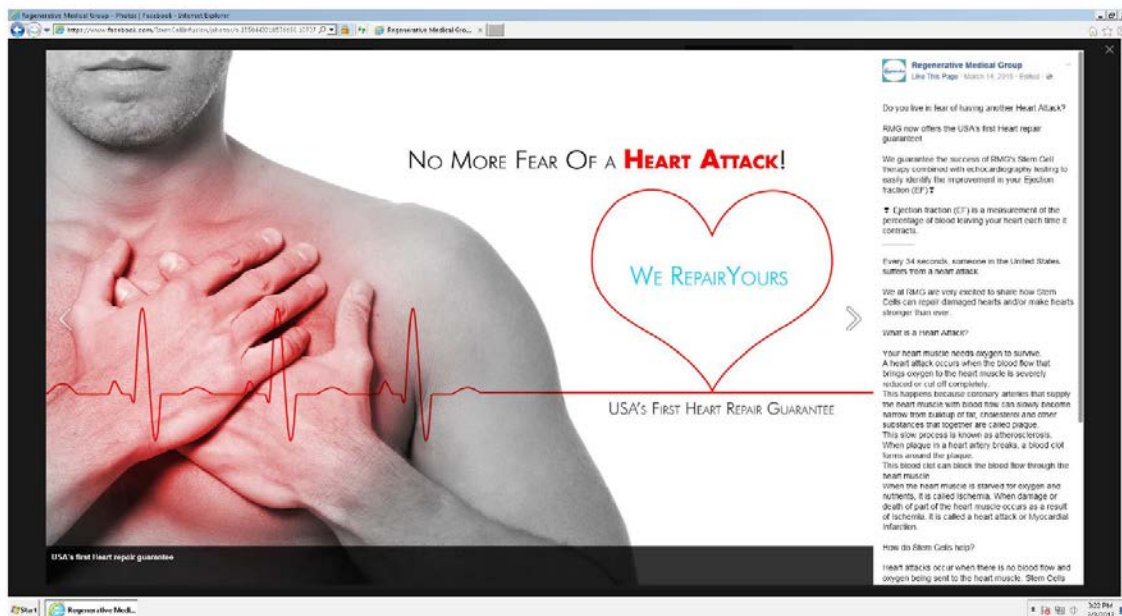
Until recently, it was believed that damaged brain tissue is a permanent condition. Nowadays the re-growth of brain cells and improvements of neurological function has been documented. Stem Cell treatment acts as a form of medical time machine, reversing the damage that has already been made.

Ex. B(16).

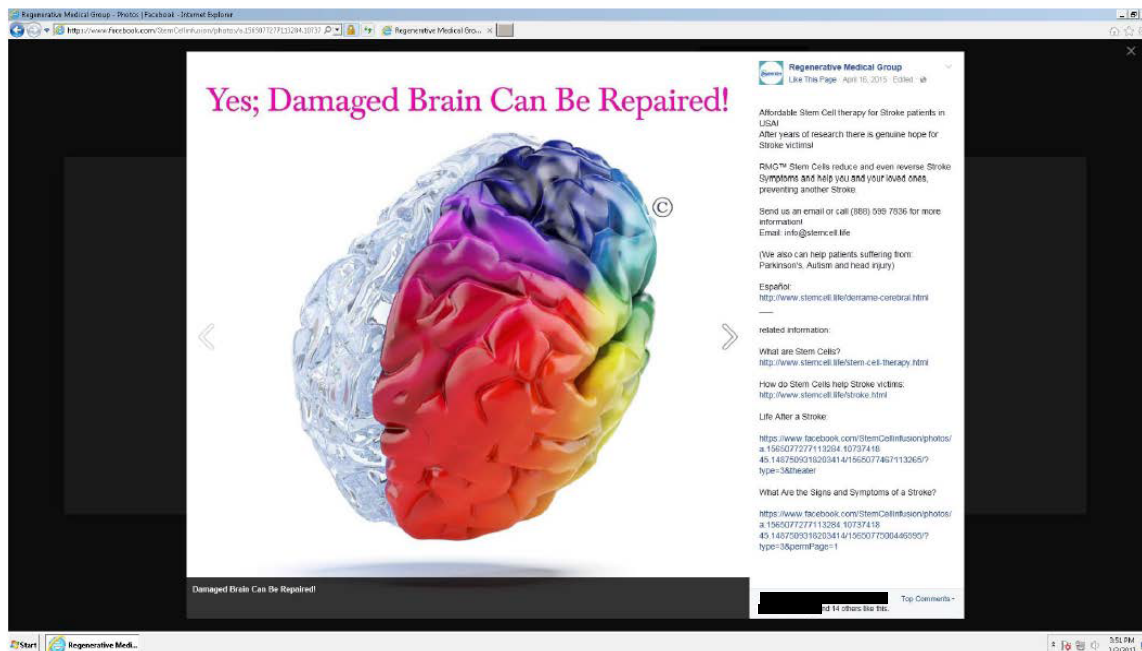
The screenshot shows the 'Osteoarthritis- You can avoid Surgery! You don't deserve the pain! We Regenerate You' page on the Regenerative Medical Group website. The page features a blue header with the company logo and navigation links: Home, Stem Cell Therapy, Immunotherapy, IV Therapy, PRP Therapy, Insurance, Financing, Others, Research, Our Physicians, Our Locations, and Contact Us. A search icon is in the top right. The main content area has a blue banner with the title 'Osteoarthritis- You can avoid Surgery! You don't deserve the pain! We Regenerate You'.

Ex. B (20).

1 C. Defendant RMG's Facebook pages disseminated from January 2015
2 to present (Ex. C - E):

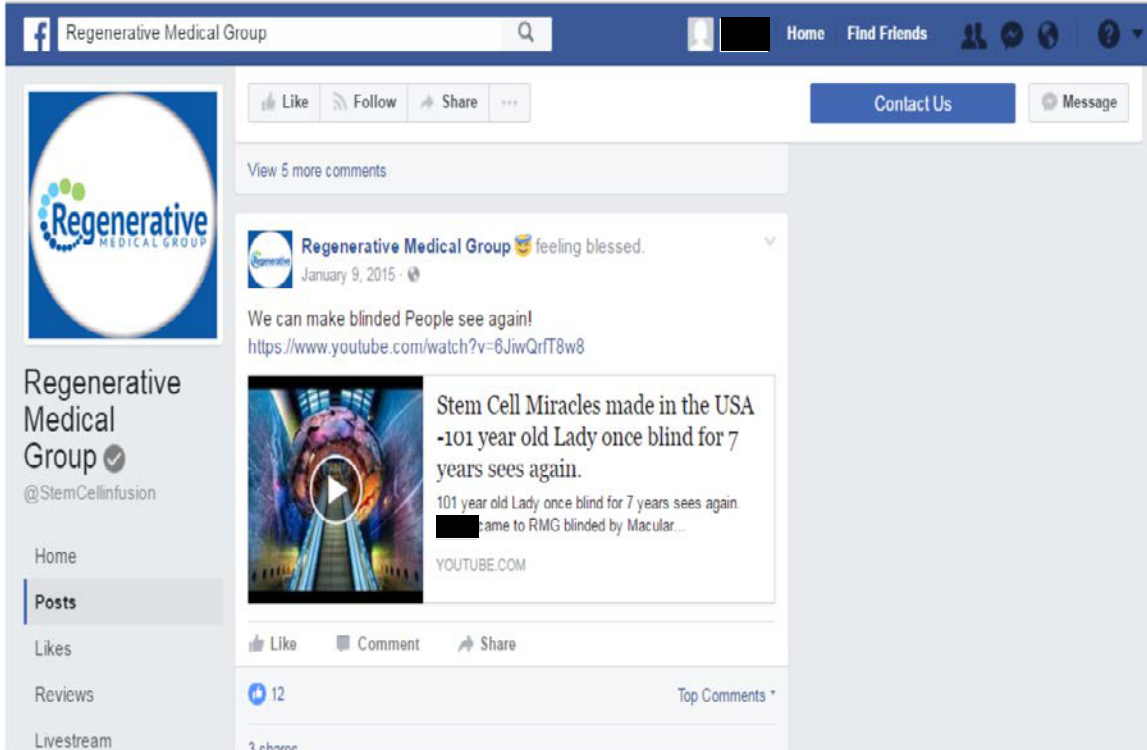


16 Ex. C(1).



Ex. C(3).

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Ex. D(1).

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Ex. D(3)

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Regenerative Medical Group
February 20, 2015 · 🌐

Why Stem Cell Therapy?
Dr. Bryn J. Henderson (DO, JD, FACPE, CIME) is visionary physician executive leading RMG. In this amazing education video, he is explaining clearly why patients should choose Stem Cell Therapy as the best solution to fight back their diseases.

Handle today! Tomorrow May Be Too Late!
Which diseases do we treat with Stem cell therapy?

- Autism
- Charcot-Marie-Tooth
- COPD
- Dementia
- Depression
- Diabetes
- Head Injuries
- Heart Attack
- Kidney diseases
- Liver diseases
- Macular Degeneration
- Multiple sclerosis
- Neurofibromatosis
- Parkinson's
- Stroke

Are you a candidate? figure it out today!
<http://www.stemcell.life/stem-cell-therapy.html>
info@stemcell.life
(888) 599.7836

3.2K Views

Like Comment Share

Ex. D(10).

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The screenshot shows a Facebook post from the 'Regenerative Medical Group' page. The post is dated April 23, 2015, and is titled 'Cure for Parkinson's?'. The text of the post reads: 'The only Medical Group worldwide, that treats Parkinson's with amniotic Stem Cells! Available just in USA. Call RMG today to learn more about it: (949) 346-2355 http://www.stemcell.life/parkinsons.html'. Below the text is a diagram of a human brain with a red arrow pointing to the 'Superior colliculus' area. The diagram compares 'Non-Parkinson's' and 'Parkinson's' brain sections, showing 'RMG Stem Cells' being introduced into the brain. The diagram also includes the 'RSCTP' logo. The post has 24K reactions and 3,997 shares. The right sidebar shows a list of users who liked the post, including 'National Parkinson Foundation', 'Teance Fine Teas', and 'NaturalNews.com'. The top navigation bar includes 'Home', 'Find Friends', and 'Message' buttons.

Ex. E(8).

1 D. Defendant RMG's Fact Sheets, authored at least in part by Dr.
2 Henderson, disseminated from January 2015 to present (Ex. F - G):

3 **Stem Cell Therapy for Macular Degeneration**
4 **Fact Sheet**

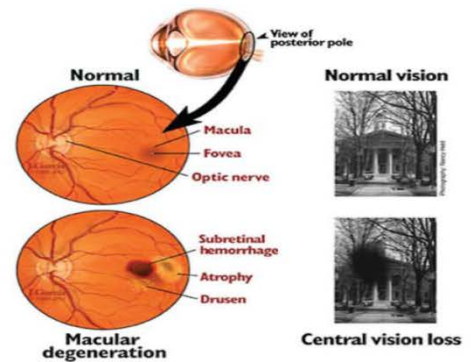


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8 **Can Stem Cell Therapy help patients who have macular degeneration?**

9 Yes it can. It can make new cells that replace
10 damaged cells and reverse macular
11 degeneration symptoms.

12 RMG offers patients access to macular
13 degeneration stem cell therapy using amniotic
14 Stem Cells.

15 These Macular Degeneration Stem Cell
16 Treatments have been shown to improve sight
17 in patients with macular degeneration. These
18 procedures help patients who don't respond
19 to typical drug treatment. These patients often
20 have better results if stem cell therapy is begun
21 early in the illness.



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Ex. F(2).

1
2 **Stem Cell Therapy for Chronic Kidney Disease**

3 **Fact Sheet**



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8 **Can stem cell therapy help patients**
9 **with chronic kidney disease?**

10 Yes it can. It can make new cells that replace
11 damaged cells and reverse chronic kidney
disease symptoms.

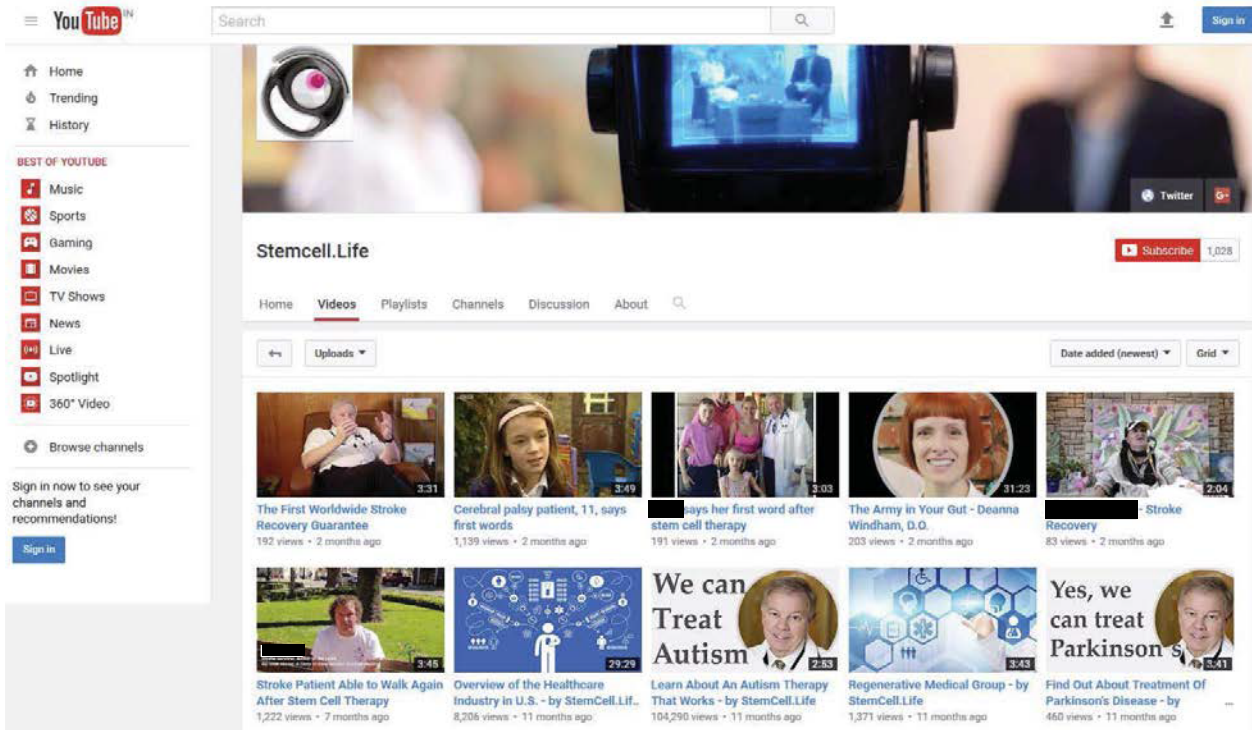
12 ***

13 Stem cells have been shown to help avoid and reduce dialysis. This allows patients
14 to work and continue as productive citizens. This also allows family members and
friends more free time because patients regain independence.

15 The financial benefits of eliminating dialysis and its consequences greatly outweigh
16 the costs of stem cells. The long-term expense of dialysis is replaced by a short
17 protocol of stem cells, which in all likelihood will eventually be a covered benefit of
some insurance plans.

18 Ex. G(2) – (3).
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1 E. Defendant RMG’s YouTube channel, available from January 2015 to
 2 present (Ex. H):



16 F. Defendant RMG’s video titled “Avoid Surgery! Osteoarthritis
 17 Regenerative Therapy,” available on Defendant RMG’s website stemcell.life from
 18 January 2015 to present (Ex. I):

19 **UNIDENTIFIED MALE:** For years, surgery for
 20 osteoarthritis has been seen as unavoidable. In order to
 21 get better and gain mobility, it would involve going
 22 under the knife. What if surgery was no longer required?
 23 What if you could avoid surgery entirely?

24
 25 At the Regenerative Medical Group, stem cell therapy is
 26 being used to improve osteoarthritis conditions. It’s a
 27 cutting-edge treatment that offers regeneration making
 28 new cells. Ultimately, stem cells and the patient’s own

1 blood is used in order to create an injection (misspelled
2 in transcript) into the joints.

3 ***

4 Instead of having knee surgery, injections help. Patients
5 have been calling this a miracle. The process takes about
6 two hours in the office and very little down time is
7 required. There is no surgery and no overnight stays in a
8 hospital. Within a few days, you can start to see results.
9 Within a few weeks, you can get off the painkillers that
10 you have been dependent on [sic], possible for years.

11 Ex. I(4) – (5).

12 17. Defendants have not conducted any studies to assess the efficacy of amniotic
13 stem cell therapy, including its ability to cure, treat, or mitigate any disease or
14 health condition. Moreover, there are no studies in the scientific literature
15 establishing that amniotic stem cell therapy cures, treats, or mitigates diseases or
16 health conditions in humans.

17 **VIOLATIONS OF THE FTC ACT**

18 18. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or
19 deceptive acts or practices in or affecting commerce.”

20 19. Misrepresentations or deceptive omissions of material fact constitute
21 deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

22 20. Section 12(a) of the FTC Act, 15 U.S.C. § 52(a), prohibits the dissemination
23 of any false advertisement in or affecting commerce for the purpose of inducing, or
24 which is likely to induce, the purchase of food, drugs, devices, services, or
25 cosmetics. For the purpose of Section 12 of the FTC Act, 15 U.S.C. § 52, stem cell
26 therapy is a “drug” as “drug” is defined in Section 15(c) of the FTC Act, 15 U.S.C.
27 § 55(c).

1 **COUNT ONE**

2 **False or Unsubstantiated Efficacy Claims**

3 21. Through the means described in Paragraphs 13 – 16, including, but not
4 limited to, the statements and depictions contained in the advertisements attached
5 as Exhibits A through I, Defendants have represented, expressly or by implication,
6 that their stem cell therapy:

7 A. Cures, treats, or mitigates specific diseases or health conditions,
8 including Parkinson’s disease, autism, multiple sclerosis, cerebral palsy, traumatic
9 brain injury, heart disease, macular degeneration, chronic kidney disease,
10 osteoarthritis, and stroke; and

11 B. Is comparable to or superior to conventional medical treatments in
12 curing, mitigating, or treating specific diseases or health conditions, including
13 Parkinson’s disease, autism, multiple sclerosis, cerebral palsy, traumatic brain
14 injury, heart disease, macular degeneration, chronic kidney disease, osteoarthritis,
15 and stroke.

16 22. The representations set forth in Paragraph 21 are false or were not
17 substantiated at the time the representations were made. In fact, many of these
18 diseases are considered to be currently incurable by medical professionals.

19 23. Therefore, the making of the representations as set forth in Paragraph 21 of
20 this Complaint constitute deceptive acts or practices and the making of false
21 advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of
22 the FTC Act, 15 U.S.C. §§ 45(a) and 52.

23 **CONSUMER INJURY**

24 24. Consumers have suffered and will continue to suffer substantial injury as a
25 result of Defendants’ violations of the FTC Act. In addition, Defendants have been
26 unjustly enriched as a result of their unlawful acts or practices. Absent injunctive
27 relief by this Court, Defendants are likely to continue to injure consumers, reap
28 unjust enrichment, and harm the public interest.

1 C. Award Plaintiffs the costs of bringing this action, as well as such other
2 and additional relief as the Court may determine to be just and proper.

3
4 Respectfully submitted,

5 Dated 10/12/18



6 ANNETTE SOBERATS

7 TAWANA E. DAVIS

8 Federal Trade Commission

9 600 Pennsylvania Avenue, NW

10 Mail Drop CC-10528

11 Washington, DC 20580

12 202-326-2921; -2755

13 202-326-3259 (Fax)

14 asoberats@ftc.gov; tdavis@ftc.gov