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11 **UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

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13 **FEDERAL TRADE COMMISSION,**  
Petitioner,

14  
15 v.

Case No.

16 **GENERAL LLC,**

17 and

18 **MEDIA LLC,**  
19 Respondents

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21  
22 **PETITION OF THE FEDERAL TRADE COMMISSION  
FOR AN ORDER ENFORCING CIVIL INVESTIGATIVE DEMANDS**

23 The Federal Trade Commission, pursuant to Section 20 of the Federal Trade  
24 Commission Act (FTC Act), 15 U.S.C. § 57b-1, respectfully petitions this Court for an  
25 order requiring Respondents, General LLC, and Media LLC, to comply with two  
26

1 identical civil investigative demands (CIDs) issued in an FTC investigation. The two  
2 CIDs seek documentary materials and responses to interrogatories relevant to an  
3 ongoing investigation into businesses and services that market loans online and their  
4 practices for the collection and sale of consumers' personal information, known as  
5 "leads." Respondents General LLC and Media LLC are engaged in the sale and transfer  
6 of leads.  
7

8 The Commission herewith submits the Declaration of Michael B. Goldstein,  
9 designated as Petitioner's Exhibit (Pet. Exh.) 1, to verify the allegations herein. The  
10 Commission also submits the following additional exhibits:  
11

12 Pet. Exh. 2 Resolution Directing Use of Compulsory Process in Non-Public  
13 Investigations of Various Unnamed Loan Brokers, Lenders, Loan  
14 Servicers, and Other Marketers of Loans (FTC File No. 042 3135);

15 Pet. Exh. 3 Civil Investigative Demand to General LLC, December 23, 2015;

16 Pet. Exh. 4 Civil Investigative Demand to Media LLC, December 23, 2015;

17 Pet. Exh. 5 Confirmation of FedEx delivery upon Paracorp, Inc., registered  
18 agent for General LLC, December 28, 2015; and

19 Pet. Exh. 6 Confirmation of FedEx delivery upon Andy Johnson, registered  
20 agent for Media LLC, December 28, 2015.

## 21 **Jurisdiction and Venue**

22 1. This Court has jurisdiction to enforce the Commission's duly issued CIDs  
23 under Sections 20(e) and (h) of the FTC Act, 15 U.S.C. §§ 57b-1(e), (h). This Court also  
24 has jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345.  
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1           5.       Respondent Media LLC (Media) is a limited liability company incorporated  
2 in Nevada. Media is represented by a registered agent, Andy Johnson, located at 1710  
3 Grouse Street, Silver Springs, Nevada. Pet. Exh. 1 at ¶ 4.

4  
5           6.       In the course of investigations under the Resolution discussed above, the FTC  
6 obtained a contract executed on behalf of General LLC by Daniel Negari, a contract  
7 executed on behalf of Media LLC by Daniel Negari, and two contracts executed on behalf of  
8 General LLC by Michael Ambrose. The contracts executed by Daniel Negari identify him as  
9 manager of each corporation. The contracts executed by Michael Ambrose identify him as  
10 member of General LLC. The contracts list Nevada addresses for both General LLC and  
11 Media LLC. In unrelated litigation, Mr. Negari has testified by declaration that both he  
12 and Mr. Ambrose reside in Nevada and conduct business in Nevada. Pet. Exh. 1 at ¶ 5.

14                   **The Commission's Investigation and Civil Investigative Demands**

15           7.       On January 14, 2014, the Commission issued a Resolution Directing Use of  
16 Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers,  
17 Lenders, Loan Servicers, and Other Marketers of Loans., File No. 042 3135 (Pet. Exh.  
18 2). Pet. Exh. 1 at ¶ 6. The Compulsory Process Resolution describes the investigation  
19 as follows:  
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21                   To determine whether unnamed persons, partnerships, corporations, or  
22 others have engaged or are engaging in deceptive or unfair acts or  
23 practices in or affecting commerce in the advertising, marketing, sale, or  
24 servicing of loans and related products in violation of Section 5 of the  
25 Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to  
26 determine whether various unnamed loan brokers, lenders, loan servicers,  
and other marketers of loans have engaged or are engaging in acts or  
practices in violation of the Consumer Credit Protection Act, 15 U.S.C. §  
1601 *et seq.*. The investigation is also to determine whether Commission

1 action to obtain redress for injury to consumers or others would be in the  
2 public interest.

3 Pet. Exh. 2. The present investigation focuses specifically on the sales, transfer, and  
4 security of leads generated by online services and businesses that market loans. Pet.  
5 Exh. 1 at ¶ 8.

6 8. On December 23, 2015, under the authority of the Compulsory Process  
7 Resolution, the Commission issued CIDs to General and Media (Pet. Exhs. 3 and 4),  
8 requiring them to produce specified documents and to respond to written questions no  
9 later than January 13, 2016. *See* Pet. Exh. 1 at ¶ 7; Pet. Exhs. 3, 4. The CIDs were  
10 served on the firms' registered agents by FedEx. Pet. Exh. 1 at ¶ 9; Pet. Exhs. 5, 6.  
11 Commission staff took additional steps to notify the companies, including telephoning  
12 the registered agent for General, telephoning an employee of Media, and telephoning  
13 Messrs. Negari and Ambrose, individuals who are authorized to sign contracts on behalf  
14 of both companies. Pet. Exh. 1 at ¶¶ 5, 11. To date, neither company has responded to  
15 the FTC in any way or provided the requested materials. *See* Pet. Exh. 1 at ¶¶ 10, 12.

16 9. Respondents' failure to comply with the December 23, 2015 CIDs has  
17 materially impeded the Commission's ongoing investigation. *See* Pet. Exh. 1 at ¶ 13.

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21 **Prayer For Relief**

22 WHEREFORE, the Commission invokes the aid of this Court and prays for:

- 23 a. Immediate issuance of an order, substantially in the form attached,  
24 directing Respondents General LLC and Media LLC to show cause why  
25 they should not comply in full with the Commission's CIDs, and setting  
26 forth a briefing schedule pursuant to LR 16.1(c)(4); and

- 1           b.     A prompt determination of this matter and entry of an order:
- 2                 (i)     Compelling Respondents to produce the documents and information
- 3                         specified in the December 23, 2015 CIDs within ten (10) days of such
- 4                         order; and
- 5                 (ii)    Granting such other and further relief as this Court deems just and
- 6                         proper.
- 7

8   Respectfully submitted,

9   DAVID C. SHONKA  
10                                        Acting General Counsel

11                                       /s/ Leslie Rice Melman  
12                                       LESLIE RICE MELMAN  
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14                                       /s/ Burke W. Kappler  
15                                       BURKE W. KAPPLER  
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Dated: March 9, 2016



1 The Commission may seek enforcement of CIDs by filing a petition asking for  
2 issuance of an order to show cause in any judicial district where the CID recipient  
3 “resides, is found, or transacts business.” 15 U.S.C. § 57b-1(e). Here, both Respondents  
4 “reside[], [are] found, or transact[] business” in this judicial district. See Pet. Exh. 1 at  
5 ¶¶ 3-5.  
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### 7 STATEMENT OF FACTS

8 On January 14, 2014, the Commission issued a Resolution Directing Use Of  
9 Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers,  
10 Lenders, Loan Servicers, and Other Marketers of Loans, File No.042 3135. Pet. Exh. 1  
11 at ¶ 6. This Resolution authorized the use of compulsory process for the following  
12 purpose:  
13

14 To determine whether unnamed persons, partnerships, corporations, or  
15 others have engaged or are engaging in deceptive or unfair acts or  
16 practices in or affecting commerce in the advertising, marketing, sale, or  
17 servicing of loans and related products in violation of Section 5 of the  
18 Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to  
19 determine whether various unnamed loan brokers, lenders, loan servicers,  
20 and other marketers of loans have engaged or are engaging in acts or  
21 practices in violation of the Consumer Credit Protection Act, 15 U.S.C. §  
22 1601 *et seq.*. The investigation is also to determine whether Commission  
23 action to obtain redress for injury to consumers or others would be in the  
24 public interest.

25 Pet. Exh. 2.

26 On December 23, 2015, under the authority of this Resolution, the Commission  
issued CIDs to General and Media to produce specified documents and to respond to  
written questions. Pet. Exh. 1 at ¶ 7; Pet. Exhs. 3, 4. The Commission issued its CIDs  
as part of an investigation of lead generation practices of online services and businesses



1 that market loans, and seeks information regarding General and Media and their  
2 practices for selling, transferring, and securing consumers' lead information. Pet. Exh.  
3 1 at ¶ 8. The Commission served both CIDs via FedEx on the companies' registered  
4 agents. Pet. Exh. 1 at ¶ 9; Pet. Exhs. 5, 6. Commission staff contacted the agent, a  
5 manager and a member of General and an employee and manager of Media.  
6

7 Respondents have not responded in any way to the two CIDs. Nor have they  
8 exercised their right to petition the Commission to quash or modify the CIDs. *See*  
9 15 U.S.C. § 57b-1(f); 16 C.F.R. § 2.10.  
10

#### 11 LEGAL STANDARD FOR ENFORCEMENT

12 Actions to enforce administrative compulsory process are “summary procedure[s]  
13 designed to allow ‘speedy investigation of [agency] charges.’” *EEOC v. Karuk Tribe*  
14 *Hous. Auth.*, 260 F.3d 1071, 1078 (9th Cir. 2001) (quoting *EEOC v. St. Regis Paper Co.*,  
15 717 F.2d 1302, 1304 (9th Cir. 1983), *abrogated on other grounds, Church of Scientology*  
16 *of Cal. v. U.S.*, 506 U.S. 9 (1992)).<sup>2</sup> For this reason, discovery is permitted only in  
17 “exceptional circumstances,” *St. Regis Paper*, 717 F.2d at 1304; *see also* Fed. R. Civ. P.  
18 26(a)(1)(B)(v) (no initial discovery disclosures in such cases). Moreover, the court’s  
19 function in such proceedings is to determine “(1) whether Congress has granted the  
20 authority to investigate; (2) whether procedural requirements have been followed; and  
21 (3) whether the evidence is relevant and material to the investigation.” *United States v.*  
22  
23

24 <sup>2</sup> Courts apply the same legal standards to petitions to enforce CIDs under Section 20 of  
25 the FTC Act as those governing enforcement of the FTC’s and other agencies’  
26 administrative subpoenas. *See, e.g., FTC v. Ken Roberts Co.*, 276 F.3d 583, 586 (D.C.  
Cir. 2001); *Gen. Fin. Corp.*, 700 F.2d at 367-68; *FTC v. Response Makers, LLC*, No. 3:10-  
cv-1768-WQH-BLM, 2010 WL 4809953, \*1-2 (S.D. Cal., Nov. 19, 2010); *FTC v. Nat’l*  
*Claims Svc., Inc.*, No. S 98-283-FCD-DAD, 1999 WL 819640, \*1 (E.D. Cal., Feb. 9, 1999).

1 *Golden Valley Elec. Ass'n*, 689 F.3d 1108, 1113 (9th Cir. 2012) (quoting *EEOC v.*  
2 *Children's Hosp. Med. Ctr. of N. Cal.*, 719 F.2d 1426, 1428 (9th Cir.1983) (*en banc*),  
3 *abrogated on other grounds, Gilmer v. Interstate/Johnson Lane Corp.*, 500 U.S. 20  
4 (1991)); *see also EEOC v. Fisher Sand & Gravel, Co.*, No. 2:12-cv-0649-JCM-CWH, 2012  
5 WL 3996138, \*1 (D. Nev. Sept. 11, 2012) (same); *accord United States v. Morton Salt*  
6 *Co.*, 338 U.S. 632, 652 (1950) (“[I]t is sufficient if the inquiry is within the authority of  
7 the agency, the demand is not too indefinite, and the information sought is reasonably  
8 relevant.”). The government’s burden to demonstrate that these requirements have  
9 been met is a “slight one” and “may be satisfied by a declaration from an investigating  
10 agent.” *United States v. Dynavac, Inc.*, 6 F.3d 1407, 1414 (9th Cir. 1993).

13 When these requirements are met, courts “must enforce administrative  
14 subpoenas unless the evidence sought by the subpoena is plainly incompetent or  
15 irrelevant to any lawful purpose of the agency.” *Golden Valley*, 689 F.3d at 1113-14  
16 (quoting *Karuk Tribe Hous. Auth.*, 260 F.3d at 1076). *See also Children's Hosp. Med.*  
17 *Ctr.*, 719 F.2d at 1428 (“If these factors are shown by the agency, the subpoena should  
18 be enforced unless the party being investigated proves the inquiry is unreasonable  
19 because it is overbroad or unduly burdensome”) (citing *Okl. Press Publ'g Co. v. Walling*,  
20 327 U.S. 186, 217 (1946)).  
21  
22

## 23 ARGUMENT

24 The Commission has satisfied the requirements for judicial enforcement of its  
25 CIDs, as shown by the accompanying declaration of the FTC’s lead investigator in this  
26 matter. *See* Pet. Exh. 1 (Decl. of Michael B. Goldstein). The CIDs were duly issued in

1 an investigation the Commission is authorized to conduct; and they seek documents,  
2 information, and testimony reasonably relevant to that investigation. Accordingly, the  
3 CIDs should be enforced without delay.

4  
5 **I. THE COMMISSION HAS THE AUTHORITY TO CONDUCT THE**  
6 **INVESTIGATION.**

7 The Commission unequivocally is authorized to conduct the investigation and  
8 issue the CIDs at issue. Congress has granted the FTC broad authority to investigate  
9 acts or practices that may violate the FTC Act's proscription on "unfair or deceptive acts  
10 or practices in or affecting commerce." 15 U.S.C. § 45(a). Section 3 of that Act  
11 empowers the Commission to "prosecute any inquiry necessary to its duties in any part  
12 of the United States." *Id.* § 43. Section 6(a), in turn, authorizes the Commission "[t]o  
13 gather and compile information concerning, and to investigate . . . the organization,  
14 business, conduct, practices, and management of any person, partnership, or  
15 corporation engaged in or whose business affects commerce," with certain exceptions not  
16 applicable here. *Id.* § 46(a). And, as noted above, Section 20(c) of the FTC Act  
17 authorizes the Commission to issue a CID to any person who may have documents or  
18 other information relevant to an FTC investigation. *Id.* § 57b-1(c)(1).

19  
20  
21 The materials and information requested by the CIDs are needed in connection  
22 with an investigation into the lead generation practices of online services or business  
23 marketing loans, including the companies' practices for selling, transferring, and  
24 securing this consumer information. Pet. Exh. 1 at ¶ 8; Pet. Exh 2. Representations  
25 made to consumers regarding these practices, or the actual practices for selling,  
26 transferring, or securing this information could involve unfair or deceptive acts or

1 practices. Accordingly, the investigation to which the CIDs pertain falls well within the  
2 scope of the FTC Act's Section 5 prohibition that "unfair or deceptive acts or practices in  
3 or affecting commerce . . . are hereby declared unlawful." 15 U.S.C. § 45(a).

## 4 **II. THE CIDS WERE DULY ISSUED.**

5  
6 The Commission's December 23, 2015, CIDs fully comport with the applicable  
7 procedural requirements of the authorizing statute and its implementing FTC Rules of  
8 Practice. *See* Pet. Exhs. 3, 4; 15 U.S.C. § 57b-1; 16 C.F.R. § 2.7.

9 First, the CIDs satisfy the FTC Act's requirements of "definiteness and certainty"  
10 because they specify the kinds of documents and information to be produced. 15 U.S.C.  
11 §§ 57b-1(c)(3)(A), (c)(5)(A); *see also* Pet. Exhs. 3, 4. In this instance, the CIDs prescribed  
12 a return date of three weeks after issuance, giving Respondents a "reasonable period of  
13 time" to assemble the specified documents and prepare their responses to  
14 interrogatories. 15 U.S.C. §§ 57b-1(c)(3)(B), (c)(5)(B); *see also* Pet. Exh. 1 at ¶ 7; Pet.  
15 Exhs. 3, 4. They also "identif[ied] the custodian[s]" (Michael B. Goldstein and Michael  
16 Tankersley) to whom the documents were to be produced and to whom the responses  
17 shall be directed. *See* 15 U.S.C. §§ 57b-1(c)(3)(C), (c)(5)(C); *see also* Pet. Exhs. 3, 4.

18  
19 Moreover, the CIDs were validly "signed by a Commissioner," in this case,  
20 Commissioner Maureen K. Ohlhausen, "acting pursuant to a Commission  
21 resolution." 15 U.S.C. 57b-1(i); *see also* Pet. Exh. 1 at ¶ 7; Pet. Exhs. 3, 4. Duly  
22 executed copies of the CIDs were properly served. *See* 15 U.S.C. §§ 57b-1(c)(9)(A),  
23 (c)(10); *see also* Pet. Exh. 1 at ¶ 9; Pet. Exhs. 5, 6.  
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26

1 Finally, the CIDs included copies of the Commission's Compulsory Process  
2 Resolution, thus giving Respondents adequate notice of "the nature of the conduct  
3 constituting the alleged violation which is under investigation and the provision of law  
4 applicable to such violation." 15 U.S.C. § 57b-1(c)(2); 16 C.F.R. § 2.6; Pet. Exhs. 3, 4; *see*  
5 *FTC v. O'Connell Assocs., Inc.*, 828 F. Supp. 165, 170-71 (E.D.N.Y. 1993) (notice  
6 requirement is met by "cit[ing] to a resolution giving the FTC authority to use  
7 compulsory process.").

9 **III. THE EVIDENCE SOUGHT IS RELEVANT AND MATERIAL TO THE**  
10 **INVESTIGATION.**

11 The Commission's CIDs required Respondents to produce documents and respond  
12 to interrogatories relating to their practices for selling, transferring, and securing  
13 consumer leads generated by online services and businesses marketing loans. Pet.  
14 Exhs. 3, 4. This information is directly relevant to the subjects specified in the  
15 Commission's resolution, including "deceptive or unfair acts or practices . . . in the  
16 advertising, marketing, sale, or servicing of loans and related products in violation of  
17 Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45," and whether "unnamed  
18 loan brokers, lenders, loan servicers, and other marketers of loans [have violated] the  
19 Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*" Pet. Exh. 2; Pet Exh. 1 at ¶  
20 8. Thus, the CIDs seek information that is demonstrably *neither* "incompetent [n]or  
21 irrelevant," to the Commission's lawful investigation. *Golden Valley*, 689 F.3d at 1113-  
22 14; *see also Karuk Tribe Hous. Auth.*, 260 F.3d at 1076 (same); *Children's Hosp. Med.*  
23 *Ctr.*, 719 F.2d at 1428 (same). Therefore this Court should promptly enforce them.

1 **CONCLUSION**

2 For the foregoing reasons, this Court should grant the FTC's petition and enter  
3 an order, substantially in the form filed herewith, requiring Respondents to comply with  
4 the FTC's December 23, 2015, CIDs within 10 days of the entry of such order.  
5

6 Respectfully submitted,

7 DAVID C. SHONKA  
8 Acting General Counsel

9 LESLIE RICE MELMAN  
10 Assistant General Counsel for Litigation

11 /s/ Burke W. Kappler  
12 BURKE W. KAPPLER  
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20 Dated: March 9, 2016  
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11 **UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

12  
13 **FEDERAL TRADE COMMISSION,**  
Petitioner,

14  
15 v.

Case No.

16 **GENERAL LLC,**

17 and

18 **MEDIA LLC,**  
19 Respondents

20  
21 **INDEX OF PETITIONER'S EXHIBITS**

22 Pursuant to this Court's Special Order 109 and Electronic Filing Procedure  
23 III(F)(3), the Federal Trade Commission submits this Index of Petitioner's Exhibits in  
24 connection with the Petition of the Federal Trade Commission for an Order Enforcing  
25 Civil Investigative Demands in the above-captioned case.  
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**EXHIBIT    DESCRIPTION**

- Pet. Exh. 1    Declaration of Michael B. Goldstein, March 9, 2016
- Pet. Exh. 2    Resolution Directing Use of Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers, Lenders, Loan Servicers, and Other Marketers of Loan (FTC File No. 042 3135)
- Pet. Exh. 3    Civil Investigative Demand to General LLC, December 23, 2015
- Pet. Exh. 4    Civil Investigative Demand to Media LLC, December 23, 2015
- Pet. Exh. 5    Confirmation of FedEx delivery upon Paracorp, Inc., registered agent for General LLC, December 28, 2015
- Pet. Exh. 6    Confirmation of FedEx delivery upon Andy Johnson, registered agent for Media LLC, December 28, 2015

Respectfully submitted,

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Dated: March 9, 2016



# Pet. Exh. 1

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**FEDERAL TRADE COMMISSION,**

Petitioner,

v.

**GENERAL LLC,**

and

**MEDIA LLC,**

Respondents

Case No.

**DECLARATION OF MICHAEL B. GOLDSTEIN**

Pursuant to 28 U.S.C. § 1746, I declare as follows:

1. I am an investigator employed by the U.S. Federal Trade Commission (FTC or Commission). I am presently employed by the Division of Financial Practices in the FTC's Bureau of Consumer Protection, where I am assigned to an investigation of online loan marketers and their lead generation practices.

2. I am authorized to execute a declaration verifying the facts that are set forth in the Petition of the Federal Trade Commission for an Order Enforcing Civil Investigative Demands. I have read the petition and exhibits thereto (hereinafter referred to as Pet. Exh.), and verify that Pet. Exh. 2 through Pet. Exh. 6 are true and correct copies of the original documents, or have been prepared from true and correct copies. The facts set forth herein are based on my personal knowledge or information made known to me in the course of my official duties.

3. Respondent General LLC (General) is a limited liability company incorporated in Nevada. General is represented by a registered agent, Paracorp, Inc., located at 318 N. Carson Street, Suite 208, Carson City, Nevada.

4. Respondent Media LLC (Media) is a limited liability company incorporated in Nevada. Media is represented by a registered agent, Andy Johnson, located at 1710 Grouse Street, Silver Springs, Nevada.

5. In the course of the present investigations, the FTC obtained a contract executed on behalf of General LLC by Daniel Negari, a contract executed on behalf of Media LLC by Daniel Negari, and two contracts executed on behalf of General LLC by Michael Ambrose. The contracts executed by Daniel Negari identify him as manager of each corporation. The contracts executed by Michael Ambrose identify him as member of General LLC. The contracts list Nevada addresses for both General LLC and Media LLC. In unrelated litigation, Mr. Negari has testified by declaration that both he and Mr. Ambrose reside in Nevada and conduct business in Nevada.

6. On January 14, 2004, the Commission issued a Resolution Directing Use of Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers, Lenders, Loan Servicers, and Other Marketers of Loans, File No. 042 3135 (Resolution). The Resolution states that it authorizes the use of compulsory process for the following purpose:

To determine whether unnamed persons, partnerships, corporations, or others have engaged or are engaging in deceptive or unfair acts or practices in or affecting commerce in the advertising, marketing, sale, or servicing of loans and related products in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to determine whether various unnamed loan brokers, lenders,

loan servicers, and other marketers of loans have engaged or are engaging in acts or practices in violation of the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*. The investigation is also to determine whether Commission action to obtain redress for injury to consumers or others would be in the public interest.

Pet. Exh. 2.

7. On December 23, 2015, under the authority of this Resolution, the FTC issued Civil Investigative Demands to Media LLC and General LLC. Pet. Exhs. 3, 4. The Civil Investigative Demands were signed by Commissioner Maureen K. Ohlhausen and required the companies to respond to interrogatories and document requests by January 13, 2016. The Civil Investigative Demands also directed the recipients to meet and confer with FTC staff within 14 days of service to discuss and resolve any potential issues relating to compliance.

8. The CIDs issued to General and Media contain identical interrogatories and document requests seeking information that relates to the sale, transfer, and security of consumer personal information (or leads) generated by online businesses and services that market loans.

9. Federal Express delivered the Civil Investigative Demands to Paracorp, Inc., and Andy Johnson, the respective registered agents of General LLC and Media LLC, on December 28, 2016. Pet. Exhs. 5, 6.

10. FTC staff has not received any response from anyone on behalf of General or Media. Also, General and Media have not filed petitions to limit or quash the CIDs, as provided in Commission Rule 2.10, 16 C.F.R. § 2.10.

11. Following receipt of the CIDs, I attempted to contact General and Media by taking the following steps:


- a. On January 13, 2016, I called Paracorp Incorporated, General's registered agent as listed on the Nevada Secretary of State's website. I spoke to a representative and asked how I could contact someone at the company. The Paracorp representative told me that she could not give me contact information for the company, but would pass along my contact information along with a message to the company to contact me.
- b. In the course of the investigation pursuant to the Resolution discussed above, the FTC obtained a business communication dated in August 2015 that identified an individual named Harvey Sherifield as a contact for General and provided a telephone number and e-mail addresses. On January 20, 2016, I telephoned Mr. Sherifield, who stated that he was a Media employee. He further stated that someone would call me back that day regarding the CIDs. I gave him my phone number and email address. No one called me back.
- c. On January 20, 2016, I emailed copies of the CIDs to Mr. Sherifield.
- d. On January 21, 2016, I spoke with Nia Johnson at Paracorp, who confirmed that Paracorp is the registered agent for General and that Paracorp received the CID for General on December 28, 2015, and delivered it to their client.

- e. As discussed above, in the course of this investigation, the FTC obtained contracts executed by General and Media. These documents provided a telephone number for Mr. Negari. On January 13, 2016, I called that telephone number and left a voicemail message requesting that Mr. Negari contact me regarding the CIDs. Mr. Negari did not return this call.
  - f. An SEC filing submitted by Messrs. Negari and Ambrose on November 30, 2015, provides a different telephone number for Mr. Negari. Research confirmed that this phone number is registered to Mr. Negari. On February 9, 2016, I called that number and left a voicemail message asking Mr. Negari to call me. Mr. Negari has never returned this call.
  - g. An application submitted to the Internet Corporation for Assigned Names and Numbers in October 2014, provides a telephone number for Mr. Ambrose. Research confirmed that this number is registered to Mr. Ambrose. On February 9, 2016, I called that number and left a voicemail message asking Mr. Ambrose to call me. Mr. Ambrose has never returned this call.
12. Despite the efforts described above, I have never received any response from anyone on behalf of General or Media.
13. General's and Media's failure to respond and comply with the CIDs issued to them is materially impeding the Commission's investigation into whether loan

marketers have engaged in unfair or deceptive acts or practices in violation of Section 5 of the FTC Act.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9<sup>th</sup> day of March, 2016.

  
Michael B. Goldstein

# Pet. Exh. 2



**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:** Edith Ramirez, Chairwoman  
Julie Brill  
Maureen K. Ohlhausen  
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NON-PUBLIC  
INVESTIGATIONS OF VARIOUS UNNAMED LOAN BROKERS, LENDERS, LOAN  
SERVICERS, AND OTHER MARKETERS OF LOANS**

File No. 042 3135

**Nature and Scope of Investigation:**


To determine whether unnamed persons, partnerships, corporations, or others have engaged or are engaging in deceptive or unfair acts or practices in or affecting commerce in the advertising, marketing, sale, or servicing of loans and related products in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to determine whether various unnamed loan brokers, lenders, loan servicers, and other marketers of loans have engaged or are engaging in acts or practices in violation of the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*. The investigation is also to determine whether Commission action to obtain redress for injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

**Authority to Conduct Investigation:**

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1; the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*; and FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.*, and supplements thereto.

By direction of the Commission.

  
April Tabor  
Acting Secretary

**Issued: January 7, 2014**

# Pet. Exh. 3



United States of America  
Federal Trade Commission

**CIVIL INVESTIGATIVE DEMAND**

1. TO

General LLC  
c/o Paracorp Incorporated, Registered Agent  
318 N Carson St Suite 208  
Carson City, NV 89701-4269

This demand is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, in the course of an investigation to determine whether there is, has been, or may be a violation of any laws administered by the Federal Trade Commission by conduct, activities or proposed action as described in Item 3.

2. ACTION REQUIRED

You are required to appear and testify.

LOCATION OF HEARING

YOUR APPEARANCE WILL BE BEFORE

DATE AND TIME OF HEARING OR DEPOSITION

You are required to produce all documents described in the attached schedule that are in your possession, custody, or control, and to make them available at your address indicated above for inspection and copying or reproduction at the date and time specified below.

You are required to answer the interrogatories or provide the written report described on the attached schedule. Answer each interrogatory or report separately and fully in writing. Submit your answers or report to the Records Custodian named in Item 4 on or before the date specified below.

DATE AND TIME THE DOCUMENTS MUST BE AVAILABLE

**JAN 13 2016**

3. SUBJECT OF INVESTIGATION

See Attached Resolution

4. RECORDS CUSTODIAN/DEPUTY RECORDS CUSTODIAN

Michael B. Goldstein/Michael Tankersley  
Federal Trade Commission  
800 Pennsylvania Ave., NW  
Mail Stop: CC-10232  
Washington, DC 20580  
(202) 326-3673

5. COMMISSION COUNSEL

Michael Tankersley  
Federal Trade Commission  
500 Pennsylvania Ave., NW  
Mail Stop: CC-10232  
Washington, DC 20580  
(202) 326-2991

DATE ISSUED

12/23/15

COMMISSIONER'S SIGNATURE

**INSTRUCTIONS AND NOTICES**

The delivery of this demand to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply. The production of documents or the submission of answers and report in response to this demand must be made under a sworn certificate, in the form printed on the second page of this demand, by the person to whom this demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances of such production or responsible for answering each interrogatory or report question. This demand does not require approval by OMB under the Paperwork Reduction Act of 1980.

**PETITION TO LIMIT OR QUASH**

The Commission's Rules of Practice require that any petition to limit or quash this demand be filed within 20 days after service, or, if the return date is less than 20 days after service, prior to the return date. The original and twelve copies of the petition must be filed with the Secretary of the Federal Trade Commission, and one copy should be sent to the Commission Counsel named in Item 5.

**YOUR RIGHTS TO REGULATORY ENFORCEMENT FAIRNESS**

The FTC has a longstanding commitment to a fair regulatory enforcement environment. If you are a small business (under Small Business Administration standards), you have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR (1-888-734-3247) or [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman) regarding the fairness of the compliance and enforcement activities of the agency. You should understand, however, that the National Ombudsman cannot change, stop, or delay a federal agency enforcement action.

The FTC strictly forbids retaliatory acts by its employees, and you will not be penalized for expressing a concern about these activities.

**TRAVEL EXPENSES**

Use the enclosed travel voucher to claim compensation to which you are entitled as a witness for the Commission. The completed travel voucher and this demand should be presented to Commission Counsel for payment. If you are permanently or temporarily living somewhere other than the address on this demand and it would require excessive travel for you to appear, you must get prior approval from Commission Counsel.

A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCRulesofPractice>. Paper copies are available upon request.

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## Form of Certificate of Compliance\*

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I/We do certify that all of the documents and information required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein.

If a document responsive to this Civil Investigative Demand has not been submitted, the objections to its submission and the reasons for the objection have been stated.

If an interrogatory or a portion of the request has not been fully answered or a portion of the report has not been completed, the objections to such interrogatory or uncompleted portion and the reasons for the objections have been stated.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Sworn to before me this day

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_

\*In the event that more than one person is responsible for complying with this demand, the certificate shall identify the documents for which each certifying individual was responsible. In place of a sworn statement, the above certificate of compliance may be supported by an unsworn declaration as provided for by 28 U.S.C. § 1746.

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:** Edith Ramirez, Chairwoman  
Julie Brill  
Maureen K. Ohlhausen  
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NON-PUBLIC  
INVESTIGATIONS OF VARIOUS UNNAMED LOAN BROKERS, LENDERS, LOAN  
SERVICERS, AND OTHER MARKETERS OF LOANS**

File No. 042 3135

**Nature and Scope of Investigation:**

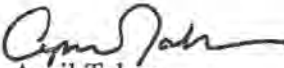
To determine whether unnamed persons, partnerships, corporations, or others have engaged or are engaging in deceptive or unfair acts or practices in or affecting commerce in the advertising, marketing, sale, or servicing of loans and related products in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to determine whether various unnamed loan brokers, lenders, loan servicers, and other marketers of loans have engaged or are engaging in acts or practices in violation of the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*. The investigation is also to determine whether Commission action to obtain redress for injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

**Authority to Conduct Investigation:**

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1; the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*; and FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.*, and supplements thereto.

By direction of the Commission.

  
April Tabor  
Acting Secretary

**Issued: January 7, 2014**

**CIVIL INVESTIGATIVE DEMAND  
SCHEDULE FOR PRODUCTION OF DOCUMENTS AND ANSWERS  
TO WRITTEN INTERROGATORIES**

**I. DEFINITIONS**

As used in this Civil Investigative Demand, the following definitions shall apply:

A. **“And,”** as well as **“or,”** shall be construed both conjunctively and disjunctively, as necessary, in order to bring within the scope of any specification in this Schedule all information that otherwise might be construed to be outside the scope of the specification.

B. **“Any”** shall be construed to include **“all,”** and **“all”** shall be construed to include the word **“any.”**

C. **“Blue Global Media”** shall mean Blue Global, LLC, Acquisition Media, LLC, and wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.

D. **“CID”** shall mean the Civil Investigative Demand, including the attached Resolution and this Schedule, and including the Definitions, Instructions, and Specifications.

E. **“Company”** shall mean **“General LLC,”** its wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.

F. **“Document”** shall mean the complete original and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any written, typed, printed, transcribed, filmed, punched, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated or made, including but not limited to any advertisement, book, pamphlet, periodical, contract, correspondence, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, code book or label. **“Document” shall also include all documents, materials, and information, including Electronically Stored Information, within the meaning of the Federal Rules of Civil Procedure.**

G. **“Each”** shall be construed to include **“every,”** and **“every”** shall be construed to include **“each.”**

H. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after

translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, PDAs, computer tablets, or other mobile devices; or other storage media.

I. **“FTC” or “Commission”** shall mean the Federal Trade Commission.

J. **“Identify” or “the identity of”** shall be construed to require identification of (a) natural persons by name, title, present business affiliation, present business address and telephone number, or if a present business affiliation or present business address is not known, the last known business and home addresses; and (b) businesses or other organizations by name, address, websites, identities of natural persons who are officers, directors or managers of the business or organization, and contact persons, where applicable.

K. **“Lead”** shall mean any set of information about a consumer that you **obtained from Blue Global Media** that (i) identifies a consumer seeking, inquiring about, expressing an interest in, applying or attempting to apply for a credit report or loan, including, but not limited to, a payday loan, installment loan or cash advance; or (ii) includes the consumer’s social security number or financial account number, such as a bank account, credit card, or debit card number.

L. **“Lead Sales Agreement”** shall mean an agreement, contract, or understanding, formal or informal, between two or more entities to sell, purchase or exchange Leads and includes (i) a communication that supplements or amends the price, conditions or other terms of such an agreement; (ii) an agreement to make Leads available for examination, inspection or evaluation; and (iii) an agreement to share rights to use, market or re-market Leads.

M. **“Lender”** shall mean a person who engages in the business of lending money to consumers.

N. **“Lead-Qualification Criteria”** shall mean income, residence, employment, loan amount or other criteria that a Lead buyer specifies as necessary for a Lead to be eligible for purchase.

O. **“Person”** shall mean any individual, group, unincorporated association, limited or general partnership, corporation or other business entity.

P. **“Referring to” or “relating to”** shall mean discussing, describing, reflecting, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.

Q. **“Transfer” or “Transferred”** shall mean any transmission of a Lead for use by another for evaluation, marketing, offering goods or services, or for any other purpose including sale or distribution of the Leads as part of an affiliate or advertising relationship.

R. **“You” and “Your”** shall mean the Person to whom this CID is issued and includes the Company.

## II. INSTRUCTIONS

A. **Sharing of Information:** The Commission often makes its files available to other civil and criminal federal, state, local, or foreign law enforcement agencies. The Commission may make information supplied by you available to such agencies where appropriate pursuant to the Federal Trade Commission Act and 16 C.F.R. § 4.11 (c) and (j). Information you provide may be used in any federal, state, or foreign civil or criminal proceeding by the Commission or other agencies.

B. **Meet and Confer:** You must contact **Michael Tankersley** at (202) 326-2991 as soon as possible to schedule a meeting (telephonic or in person) to be held within fourteen (14) days after receipt of this CID, or before the deadline for filing a petition to quash, whichever is first, in order to discuss compliance and to address and attempt to resolve all issues, including issues relating to protected status and the form and manner in which claims of protected status will be asserted, and the submission of ESI and other electronic productions as described in these Instructions. Pursuant to 16 C.F.R. § 2.7(k), you must make available personnel with the knowledge necessary for resolution of the issues relevant to compliance with this CID, including but not limited to personnel with knowledge about your information or records management systems, relevant materials such as organizational charts, and samples of material required to be produced. If any issues relate to ESI, you must make available a person familiar with your ESI systems and methods of retrieval.

C. **Claims of Privilege:** If any material called for by this CID is withheld based on a claim of privilege, work product protection, or statutory exemption, or any similar claim (*see* 16 C.F.R. § 2.7(a)(4)), the claim must be asserted no later than the return date of this CID. In addition, pursuant to 16 C.F.R. § 2.11(a)(1), submit, together with the claim, a detailed log of the items withheld. The information in the log shall be of sufficient detail to enable the Commission staff to assess the validity of the claim for each document, including attachments, without disclosing the protected information. Submit the log in a searchable electronic format, and, for each document, including attachments, provide:

1. Document control number(s);
2. The full title (if the withheld material is a document) and the full file name (if the withheld material is in electronic form);
3. A description of the material withheld (for example, a letter, memorandum, or email), including any attachments;
4. The date the material was created;
5. The date the material was sent to each recipient (if different from the date the material was created);
6. The email addresses, if any, or other electronic contact information to the extent used in the document, from which and to which each document was sent;



7. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all authors;

8. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all recipients of the material;

9. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all persons copied on the material;

10. The factual basis supporting the claim that the material is protected; and

11. Any other pertinent information necessary to support the assertion of protected status by operation of law.

16 C.F.R. § 2.11(a)(1)(i)-(xi).

In the log, identify by an asterisk each attorney who is an author, recipient, or person copied on the material. The titles, business addresses, email addresses, and relevant affiliations of all authors, recipients, and persons copied on the material may be provided in a legend appended to the log. However, provide in the log the information required by Instruction C.6. 16 C.F.R. § 2.11(a)(2). The lead attorney or attorney responsible for supervising the review of the material and who made the determination to assert the claim of protected status must attest to the log. 16 C.F.R. § 2.11(a)(1).

If only some portion of any responsive material is privileged, all non-privileged portions of the material must be submitted. Otherwise, produce all responsive information and material without redaction. 16 C.F.R. § 2.11(c). The failure to provide information sufficient to support a claim of protected status may result in denial of the claim. 16 C.F.R. § 2.11(a)(1).

D. **Document Retention:** You shall retain all documentary materials used in the preparation of responses to the specifications of this CID. The Commission may require the submission of additional documents at a later time during this investigation. **Accordingly, you should suspend any routine procedures for document destruction and take other measures to prevent the destruction of documents** that are in any way relevant to this investigation during its pendency, irrespective of whether you believe such documents are protected from discovery by privilege or otherwise. *See* 15 U.S.C. § 50; *see also* 18 U.S.C. §§ 1505, 1519.

E. **Petitions to Limit or Quash:** Any petition to limit or quash this CID must be filed with the Secretary of the Commission no later than twenty (20) days after service of the CID, or, if the return date is less than twenty (20) days after service, prior to the return date. Such petition shall set forth all assertions of protected status or other factual and legal objections to the CID, including all appropriate arguments, affidavits, and other supporting documentation. 16 C.F.R. § 2.10(a)(1). Such petition shall not exceed 5,000 words as set forth in 16 C.F.R. § 2.10(a)(1) and must include the signed separate statement of counsel required by 16 C.F.R. § 2.10(a)(2). **The Commission will not consider petitions to quash or limit absent a pre-filing meet and confer session with Commission staff and, absent extraordinary circumstances, will consider only issues raised during the meet and confer process.** 16 C.F.R. § 2.7(k); *see also* § 2.11(b).

F. **Modification of Specifications:** If you believe that the scope of the required search or response for any specification can be narrowed consistent with the Commission's need for documents or information, you are encouraged to discuss such possible modifications, including any modifications of definitions and instructions, with **Michael Tankersley** at (202) 326-2991. All such modifications must be agreed to in writing by the Bureau Director, or a Deputy Bureau Director, Associate Director, Regional Director, or Assistant Regional Director. 16 C.F.R. § 2.7(l).

G. **Certification:** You, a responsible corporate officer, or a duly authorized manager of the Company shall certify that the response to this CID is complete. This certification shall be made in the form set out on the back of the CID form, or by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746.

H. **Scope of Search:** This CID covers documents and information in your possession or under your actual or constructive custody or control including, but not limited to, documents and information in the possession, custody, or control of your attorneys, accountants, directors, officers, employees, and other agents and consultants, whether or not such documents and information were received from or disseminated to any person or entity.

I. **Document Production:** You shall produce the documentary material by making all responsive documents available for inspection and copying at your principal place of business. Alternatively, you may elect to send all responsive documents to **Michael Goldstein**, Federal Trade Commission, 600 Pennsylvania Avenue, NW CC-10232, Washington, DC 20850. Because postal delivery to the Commission is subject to delay due to heightened security precautions, please use a courier service such as Federal Express or UPS. Notice of your intended method of production shall be given by email or telephone to **Michael Goldstein**, (202) 326-3673, mgoldstein@ftc.gov at least five days prior to the return date.

J. **Document Identification:** Documents that may be responsive to more than one specification of this CID need not be submitted more than once; however, your response should indicate, for each document submitted, each specification to which the document is responsive. If any documents responsive to this CID have been previously supplied to the Commission, you may comply with this CID by identifying the document(s) previously provided and the date of submission. Documents should be produced in the order in which they appear in your files or as electronically stored and without being manipulated or otherwise rearranged; if documents are removed from their original folders, binders, covers, containers, or electronic source in order to be produced, then the documents shall be identified in a manner so as to clearly specify the folder, binder, cover, container, or electronic media or file paths from which such documents came. In addition, number by page (or file, for those documents produced in native electronic format) all documents in your submission, preferably with a unique Bates identifier, and indicate the total number of documents in your submission.

K. **Production of Copies:** Unless otherwise stated, legible photocopies (or electronically rendered images or digital copies of native electronic files) may be submitted in lieu of original documents, provided that the originals are retained in their state at the time of receipt of this CID. Further, copies of originals may be submitted in lieu of originals only if they are true,

correct, and complete copies of the original documents; provided, however, that submission of a copy shall constitute a waiver of any claim as to the authenticity of the copy should it be necessary to introduce such copy into evidence in any Commission proceeding or court of law; and provided further that you shall retain the original documents and produce them to Commission staff upon request. Copies of marketing materials and advertisements shall be produced in color, and copies of other materials shall be produced in color if necessary to interpret them or render them intelligible.

L. **Electronic Submission of Documents:** See the attached “Federal Trade Commission, Bureau of Consumer Protection Production Requirements,” which details all requirements for submission of information, generally requiring that files be produced in native form and specifying the metadata to be produced. As noted in the attachment, some items require discussion with the FTC counsel **prior to production**, which can be part of the general “Meet and Confer” described above. If you would like to arrange a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval, make those arrangements with FTC counsel when scheduling the general meet and confer discussion.

M. **Sensitive Personally Identifiable Information:** Unless specifically requested by a specification in this CID, do not produce any Sensitive Personally Identifiable Information (“Sensitive PII”) or Sensitive Health Information (“SHI”) prior to discussing the information with Commission counsel. If any document responsive to a particular specification contains unresponsive Sensitive PII or SHI, redact the unresponsive Sensitive PII or SHI prior to producing the document.

For purposes of these requests, sensitive personally identifiable information includes: an individual’s Social Security number alone; or an individual’s name or address or phone number in combination with one or more of the following: date of birth; Social Security number; driver’s license number or other state identification number or a foreign country equivalent; passport number; financial account number; credit card number; or debit card number. Sensitive health information includes medical records and other individually identifiable health information relating to the past, present, or future physical or mental health or conditions of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

N. **Information Identification:** Each specification and sub-specification of this CID shall be answered separately and fully in writing under oath. All information submitted shall be clearly and precisely identified as to the specification(s) or sub-specification(s) to which it is responsive.

O. **Certification of Records of Regularly Conducted Activity:** Attached is a Certification of Records of Regularly Conducted Activity, which may reduce the need to subpoena the Company to testify at future proceedings in order to establish the admissibility of documents produced in response to this CID. You are asked to execute this Certification and provide it with your response.

### III. INTERROGATORIES

Provide answers to each specification and sub-specification below, separately and fully in writing and under oath. Unless otherwise specified, these interrogatories request responses for activities during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. Provide the following information separately for calendar years 2013, 2014, and 2015:
  - a. The first and last dates that you obtained Leads in each year;
  - b. the number of Leads You obtained;
  - c. the amount You paid for the Leads obtained;
  - d. the price(s) that You agreed to pay for each Lead; and
  - e. if the Company contracted for multiple prices or price range(s), describe each price tier.
  
2. For each Person to which You transferred Leads, identify the Person that received the Leads and state:
  - a. the period during which You transferred Leads to the Person;
  - b. whether the Person is or was a Lender or agent or representative of a Lender and, if an agent or representative, identify the Lender;
  - c. if the Person is not a Lender or Lender's agent, state whether the Person markets other goods or services and describe the goods or services;
  - d. how the Person used the Leads;
  - e. how You transmitted Leads to the Person; and
  - f. the categories of information provided to this Person in each Lead;
  - g. the Person's practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers;
  - h. the Bates range of all Lead Sales Agreements related to the Person (*see* Request for Production 6);
  - i. the Bates range of documents that show any Lead-Qualification Criteria for this Person, and the period(s) during which the Lead-Qualification Criteria applied (*see* Request for Production 6); and

- j. the Bates range of documents that show the goods or services provided by the Person (*see* Request for Production 7).
3. For each Person to which You transferred Leads provide the following information separately for calendar years 2013, 2014, and 2015:
  - a. the number of Leads You transferred to the Person;
  - b. the amount of revenue You received from the Person for the Leads;
  - c. the price(s) that the Person agreed to pay for each Lead; and
  - d. the number of consumers that received a loan from the Person as a result of a Lead You transferred to the Person.
4. For each Lender to which the Company transferred Leads, state:
  - a. whether You negotiated or approved loans for the Lender and, if so, the period during which the Company has acted in this capacity for this Lender;
  - b. the total number of loans that each Lender has made to individuals identified in Leads; and
  - c. the Bates numbers of any agreements defining Your business arrangement with the Lender (*see* Request for Production 8).
5. Identify the officers or managers responsible for the following and the period during which each individual was responsible for these matters:
  - a. negotiating or approving agreements with Blue Global Media;
  - b. negotiating or approving modifications to agreements with Blue Global Media;
  - c. conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
  - d. ascertaining whether potential Lead buyers make and are qualified to make loans;
  - e. matching Leads with particular potential Lead buyers;
  - f. Your policies, practices, or procedures for data security; and
  - g. evaluating and monitoring Lead buyers' use of Leads obtained from You, including policies, practices, or procedures for data security and consumer opt-out requests.

6. Describe each of Your methods, practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers, and include in your response:
  - a. when the method, practice, policy, or procedure was in effect;
  - b. any changes to the particular method, practice, policy, or procedure;
  - c. the identity of individuals responsible for implementing or conducting the method, practice, policy, or procedure;
  - d. the identity of any Person that provides services to the Company for these purposes;
  - e. an account of any breach or failure of the Company's security measures; and
  - f. the Bates numbers of any documents relating to the method, practice, policy or procedure described (see Request for Production 10.h).
7. Provide the following information about the Company:
  - a. the date it was formed, incorporated, or organized;
  - b. its name at the time it was formed, incorporated, or organized;
  - c. all changes to its name or its place of incorporation since it was formed, incorporated or organized;
  - d. its place(s) of business;
  - e. each business or trade name that the Company has used;
  - f. each Internet domain that the Company has operated;
  - g. describe the goods and services offered by the Company since August 1, 2012, and specify when any changes occurred in the Company's offerings during this period;
  - h. identify any subsidiaries or parent business entities; and
  - i. identify all owners of the Company and for each owner state the portion(s) of ownership interest held by each owner and the period during which this interest was held.
8. Identify each (i) business entity that the Company lists as a member, manager or officer in any documents filed with the Nevada Secretary of State; (ii) business entity in which any owner or officer of the Company holds a majority interest; and (iii) business entity in

which two or more owners or officers collectively hold a majority interest. For each such entity, provide the following information:

- a. describe the relationship, if any, between each entity and the Company, including any funding that the entity provides to the Company;
  - b. state whether the entity's business has included buying, selling, processing, or transferring of Leads, and, if so, the nature of these activities;
  - c. the date it was formed, incorporated, or organized;
  - d. its name at the time it was formed, incorporated, or organized;
  - e. all changes to its name or its place of incorporation since it was formed, incorporated or organized;
  - f. its place(s) of business;
  - g. each business or trade name that the Company has used;
  - h. each Internet domain that the Company has operated;
  - i. identify any subsidiaries or parent business entities; and
  - j. identify all owners of the entity and for each owner state the portion(s) of ownership interest held by each owner and the period during which this interest was held.
9. Describe any federal, state, or local law enforcement or governmental actions, inquiries, investigations, proceedings, or subpoenas (collectively "actions") relating to the use of Leads by You or by Persons to whom you transferred Leads. For each action, describe:
- a. the nature of the action;
  - b. the parties involved;
  - c. the case number, jurisdiction, and any other identifying information about the case;
  - d. the date it was filed; and
  - e. the status of the action, including the date and resolution of the action, if applicable.
10. Describe any private suit that was filed by or against You, including arbitration, relating to any actual, alleged, or potential violation of any consumer protection laws, rules, or regulations in the storage, handling or transfer of Leads. For each lawsuit, describe:

- a. the nature of the suit;
  - b. the parties involved;
  - c. the case number, jurisdiction, and any other identifying information about the case;
  - d. the date it was filed; and
  - e. the status of the suit, including the date and resolution of the suit, if applicable.
11. Describe each instance in which You formally or informally have complained to any Lead buyer, or limited or terminated Your business with a Lead buyer, because You concluded or someone reported that the Lead buyer violated Your formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security. In addition to identifying the Lead buyer involved in the complaint or action, Your response should state:
  - a. the reason(s) for the actions taken;
  - b. when the You took action;
  - c. the nature of the action You took;
  - d. the individuals who participated in the action; and
  - e. the Bates range of any documents relevant to this Interrogatory produced in response to any Request for Production.
12. Identify the individuals that provided information for Your responses to each of the Interrogatories above.



#### IV. REQUESTS FOR PRODUCTION OF DOCUMENTS

Produce the documents described below, including in your production all documents that were created, in use or in effect during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. All contracts with Blue Global Media, including all Lead Sales Agreements pursuant to which You obtained Leads, insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
2. Documents that offer Leads for sale, including those in which (i) Blue Global Media describes Leads offered for sale to You; or (ii) You offer Leads for sale.
3. Documents relating to communications about (a) modifying, amending or adding addenda to any Lead Sales Agreement with Blue Global; or (b) restricting the marketing or remarketing of Leads.
4. Documents showing the advertising, representations or terms presented by Blue Global Media to secure Leads.
5. Documents relating to the monitoring or evaluation of Blue Global Media's advertising or methods of securing Leads.
6. All Lead Sales Agreements pursuant to which You transferred Leads, including insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
7. Documents showing what goods or services are provided by Persons to whom You transferred Leads.
8. If you acted or act as agent for any Lender in connection with Leads, produce the agreement(s) that set forth Your business arrangement(s) with such Lender(s).
9. Any summaries or analyses of the characteristics, pricing or sales of Leads, including any summaries for a buyer or group of buyers, specific Websites, or categories of consumers.
10. Documents (including policies, manuals or training material) that describe the Company's method(s) for
  - a. the marketing, sale or transfer of Leads;
  - b. evaluating the characteristics of Leads;
  - c. determining the sequence or order in which Leads are offered to potential buyers, and for selecting between competing buyers for a Lead.
  - d. matching Leads with Lenders;

- e. matching Leads with Lead buyers that are not Lenders;
  - f. evaluating current or potential Lead buyers, including conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
  - g. monitoring Lead buyers; and
  - h. restricting disclosure of Leads, including any restrictions that specifically address financial account numbers and consumer opt-out requests.
11. Documents that describe the practices, policies, or procedures of Persons that purchase Leads from the Company use to secure, store, transmit and dispose of Leads, including any practices, policies or procedures that specifically address financial account numbers and consumer opt-out requests.
  12. All agreements relating to encryption or other security measures used to maintain the security social security or financial account numbers in Leads.
  13. Documents reporting or describing any breach of security related to Leads that You received, transferred or sold.
  14. All documents relating to any complaint concerning the security, handling, or use of Leads (i) by You; or (ii) by any Person to whom You transferred Leads.
  15. All documents relating to any report that You or any Person to whom You transferred Leads violated Your formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security.
  16. Organizational charts for the Company, or that describe the Company's relationship to other business entities.
  17. Documents sufficient to show Your document retention or destruction policies.

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**Federal Trade Commission, Bureau of Consumer Protection Production Requirements**

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Submit all documents according to the instructions, below. Some instructions require **discussion with FTC counsel prior to production**, which can be part of a general “Meet and Confer” between the parties or a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval.

**Types of Files**

1. Native or Near-Native Files
  - a. Whenever possible, produce responsive ESI in its native form; that is, in the form in which the information was customarily created, used and stored by the native application employed by the producing party in the ordinary course of business (i.e., .doc, .xls, .ppt, .pdf).
  - b. If production of an ESI item in its native form is infeasible, it may be produced in a near-native form (i.e., there is not a material loss of content, structure or functionality as compared to the native form) that the FTC agrees to prior to production.
  - c. Native files containing embedded files must have those files extracted, produced in their native form in accordance with #1.a., and have the parent/child relationship identified in the accompanying production metadata.
2. Databases
  - a. Microsoft Access databases may be produced in either .mdb or .accdb format.
  - b. Discuss all other database formats with the FTC prior to production.
3. Multimedia
  - a. Multimedia files (i.e., audio, video) may be produced in .mp3 or .mp4 formats.
  - b. Discuss production of multimedia (i.e., audio, video) in other file formats with the FTC prior to production.
4. Discuss production of instant messages, CRM, proprietary applications, and any other type of ESI not specifically referenced in #1, 2, or 3 with the FTC prior to production.
5. Hard Copy Documents
  - a. Scan in an electronic format documents stored in hard copy in the ordinary course of business.
  - b. Produce scanned documents as 300 DPI individual multi-page PDFs per document. For marketing materials and where necessary to interpret documents or render them intelligible, submit documents in color.
  - c. Produce scanned documents with embedded searchable text.
  - d. Produce hard copy documents in the order in which they appear in your files and without being manipulated or otherwise rearranged.
  - e. Treat documents kept in folders or binders as family members. Scan the cover of a binder or folder separately and have it serve as the parent document. Scan each document within a folder or binder as an individual document and have it serve as a child to the parent folder or binder.
6. Redacted Documents
  - a. Produce ESI requiring redaction in a near native searchable PDF format.
  - b. Produce redacted documents as individual multi-page PDFs per document.
  - c. Produce redacted documents with embedded searchable text.
  - d. If hard copy documents require redaction, follow all requirements laid out in #5.

**De-duplication, Email Threading, and Passwords**

- 7. De-duplication
  - a. De-duplication based on MD5 or SHA-1 hash value may be conducted within a custodian’s set of files without FTC approval so long as the FTC is notified of the intent to de-duplicate prior to production.
  - b. Discuss de-duplication of any other scope or means with the FTC prior to production.
- 8. Use of email threading software must be discussed with the FTC prior to production.
- 9. For password protected files, remove their passwords prior to production. If password removal is not possible, provide a cross reference file including original filename, production filename, and the respective password.

**Production Metadata**

- 10. Family Relationships: Regardless of form of production, preserve the parent/child relationship in all files as follows:
  - a. Produce attachments as separate documents and number them consecutively to the parent file.
  - b. Complete the ParentID metadata field for each attachment.
- 11. Document Numbering and File Naming
  - a. Each document must have a unique document identifier (“DOCID”) consisting of a prefix and 7-digit number (e.g., ABC0000001) as follows:
    - i. The prefix of the filename must reflect a unique alphanumeric designation, not to exceed seven (7) characters identifying the producing party. This prefix must remain consistent across all productions.
    - ii. The next seven (7) digits must be a unique, consecutive numeric value assigned to the item by the producing party. Pad this value with leading zeroes as needed to preserve its 7-digit length.
    - iii. Do not use a space to separate the prefix from numbers.
  - b. Name each native or near native file with its corresponding DOCID number and appropriate file extension (e.g., ABC0000001.doc).
- 12. Load File Format
  - a. Produce metadata in a delimited text file (.DAT) for each item included in the production. The first line of the delimited text file must contain the field names. Each subsequent line must contain the metadata for each produced document.
  - b. Use these delimiters in the delimited data load file:

Description	Symbol	ASCII Code
Field Separator	¶	020
Quote Character	”	254
New Line	®	174
Multiple Field Entries	;	059

- 13. The following chart describes the required metadata for native, scanned, and redacted documents. If you want to submit additional metadata, discuss with the FTC prior to production.

Production Metadata				
Field Name	Native	Scanned	Redacted	Format
DOCID	Y	Y	Y	Alphanumeric ( <i>see #11 above</i> )
PARENTID	Y	Y	Y	Alphanumeric
NATIVELINK	Y	Y	Y	Alphanumeric
CUSTODIAN	Y	Y	Y	Alphanumeric
RESPSPEC	Y	Y	Y	Alphanumeric (question # record responds to)
ORIGFILENAME	Y		Y	Alphanumeric
ORIGPATH	Y		Y	Alphanumeric
CONFIDENTIAL	Y	Y	Y	Boolean - Y/N
HASH	Y	Y	Y	Alphanumeric
From			Y	Alphanumeric
To			Y	Alphanumeric
CC			Y	Alphanumeric
BCC			Y	Alphanumeric
EmailSubject			Y	Alphanumeric
DateSent			Y	MM/DD/YYYY HH:MM:SS AM/PM
DateRcvd			Y	MM/DD/YYYY HH:MM:SS AM/PM
Author			Y	Alphanumeric
Subject			Y	Alphanumeric
DateCreated			Y	MM/DD/YYYY HH:MM:SS AM/PM
DateLastMod			Y	MM/DD/YYYY HH:MM:SS AM/PM

### Production Media

14. Prior to production, scan all media and data contained therein for viruses and confirm the media and data is virus free.
15. For productions smaller than 50 GB, the FTC can accept electronic file transfer via FTC hosted secure file transfer protocol. Contact the FTC to request this option. The FTC cannot accept files via Dropbox, Google Drive, or other third-party file transfer sites.
16. Use the least amount of media necessary for productions. Acceptable media formats are optical discs (CD, DVD), flash drives, and hard drives. Format all media for use with Windows 7.
17. Data encryption tools may be employed to protect privileged or other personal or private information. Discuss encryption formats with the FTC prior to production. Provide encryption passwords in advance of delivery, under separate cover.
18. Mark the exterior of all packages containing electronic media sent through the U.S. Postal Service or other delivery services as follows:

**MAGNETIC MEDIA – DO NOT X-RAY  
MAY BE OPENED FOR POSTAL INSPECTION.**

19. Provide a production transmittal letter with all productions which includes:
  - a. A unique production number (e.g., Volume I).
  - b. Date of production.
  - c. The numeric range of documents included in the production.
  - d. The number of documents included in the production.

**CERTIFICATION OF RECORDS OF REGULARLY CONDUCTED ACTIVITY**

**Pursuant to 28 U.S.C. § 1746**

1. I, \_\_\_\_\_, have personal knowledge of the facts set forth below and am competent to testify as follows:
2. I have authority to certify the authenticity of the records produced by **General LLC** and attached hereto.
3. The documents produced and attached hereto by **General LLC** are originals or true copies of records of regularly conducted activity that:
  - a) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
  - b) Were kept in the course of the regularly conducted activity of **General LLC** and
  - c) Were made by the regularly conducted activity as a regular practice of **General LLC**.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
Signature

Certification

# Pet. Exh. 4



United States of America  
Federal Trade Commission

**CIVIL INVESTIGATIVE DEMAND**

1. TO

Media LLC  
c/o Andy Johnson, Registered Agent  
1710 Grouse St  
Silver Springs, NV 89429

This demand is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, in the course of an investigation to determine whether there is, has been, or may be a violation of any laws administered by the Federal Trade Commission by conduct, activities or proposed action as described in Item 3.

2. ACTION REQUIRED

You are required to appear and testify.

LOCATION OF HEARING

YOUR APPEARANCE WILL BE BEFORE

DATE AND TIME OF HEARING OR DEPOSITION

You are required to produce all documents described in the attached schedule that are in your possession, custody, or control, and to make them available at your address indicated above for inspection and copying or reproduction at the date and time specified below.

You are required to answer the interrogatories or provide the written report described on the attached schedule. Answer each interrogatory or report separately and fully in writing. Submit your answers or report to the Records Custodian named in Item 4 on or before the date specified below.

DATE AND TIME THE DOCUMENTS MUST BE AVAILABLE

**JAN 13 2016**

3. SUBJECT OF INVESTIGATION

See Attached Resolution

4. RECORDS CUSTODIAN/DEPUTY RECORDS CUSTODIAN

Michael B. Goldstein/Michael Tankersley  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Mail Stop: CC-10232  
Washington, DC 20580  
(202) 326-3673

5. COMMISSION COUNSEL

Michael Tankersley  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Mail Stop: CC-10232  
Washington, DC 20580  
(202) 326-2991

DATE ISSUED

12/23/15

COMMISSIONER'S SIGNATURE

**INSTRUCTIONS AND NOTICES**

The delivery of this demand to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply. The production of documents or the submission of answers and report in response to this demand must be made under a sworn certificate, in the form printed on the second page of this demand, by the person to whom this demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances of such production or responsible for answering each interrogatory or report question. This demand does not require approval by OMB under the Paperwork Reduction Act of 1980.

**PETITION TO LIMIT OR QUASH**

The Commission's Rules of Practice require that any petition to limit or quash this demand be filed within 20 days after service, or, if the return date is less than 20 days after service, prior to the return date. The original and twelve copies of the petition must be filed with the Secretary of the Federal Trade Commission, and one copy should be sent to the Commission Counsel named in Item 5.

**YOUR RIGHTS TO REGULATORY ENFORCEMENT FAIRNESS**

The FTC has a longstanding commitment to a fair regulatory enforcement environment. If you are a small business (under Small Business Administration standards), you have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR (1-888-734-3247) or [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman) regarding the fairness of the compliance and enforcement activities of the agency. You should understand, however, that the National Ombudsman cannot change, stop, or delay a federal agency enforcement action.

The FTC strictly forbids retaliatory acts by its employees, and you will not be penalized for expressing a concern about these activities.

**TRAVEL EXPENSES**

Use the enclosed travel voucher to claim compensation to which you are entitled as a witness for the Commission. The completed travel voucher and this demand should be presented to Commission Counsel for payment. If you are permanently or temporarily living somewhere other than the address on this demand and it would require excessive travel for you to appear, you must get prior approval from Commission Counsel.

A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCRulesofPractice>. Paper copies are available upon request.



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## Form of Certificate of Compliance\*

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I/We do certify that all of the documents and information required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein.

If a document responsive to this Civil Investigative Demand has not been submitted, the objections to its submission and the reasons for the objection have been stated.

If an interrogatory or a portion of the request has not been fully answered or a portion of the report has not been completed, the objections to such interrogatory or uncompleted portion and the reasons for the objections have been stated.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Sworn to before me this day

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_

\*In the event that more than one person is responsible for complying with this demand, the certificate shall identify the documents for which each certifying individual was responsible. In place of a sworn statement, the above certificate of compliance may be supported by an unsworn declaration as provided for by 28 U.S.C. § 1746.

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:** Edith Ramirez, Chairwoman  
Julie Brill  
Maureen K. Ohlhausen  
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NON-PUBLIC  
INVESTIGATIONS OF VARIOUS UNNAMED LOAN BROKERS, LENDERS, LOAN  
SERVICERS, AND OTHER MARKETERS OF LOANS**

File No. 042 3135

**Nature and Scope of Investigation:**

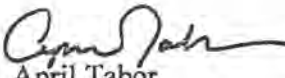
To determine whether unnamed persons, partnerships, corporations, or others have engaged or are engaging in deceptive or unfair acts or practices in or affecting commerce in the advertising, marketing, sale, or servicing of loans and related products in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to determine whether various unnamed loan brokers, lenders, loan servicers, and other marketers of loans have engaged or are engaging in acts or practices in violation of the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*. The investigation is also to determine whether Commission action to obtain redress for injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

**Authority to Conduct Investigation:**

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1; the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*; and FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.*, and supplements thereto.

By direction of the Commission.

  
April Tabor  
Acting Secretary

**Issued: January 7, 2014**

**CIVIL INVESTIGATIVE DEMAND  
SCHEDULE FOR PRODUCTION OF DOCUMENTS AND ANSWERS  
TO WRITTEN INTERROGATORIES**

**I. DEFINITIONS**

As used in this Civil Investigative Demand, the following definitions shall apply:

- A. **“And,”** as well as **“or,”** shall be construed both conjunctively and disjunctively, as necessary, in order to bring within the scope of any specification in this Schedule all information that otherwise might be construed to be outside the scope of the specification.
- B. **“Any”** shall be construed to include **“all,”** and **“all”** shall be construed to include the word **“any.”**
- C. **“Blue Global Media”** shall mean Blue Global, LLC, Acquisition Media, LLC, and wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- D. **“CID”** shall mean the Civil Investigative Demand, including the attached Resolution and this Schedule, and including the Definitions, Instructions, and Specifications.
- E. **“Company”** shall mean **“Media LLC,”** its wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- F. **“Document”** shall mean the complete original and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any written, typed, printed, transcribed, filmed, punched, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated or made, including but not limited to any advertisement, book, pamphlet, periodical, contract, correspondence, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, code book or label. **“Document” shall also include all documents, materials, and information, including Electronically Stored Information, within the meaning of the Federal Rules of Civil Procedure.**
- G. **“Each”** shall be construed to include **“every,”** and **“every”** shall be construed to include **“each.”**
- H. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after

translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, PDAs, computer tablets, or other mobile devices; or other storage media.

I. **“FTC”** or **“Commission”** shall mean the Federal Trade Commission.

J. **“Identify”** or **“the identity of”** shall be construed to require identification of (a) natural persons by name, title, present business affiliation, present business address and telephone number, or if a present business affiliation or present business address is not known, the last known business and home addresses; and (b) businesses or other organizations by name, address, websites, identities of natural persons who are officers, directors or managers of the business or organization, and contact persons, where applicable.

K. **“Lead”** shall mean any set of information about a consumer that you **obtained from Blue Global Media** that (i) identifies a consumer seeking, inquiring about, expressing an interest in, applying or attempting to apply for a credit report or loan, including, but not limited to, a payday loan, installment loan or cash advance; or (ii) includes the consumer’s social security number or financial account number, such as a bank account, credit card, or debit card number.

L. **“Lead Sales Agreement”** shall mean an agreement, contract, or understanding, formal or informal, between two or more entities to sell, purchase or exchange Leads and includes (i) a communication that supplements or amends the price, conditions or other terms of such an agreement; (ii) an agreement to make Leads available for examination, inspection or evaluation; and (iii) an agreement to share rights to use, market or re-market Leads.

M. **“Lender”** shall mean a person who engages in the business of lending money to consumers.

N. **“Lead-Qualification Criteria”** shall mean income, residence, employment, loan amount or other criteria that a Lead buyer specifies as necessary for a Lead to be eligible for purchase.

O. **“Person”** shall mean any individual, group, unincorporated association, limited or general partnership, corporation or other business entity.

P. **“Referring to”** or **“relating to”** shall mean discussing, describing, reflecting, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.

Q. **“Transfer”** or **“Transferred”** shall mean any transmission of a Lead for use by another for evaluation, marketing, offering goods or services, or for any other purpose including sale or distribution of the Leads as part of an affiliate or advertising relationship.

R. **“You”** and **“Your”** shall mean the Person to whom this CID is issued and includes the Company.

## II. INSTRUCTIONS

A. **Sharing of Information:** The Commission often makes its files available to other civil and criminal federal, state, local, or foreign law enforcement agencies. The Commission may make information supplied by you available to such agencies where appropriate pursuant to the Federal Trade Commission Act and 16 C.F.R. § 4.11 (c) and (j). Information you provide may be used in any federal, state, or foreign civil or criminal proceeding by the Commission or other agencies.

B. **Meet and Confer:** You must contact **Michael Tankersley** at (202) 326-2991 as soon as possible to schedule a meeting (telephonic or in person) to be held within fourteen (14) days after receipt of this CID, or before the deadline for filing a petition to quash, whichever is first, in order to discuss compliance and to address and attempt to resolve all issues, including issues relating to protected status and the form and manner in which claims of protected status will be asserted, and the submission of ESI and other electronic productions as described in these Instructions. Pursuant to 16 C.F.R. § 2.7(k), you must make available personnel with the knowledge necessary for resolution of the issues relevant to compliance with this CID, including but not limited to personnel with knowledge about your information or records management systems, relevant materials such as organizational charts, and samples of material required to be produced. If any issues relate to ESI, you must make available a person familiar with your ESI systems and methods of retrieval.

C. **Claims of Privilege:** If any material called for by this CID is withheld based on a claim of privilege, work product protection, or statutory exemption, or any similar claim (*see* 16 C.F.R. § 2.7(a)(4)), the claim must be asserted no later than the return date of this CID. In addition, pursuant to 16 C.F.R. § 2.11(a)(1), submit, together with the claim, a detailed log of the items withheld. The information in the log shall be of sufficient detail to enable the Commission staff to assess the validity of the claim for each document, including attachments, without disclosing the protected information. Submit the log in a searchable electronic format, and, for each document, including attachments, provide:

1. Document control number(s);
2. The full title (if the withheld material is a document) and the full file name (if the withheld material is in electronic form);
3. A description of the material withheld (for example, a letter, memorandum, or email), including any attachments;
4. The date the material was created;
5. The date the material was sent to each recipient (if different from the date the material was created);
6. The email addresses, if any, or other electronic contact information to the extent used in the document, from which and to which each document was sent;

7. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all authors;

8. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all recipients of the material;

9. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all persons copied on the material;

10. The factual basis supporting the claim that the material is protected; and

11. Any other pertinent information necessary to support the assertion of protected status by operation of law.

16 C.F.R. § 2.11(a)(1)(i)-(xi).

In the log, identify by an asterisk each attorney who is an author, recipient, or person copied on the material. The titles, business addresses, email addresses, and relevant affiliations of all authors, recipients, and persons copied on the material may be provided in a legend appended to the log. However, provide in the log the information required by Instruction C.6. 16 C.F.R. § 2.11(a)(2). The lead attorney or attorney responsible for supervising the review of the material and who made the determination to assert the claim of protected status must attest to the log. 16 C.F.R. § 2.11(a)(1).

If only some portion of any responsive material is privileged, all non-privileged portions of the material must be submitted. Otherwise, produce all responsive information and material without redaction. 16 C.F.R. § 2.11(c). The failure to provide information sufficient to support a claim of protected status may result in denial of the claim. 16 C.F.R. § 2.11(a)(1).

**D. Document Retention:** You shall retain all documentary materials used in the preparation of responses to the specifications of this CID. The Commission may require the submission of additional documents at a later time during this investigation. **Accordingly, you should suspend any routine procedures for document destruction and take other measures to prevent the destruction of documents** that are in any way relevant to this investigation during its pendency, irrespective of whether you believe such documents are protected from discovery by privilege or otherwise. *See* 15 U.S.C. § 50; *see also* 18 U.S.C. §§ 1505, 1519.

**E. Petitions to Limit or Quash:** Any petition to limit or quash this CID must be filed with the Secretary of the Commission no later than twenty (20) days after service of the CID, or, if the return date is less than twenty (20) days after service, prior to the return date. Such petition shall set forth all assertions of protected status or other factual and legal objections to the CID, including all appropriate arguments, affidavits, and other supporting documentation. 16 C.F.R. § 2.10(a)(1). Such petition shall not exceed 5,000 words as set forth in 16 C.F.R. § 2.10(a)(1) and must include the signed separate statement of counsel required by 16 C.F.R. § 2.10(a)(2). **The Commission will not consider petitions to quash or limit absent a pre-filing meet and confer session with Commission staff and, absent extraordinary circumstances, will consider only issues raised during the meet and confer process.** 16 C.F.R. § 2.7(k); *see also* § 2.11(b).

F. **Modification of Specifications:** If you believe that the scope of the required search or response for any specification can be narrowed consistent with the Commission's need for documents or information, you are encouraged to discuss such possible modifications, including any modifications of definitions and instructions, with **Michael Tankersley** at (202) 326-2991. All such modifications must be agreed to in writing by the Bureau Director, or a Deputy Bureau Director, Associate Director, Regional Director, or Assistant Regional Director. 16 C.F.R. § 2.7(l).

G. **Certification:** You, a responsible corporate officer, or a duly authorized manager of the Company shall certify that the response to this CID is complete. This certification shall be made in the form set out on the back of the CID form, or by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746.

H. **Scope of Search:** This CID covers documents and information in your possession or under your actual or constructive custody or control including, but not limited to, documents and information in the possession, custody, or control of your attorneys, accountants, directors, officers, employees, and other agents and consultants, whether or not such documents and information were received from or disseminated to any person or entity.

I. **Document Production:** You shall produce the documentary material by making all responsive documents available for inspection and copying at your principal place of business. Alternatively, you may elect to send all responsive documents to **Michael Goldstein**, Federal Trade Commission, 600 Pennsylvania Avenue, NW CC-10232, Washington, DC 20850. Because postal delivery to the Commission is subject to delay due to heightened security precautions, please use a courier service such as Federal Express or UPS. Notice of your intended method of production shall be given by email or telephone to **Michael Goldstein**, (202) 326-3673, mgoldstein@ftc.gov at least five days prior to the return date.

J. **Document Identification:** Documents that may be responsive to more than one specification of this CID need not be submitted more than once; however, your response should indicate, for each document submitted, each specification to which the document is responsive. If any documents responsive to this CID have been previously supplied to the Commission, you may comply with this CID by identifying the document(s) previously provided and the date of submission. Documents should be produced in the order in which they appear in your files or as electronically stored and without being manipulated or otherwise rearranged; if documents are removed from their original folders, binders, covers, containers, or electronic source in order to be produced, then the documents shall be identified in a manner so as to clearly specify the folder, binder, cover, container, or electronic media or file paths from which such documents came. In addition, number by page (or file, for those documents produced in native electronic format) all documents in your submission, preferably with a unique Bates identifier, and indicate the total number of documents in your submission.

K. **Production of Copies:** Unless otherwise stated, legible photocopies (or electronically rendered images or digital copies of native electronic files) may be submitted in lieu of original documents, provided that the originals are retained in their state at the time of receipt of this CID. Further, copies of originals may be submitted in lieu of originals only if they are true,

correct, and complete copies of the original documents; provided, however, that submission of a copy shall constitute a waiver of any claim as to the authenticity of the copy should it be necessary to introduce such copy into evidence in any Commission proceeding or court of law; and provided further that you shall retain the original documents and produce them to Commission staff upon request. Copies of marketing materials and advertisements shall be produced in color, and copies of other materials shall be produced in color if necessary to interpret them or render them intelligible.

**L. Electronic Submission of Documents:** See the attached “Federal Trade Commission, Bureau of Consumer Protection Production Requirements,” which details all requirements for submission of information, generally requiring that files be produced in native form and specifying the metadata to be produced. As noted in the attachment, some items require discussion with the FTC counsel **prior to** production, which can be part of the general “Meet and Confer” described above. If you would like to arrange a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval, make those arrangements with FTC counsel when scheduling the general meet and confer discussion.

**M. Sensitive Personally Identifiable Information:** Unless specifically requested by a specification in this CID, do not produce any Sensitive Personally Identifiable Information (“Sensitive PII”) or Sensitive Health Information (“SHI”) prior to discussing the information with Commission counsel. If any document responsive to a particular specification contains unresponsive Sensitive PII or SHI, redact the unresponsive Sensitive PII or SHI prior to producing the document.

For purposes of these requests, sensitive personally identifiable information includes: an individual’s Social Security number alone; or an individual’s name or address or phone number in combination with one or more of the following: date of birth; Social Security number; driver’s license number or other state identification number or a foreign country equivalent; passport number; financial account number; credit card number; or debit card number. Sensitive health information includes medical records and other individually identifiable health information relating to the past, present, or future physical or mental health or conditions of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

**N. Information Identification:** Each specification and sub-specification of this CID shall be answered separately and fully in writing under oath. All information submitted shall be clearly and precisely identified as to the specification(s) or sub-specification(s) to which it is responsive.

**O. Certification of Records of Regularly Conducted Activity:** Attached is a Certification of Records of Regularly Conducted Activity, which may reduce the need to subpoena the Company to testify at future proceedings in order to establish the admissibility of documents produced in response to this CID. You are asked to execute this Certification and provide it with your response.



### III. INTERROGATORIES

Provide answers to each specification and sub-specification below, separately and fully in writing and under oath. Unless otherwise specified, these interrogatories request responses for activities during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. Provide the following information separately for calendar years 2013, 2014, and 2015:
  - a. The first and last dates that you obtained Leads in each year;
  - b. the number of Leads You obtained;
  - c. the amount You paid for the Leads obtained;
  - d. the price(s) that You agreed to pay for each Lead; and
  - e. if the Company contracted for multiple prices or price range(s), describe each price tier.
2. For each Person to which You transferred Leads, identify the Person that received the Leads and state:
  - a. the period during which You transferred Leads to the Person;
  - b. whether the Person is or was a Lender or agent or representative of a Lender and, if an agent or representative, identify the Lender;
  - c. if the Person is not a Lender or Lender's agent, state whether the Person markets other goods or services and describe the goods or services;
  - d. how the Person used the Leads;
  - e. how You transmitted Leads to the Person; and
  - f. the categories of information provided to this Person in each Lead;
  - g. the Person's practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers;
  - h. the Bates range of all Lead Sales Agreements related to the Person (*see* Request for Production 6);
  - i. the Bates range of documents that show any Lead-Qualification Criteria for this Person, and the period(s) during which the Lead-Qualification Criteria applied (*see* Request for Production 6); and

- j. the Bates range of documents that show the goods or services provided by the Person (*see* Request for Production 7).
3. For each Person to which You transferred Leads provide the following information separately for calendar years 2013, 2014, and 2015:
  - a. the number of Leads You transferred to the Person;
  - b. the amount of revenue You received from the Person for the Leads;
  - c. the price(s) that the Person agreed to pay for each Lead; and
  - d. the number of consumers that received a loan from the Person as a result of a Lead You transferred to the Person.
4. For each Lender to which the Company transferred Leads, state:
  - a. whether You negotiated or approved loans for the Lender and, if so, the period during which the Company has acted in this capacity for this Lender;
  - b. the total number of loans that each Lender has made to individuals identified in Leads; and
  - c. the Bates numbers of any agreements defining Your business arrangement with the Lender (*see* Request for Production 8).
5. Identify the officers or managers responsible for the following and the period during which each individual was responsible for these matters:
  - a. negotiating or approving agreements with Blue Global Media;
  - b. negotiating or approving modifications to agreements with Blue Global Media;
  - c. conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
  - d. ascertaining whether potential Lead buyers make and are qualified to make loans;
  - e. matching Leads with particular potential Lead buyers;
  - f. Your policies, practices, or procedures for data security; and
  - g. evaluating and monitoring Lead buyers' use of Leads obtained from You, including policies, practices, or procedures for data security and consumer opt-out requests.

6. Describe each of Your methods, practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers, and include in your response:
  - a. when the method, practice, policy, or procedure was in effect;
  - b. any changes to the particular method, practice, policy, or procedure;
  - c. the identity of individuals responsible for implementing or conducting the method, practice, policy, or procedure;
  - d. the identity of any Person that provides services to the Company for these purposes;
  - e. an account of any breach or failure of the Company's security measures; and
  - f. the Bates numbers of any documents relating to the method, practice, policy or procedure described (see Request for Production 10.h).
  
7. Provide the following information about the Company:
  - a. the date it was formed, incorporated, or organized;
  - b. its name at the time it was formed, incorporated, or organized;
  - c. all changes to its name or its place of incorporation since it was formed, incorporated or organized;
  - d. its place(s) of business;
  - e. each business or trade name that the Company has used;
  - f. each Internet domain that the Company has operated;
  - g. describe the goods and services offered by the Company since August 1, 2012, and specify when any changes occurred in the Company's offerings during this period;
  - h. identify any subsidiaries or parent business entities; and
  - i. identify all owners of the Company and for each owner state the portion(s) of ownership interest held by each owner and the period during which this interest was held.
  
8. Identify each (i) business entity that the Company lists as a member, manager or officer in any documents filed with the Nevada Secretary of State; (ii) business entity in which any owner or officer of the Company holds a majority interest; and (iii) business entity in

which two or more owners or officers collectively hold a majority interest. For each such entity, provide the following information:

- a. describe the relationship, if any, between each entity and the Company, including any funding that the entity provides to the Company;
  - b. state whether the entity's business has included buying, selling, processing, or transferring of Leads, and, if so, the nature of these activities;
  - c. the date it was formed, incorporated, or organized;
  - d. its name at the time it was formed, incorporated, or organized;
  - e. all changes to its name or its place of incorporation since it was formed, incorporated or organized;
  - f. its place(s) of business;
  - g. each business or trade name that the Company has used;
  - h. each Internet domain that the Company has operated;
  - i. identify any subsidiaries or parent business entities; and
  - j. identify all owners of the entity and for each owner state the portion(s) of ownership interest held by each owner and the period during which this interest was held.
9. Describe any federal, state, or local law enforcement or governmental actions, inquiries, investigations, proceedings, or subpoenas (collectively "actions") relating to the use of Leads by You or by Persons to whom you transferred Leads. For each action, describe:
- a. the nature of the action;
  - b. the parties involved;
  - c. the case number, jurisdiction, and any other identifying information about the case;
  - d. the date it was filed; and
  - e. the status of the action, including the date and resolution of the action, if applicable.
10. Describe any private suit that was filed by or against You, including arbitration, relating to any actual, alleged, or potential violation of any consumer protection laws, rules, or regulations in the storage, handling or transfer of Leads. For each lawsuit, describe:

- a. the nature of the suit;
  - b. the parties involved;
  - c. the case number, jurisdiction, and any other identifying information about the case;
  - d. the date it was filed; and
  - e. the status of the suit, including the date and resolution of the suit, if applicable.
11. Describe each instance in which You formally or informally have complained to any Lead buyer, or limited or terminated Your business with a Lead buyer, because You concluded or someone reported that the Lead buyer violated Your formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security. In addition to identifying the Lead buyer involved in the complaint or action, Your response should state:
  - a. the reason(s) for the actions taken;
  - b. when the You took action;
  - c. the nature of the action You took;
  - d. the individuals who participated in the action; and
  - e. the Bates range of any documents relevant to this Interrogatory produced in response to any Request for Production.
12. Identify the individuals that provided information for Your responses to each of the Interrogatories above.

#### IV. REQUESTS FOR PRODUCTION OF DOCUMENTS

Produce the documents described below, including in your production all documents that were created, in use or in effect during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. All contracts with Blue Global Media, including all Lead Sales Agreements pursuant to which You obtained Leads, insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
2. Documents that offer Leads for sale, including those in which (i) Blue Global Media describes Leads offered for sale to You; or (ii) You offer Leads for sale.
3. Documents relating to communications about (a) modifying, amending or adding addenda to any Lead Sales Agreement with Blue Global; or (b) restricting the marketing or remarketing of Leads.
4. Documents showing the advertising, representations or terms presented by Blue Global Media to secure Leads.
5. Documents relating to the monitoring or evaluation of Blue Global Media's advertising or methods of securing Leads.
6. All Lead Sales Agreements pursuant to which You transferred Leads, including insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
7. Documents showing what goods or services are provided by Persons to whom You transferred Leads.
8. If you acted or act as agent for any Lender in connection with Leads, produce the agreement(s) that set forth Your business arrangement(s) with such Lender(s).
9. Any summaries or analyses of the characteristics, pricing or sales of Leads, including any summaries for a buyer or group of buyers, specific Websites, or categories of consumers.
10. Documents (including policies, manuals or training material) that describe the Company's method(s) for
  - a. the marketing, sale or transfer of Leads;
  - b. evaluating the characteristics of Leads;
  - c. determining the sequence or order in which Leads are offered to potential buyers, and for selecting between competing buyers for a Lead.
  - d. matching Leads with Lenders;

- e. matching Leads with Lead buyers that are not Lenders;
  - f. evaluating current or potential Lead buyers, including conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
  - g. monitoring Lead buyers; and
  - h. restricting disclosure of Leads, including any restrictions that specifically address financial account numbers and consumer opt-out requests.
11. Documents that describe the practices, policies, or procedures of Persons that purchase Leads from the Company use to secure, store, transmit and dispose of Leads, including any practices, policies or procedures that specifically address financial account numbers and consumer opt-out requests.
  12. All agreements relating to encryption or other security measures used to maintain the security social security or financial account numbers in Leads.
  13. Documents reporting or describing any breach of security related to Leads that You received, transferred or sold.
  14. All documents relating to any complaint concerning the security, handling, or use of Leads (i) by You; or (ii) by any Person to whom You transferred Leads.
  15. All documents relating to any report that You or any Person to whom You transferred Leads violated Your formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security.
  16. Organizational charts for the Company, or that describe the Company's relationship to other business entities.
  17. Documents sufficient to show Your document retention or destruction policies.

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**Federal Trade Commission, Bureau of Consumer Protection Production Requirements**

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Submit all documents according to the instructions, below. Some instructions require **discussion with FTC counsel prior to production**, which can be part of a general “Meet and Confer” between the parties or a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval.

**Types of Files**

1. Native or Near-Native Files
  - a. Whenever possible, produce responsive ESI in its native form; that is, in the form in which the information was customarily created, used and stored by the native application employed by the producing party in the ordinary course of business (i.e., .doc, .xls, .ppt, .pdf).
  - b. If production of an ESI item in its native form is infeasible, it may be produced in a near-native form (i.e., there is not a material loss of content, structure or functionality as compared to the native form) that the FTC agrees to prior to production.
  - c. Native files containing embedded files must have those files extracted, produced in their native form in accordance with #1.a., and have the parent/child relationship identified in the accompanying production metadata.
2. Databases
  - a. Microsoft Access databases may be produced in either .mdb or .accdb format.
  - b. Discuss all other database formats with the FTC prior to production.
3. Multimedia
  - a. Multimedia files (i.e., audio, video) may be produced in .mp3 or .mp4 formats.
  - b. Discuss production of multimedia (i.e., audio, video) in other file formats with the FTC prior to production.
4. Discuss production of instant messages, CRM, proprietary applications, and any other type of ESI not specifically referenced in #1, 2, or 3 with the FTC prior to production.
5. Hard Copy Documents
  - a. Scan in an electronic format documents stored in hard copy in the ordinary course of business.
  - b. Produce scanned documents as 300 DPI individual multi-page PDFs per document. For marketing materials and where necessary to interpret documents or render them intelligible, submit documents in color.
  - c. Produce scanned documents with embedded searchable text.
  - d. Produce hard copy documents in the order in which they appear in your files and without being manipulated or otherwise rearranged.
  - e. Treat documents kept in folders or binders as family members. Scan the cover of a binder or folder separately and have it serve as the parent document. Scan each document within a folder or binder as an individual document and have it serve as a child to the parent folder or binder.
6. Redacted Documents
  - a. Produce ESI requiring redaction in a near native searchable PDF format.
  - b. Produce redacted documents as individual multi-page PDFs per document.
  - c. Produce redacted documents with embedded searchable text.
  - d. If hard copy documents require redaction, follow all requirements laid out in #5.



**De-duplication, Email Threading, and Passwords**

- 7. De-duplication
  - a. De-duplication based on MD5 or SHA-1 hash value may be conducted within a custodian’s set of files without FTC approval so long as the FTC is notified of the intent to de-duplicate prior to production.
  - b. Discuss de-duplication of any other scope or means with the FTC prior to production.
- 8. Use of email threading software must be discussed with the FTC prior to production.
- 9. For password protected files, remove their passwords prior to production. If password removal is not possible, provide a cross reference file including original filename, production filename, and the respective password.

**Production Metadata**

- 10. Family Relationships: Regardless of form of production, preserve the parent/child relationship in all files as follows:
  - a. Produce attachments as separate documents and number them consecutively to the parent file.
  - b. Complete the ParentID metadata field for each attachment.
- 11. Document Numbering and File Naming
  - a. Each document must have a unique document identifier (“DOCID”) consisting of a prefix and 7-digit number (e.g., ABC0000001) as follows:
    - i. The prefix of the filename must reflect a unique alphanumeric designation, not to exceed seven (7) characters identifying the producing party. This prefix must remain consistent across all productions.
    - ii. The next seven (7) digits must be a unique, consecutive numeric value assigned to the item by the producing party. Pad this value with leading zeroes as needed to preserve its 7-digit length.
    - iii. Do not use a space to separate the prefix from numbers.
  - b. Name each native or near native file with its corresponding DOCID number and appropriate file extension (e.g., ABC0000001.doc).
- 12. Load File Format
  - a. Produce metadata in a delimited text file (.DAT) for each item included in the production. The first line of the delimited text file must contain the field names. Each subsequent line must contain the metadata for each produced document.
  - b. Use these delimiters in the delimited data load file:

Description	Symbol	ASCII Code
Field Separator	¶	020
Quote Character	”	254
New Line	®	174
Multiple Field Entries	;	059

- 13. The following chart describes the required metadata for native, scanned, and redacted documents. If you want to submit additional metadata, discuss with the FTC prior to production.

Production Metadata				
Field Name	Native	Scanned	Redacted	Format
DOCID	Y	Y	Y	Alphanumeric ( <i>see #11 above</i> )
PARENTID	Y	Y	Y	Alphanumeric
NATIVELINK	Y	Y	Y	Alphanumeric
CUSTODIAN	Y	Y	Y	Alphanumeric
RESPSPEC	Y	Y	Y	Alphanumeric (question # record responds to)
ORIGFILENAME	Y		Y	Alphanumeric
ORIGPATH	Y		Y	Alphanumeric
CONFIDENTIAL	Y	Y	Y	Boolean - Y/N
HASH	Y	Y	Y	Alphanumeric
From			Y	Alphanumeric
To			Y	Alphanumeric
CC			Y	Alphanumeric
BCC			Y	Alphanumeric
EmailSubject			Y	Alphanumeric
DateSent			Y	MM/DD/YYYY HH:MM:SS AM/PM
DateRcvd			Y	MM/DD/YYYY HH:MM:SS AM/PM
Author			Y	Alphanumeric
Subject			Y	Alphanumeric
DateCreated			Y	MM/DD/YYYY HH:MM:SS AM/PM
DateLastMod			Y	MM/DD/YYYY HH:MM:SS AM/PM

### **Production Media**

14. Prior to production, scan all media and data contained therein for viruses and confirm the media and data is virus free.
15. For productions smaller than 50 GB, the FTC can accept electronic file transfer via FTC hosted secure file transfer protocol. Contact the FTC to request this option. The FTC cannot accept files via Dropbox, Google Drive, or other third-party file transfer sites.
16. Use the least amount of media necessary for productions. Acceptable media formats are optical discs (CD, DVD), flash drives, and hard drives. Format all media for use with Windows 7.
17. Data encryption tools may be employed to protect privileged or other personal or private information. Discuss encryption formats with the FTC prior to production. Provide encryption passwords in advance of delivery, under separate cover.
18. Mark the exterior of all packages containing electronic media sent through the U.S. Postal Service or other delivery services as follows:

**MAGNETIC MEDIA – DO NOT X-RAY  
MAY BE OPENED FOR POSTAL INSPECTION.**

19. Provide a production transmittal letter with all productions which includes:
  - a. A unique production number (e.g., Volume I).
  - b. Date of production.
  - c. The numeric range of documents included in the production.
  - d. The number of documents included in the production.

**CERTIFICATION OF RECORDS OF REGULARLY CONDUCTED ACTIVITY**

**Pursuant to 28 U.S.C. § 1746**

1. I, \_\_\_\_\_, have personal knowledge of the facts set forth below and am competent to testify as follows:
2. I have authority to certify the authenticity of the records produced by **Media LLC** and attached hereto.
3. The documents produced and attached hereto by **Media LLC** are originals or true copies of records of regularly conducted activity that:
  - a) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
  - b) Were kept in the course of the regularly conducted activity of **Media LLC** and
  - c) Were made by the regularly conducted activity as a regular practice of **Media LLC**.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
Signature

Certification

# Pet. Exh. 5



Shipping

Tracking

Manage

Learn

FedEx Office®

My Profile

Support

Locations

English

Search

Submit

Login

General LLC

c/o Paracorp Incorporated, Registered Agent

Delivered

Tracking No. or Nickname	Shipper city, state	Origin Terminal	Ship date	Status	Recipient city, state	Delivery date
775291167607	Washington, DC	WASHINGTON, DC	12/24/2015		SILVER SPRINGS, NV	12/28/2015 12:54 pm
775291178475	Washington, DC	WASHINGTON, DC	12/24/2015		CARSON CITY, NV	12/28/2015 1:07 pm

Delivered

Showing 2 of 2

**775291178475**

Ship date:

**Thu 12/24/2015**

Actual delivery:

**Mon 12/28/2015 1:07 pm**

Washington, DC US

**Delivered**

CARSON CITY, NV US

Signed for by: K.BROWN

## Travel History

Date/Time	Activity	Location
- 12/28/2015 - Monday		
1:07 pm	Delivered	CARSON CITY, NV
9:02 am	On FedEx vehicle for delivery	CARSON CITY, NV
7:58 am	At local FedEx facility	CARSON CITY, NV
- 12/26/2015 - Saturday		
8:25 am	At local FedEx facility	CARSON CITY, NV
8:12 am	At local FedEx facility	CARSON CITY, NV
8:12 am	At local FedEx facility	CARSON CITY, NV
	Package not due for delivery	
4:25 am	At destination sort facility	RENO, NV
2:37 am	Departed FedEx location	MEMPHIS, TN
- 12/25/2015 - Friday		
4:27 am	In transit	MEMPHIS, TN
- 12/24/2015 - Thursday		
7:58 pm	Left FedEx origin facility	WASHINGTON, DC
12:50 pm	Picked up	WASHINGTON, DC
7:17 am	Shipment information sent to FedEx	

## Shipment Facts

<b>Tracking number</b>	775291178475	<b>Service</b>	FedEx 2Day
<b>Weight</b>	0.5 lbs / 0.23 kgs	<b>Signature services</b>	Direct signature required
<b>Delivered To</b>	Receptionist/Front Desk	<b>Total pieces</b>	1
<b>Total shipment weight</b>	0.5 lbs / 0.23 kgs	<b>Terms</b>	Shipper
<b>Purchase order number</b>	0612	<b>Shipper reference</b>	1523225/580379
<b>Packaging</b>	FedEx Envelope	<b>Special handling section</b>	Deliver Weekday, Direct Signature Required



February 16,2016

Dear Customer:

The following is the proof-of-delivery for tracking number **775291178475**.

---

**Delivery Information:**

---

<b>Status:</b>	Delivered	<b>Delivered to:</b>	Receptionist/Front Desk
<b>Signed for by:</b>	K.BROWN	<b>Delivery location:</b>	318 N CARSON ST 208 CARSON CITY, NV 89701
<b>Service type:</b>	FedEx 2Day	<b>Delivery date:</b>	Dec 28, 2015 13:07
<b>Special Handling:</b>	Deliver Weekday  Direct Signature Required		



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**Shipping Information:**

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<b>Tracking number:</b>	775291178475	<b>Ship date:</b>	Dec 24, 2015
		<b>Weight:</b>	0.5 lbs/0.2 kg

**Recipient:**  
general llc  
c/o paracorp incorporated,  
registered agent  
318 n carson st suite 208  
CARSON CITY, NV 89701 US

**Shipper:**  
Crystal McCoy-Hunter  
Federal Trade Commission  
600 Pennsylvania Ave.  
Washington, DC 20580 US

**Reference** 1523225/580379  
**Purchase order number:** 0612

Thank you for choosing FedEx.

# Pet. Exh. 6

**Media LLC****c/o Andy Johnson, Registered Agent**

Delivered

Tracking No. or Nickname	Shipper city, state	Origin Terminal	Ship date	Status	Recipient city, state	Delivery date
775291167607	Washington, DC	WASHINGTON, DC	12/24/2015		SILVER SPRINGS, NV	12/28/2015 12:54 pm
775291178475	Washington, DC	WASHINGTON, DC	12/24/2015		CARSON CITY, NV	12/28/2015 1:07 pm

Delivered

Showing 1 of 2

**775291167607**

Ship date:

**Thu 12/24/2015**

Actual delivery:

**Mon 12/28/2015 12:54 pm**

Washington, DC US

**Delivered**

SILVER SPRINGS, NV US

Signed for by: J.JOHNSON

## Travel History

Date/Time	Activity	Location
- 12/28/2015 - Monday		
12:54 pm	Delivered	SILVER SPRINGS, NV
8:43 am	On FedEx vehicle for delivery	CARSON CITY, NV
7:58 am	At local FedEx facility	CARSON CITY, NV
- 12/26/2015 - Saturday		
8:25 am	At local FedEx facility	CARSON CITY, NV
8:12 am	At local FedEx facility	CARSON CITY, NV
8:12 am	At local FedEx facility	CARSON CITY, NV
	Package not due for delivery	
4:25 am	At destination sort facility	RENO, NV
2:37 am	Departed FedEx location	MEMPHIS, TN
- 12/25/2015 - Friday		
4:27 am	In transit	MEMPHIS, TN
- 12/24/2015 - Thursday		
7:58 pm	Left FedEx origin facility	WASHINGTON, DC
12:50 pm	Picked up	WASHINGTON, DC
7:07 am	Shipment information sent to FedEx	

## Shipment Facts

<b>Tracking number</b>	775291167607	<b>Service</b>	FedEx 2Day
<b>Weight</b>	0.5 lbs / 0.23 kgs	<b>Signature services</b>	Direct signature required
<b>Delivered To</b>	Receptionist/Front Desk	<b>Total pieces</b>	1
<b>Total shipment weight</b>	0.5 lbs / 0.23 kgs	<b>Terms</b>	Shipper
<b>Purchase order number</b>	0612	<b>Shipper reference</b>	1523225/580379
<b>Packaging</b>	FedEx Envelope	<b>Special handling section</b>	Deliver Weekday, Direct Signature Required





February 16, 2016

Dear Customer:

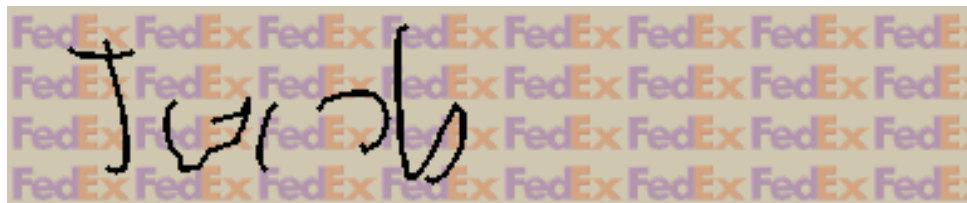
The following is the proof-of-delivery for tracking number **775291167607**.

---

**Delivery Information:**

---

<b>Status:</b>	Delivered	<b>Delivered to:</b>	Receptionist/Front Desk
<b>Signed for by:</b>	J.JOHNSON	<b>Delivery location:</b>	1710 GROUSE ST SILVER SPRINGS, NV 89429
<b>Service type:</b>	FedEx 2Day	<b>Delivery date:</b>	Dec 28, 2015 12:54
<b>Special Handling:</b>	Deliver Weekday		
	Direct Signature Required		



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**Shipping Information:**

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<b>Tracking number:</b>	775291167607	<b>Ship date:</b>	Dec 24, 2015
		<b>Weight:</b>	0.5 lbs/0.2 kg

**Recipient:**  
media llc  
c/o andy johnson, registered agent  
1710 grouse st  
SILVER SPRINGS, NV 89429 US

**Shipper:**  
Crystal McCoy-Hunter  
Federal Trade Commission  
600 Pennsylvania Ave.  
Washington, DC 20580 US

**Reference** 1523225/580379  
**Purchase order number:** 0612

Thank you for choosing FedEx.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**FEDERAL TRADE COMMISSION,**

Petitioner,

v.

**GENERAL LLC,**

and

**MEDIA LLC,**

Respondents

Case No.

**[PROPOSED] ORDER TO SHOW CAUSE**

Petitioner, the Federal Trade Commission (FTC or Commission), under to the authority conferred by Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1 and Fed. R. Civ. P. 81(a)(5), has invoked the aid of this Court for an order requiring Respondents, General LLC and Media LLC, to comply with civil investigative demands (CIDs), issued to them on December 23, 2015, in aid of an FTC law enforcement investigation.

The Court has considered the Petition of the Federal Trade Commission for an Order Enforcing Civil Investigative Demands and the papers filed in support thereof; and, appearing to the Court that Petitioner has shown good cause for the entry of such order, it is by this Court hereby

ORDERED that Respondents General LLC and Media LLC appear at \_\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, in Courtroom No. \_\_\_\_\_ of the Bruce R. Thompson Federal Building & United States Courthouse

for the District of Nevada, 400 S. Virginia Street, Reno, NV 89501, and show cause, if any there be, why this Court should not grant said Petition and enter an Order enforcing the CIDs issued to Respondents and directing them to produce, within ten (10) days of the date of the Order, all responsive documents and information, without redactions, except redactions for which Respondents have claimed a privilege or for which they have sought and received the Commission's prior authorization. Unless the Court determines otherwise, notwithstanding the filing or pendency of any procedural or other motions, all issues raised by the Petition and supporting papers, and any opposition to the Petition, will be considered at the hearing on the Petition, and the allegations of said Petition shall be deemed admitted unless controverted by a specific factual showing; and

IT IS FURTHER ORDERED that, if Respondents believe it to be necessary for the Court to hear live testimony, they must file an affidavit reflecting such testimony (or if a proposed witness is not available to provide such an affidavit, a specific description of the witness's proposed testimony) and explain why Respondents believe that live testimony is required; and

IT IS FURTHER ORDERED that, if Respondents intend to file pleadings, affidavits, exhibits, motions or other papers in opposition to said Petition or to the entry of the Order requested therein, such papers must be filed with the Court and received by Petitioner's counsel on the \_\_\_\_\_ day of \_\_\_\_\_, 2016. Such submission shall include, in the case of any affidavits or exhibits not previously submitted, or objections not previously made to the Federal Trade Commission, an

explanation as to why such objections were not made or such papers or information not submitted to the Commission. Any reply by Petitioner shall be filed with the Court and received by Respondents on the \_\_\_\_\_ day of \_\_\_\_\_, 2016; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 81(a)(5) and 26(a)(1)(B)(v), this is a summary proceeding and no party shall be entitled to discovery without further order of the Court upon a specific showing of need; and that the dates for a hearing and the filing of papers established by this Order shall not be altered without prior order of the Court upon good cause shown; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 81(a)(5) and its advisory committee note (1946), a copy of this Order and copies of said Petition and exhibits filed therewith, shall be served forthwith by Petitioner upon Respondents or his counsel, using as expeditious means as practicable.

IT IS SO ORDERED:

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_

Reno, Nevada.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**FEDERAL TRADE COMMISSION,**

Petitioner,

v.

**GENERAL LLC,**

and

**MEDIA LLC,**

Respondents

Case No.

**[PROPOSED] ORDER**

Petitioner, the Federal Trade Commission (FTC or Commission), pursuant to the authority conferred by Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, has invoked the aid of this Court, pursuant to Fed. R. Civ. P. 81(a)(5), for an order requiring Respondents, General LLC and Media LLC, to comply in full with the civil investigative demands (CIDs), issued to them on December 23, 2015, in aid of an FTC law enforcement investigation.

The Court has considered the Petition of the Federal Trade Commission for an Order Enforcing Civil Investigative Demands and the papers and arguments in support thereof and in opposition thereto. It is by this Court hereby

ORDERED that Respondents General LLC and Media LLC comply in full with the Commission's CIDs by producing all responsive documents and information specified in the December 23, 2015, CIDs within ten (10) days of the receipt of this Order, or at such later time as may be designated by the FTC staff; and

IT IS FURTHER ORDERED that a copy of this Order be served forthwith by Petitioner upon Respondents or their counsel, by personal service or by certified or registered mail, return-receipt requested, or by overnight express-delivery service with receipt-signature requested.

IT IS SO ORDERED:

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_

Reno, Nevada.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Federal Trade Commission

DEFENDANTS

General LLC; Media LLC.

(b) County of Residence of First Listed Plaintiff Washington, D.C. (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Carson City (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number) Leslie Rice Melman; Burke Kappler; Office of General Counsel; 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580; 202-326-2478 (Melman); 202-326-2043 (Kappler)

Attorneys (If Known) N/A

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question, 4 Diversity

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship and business location (This State, Another State, Foreign Country).

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. 57b-1(e)
Brief description of cause: Administrative compulsory process enforcement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 3/9/2016 SIGNATURE OF ATTORNEY OF RECORD /s/ Leslie Rice Melman

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.