

ORIGINAL

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



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In the matter of: )

Jerk, LLC, a limited liability company, )

DOCKET NO. 9361

Also d/b/a JERK.COM, and )

PUBLIC

John Fanning, )

Individually and as a member of )  
Jerk, LLC, )

Respondents. )  
\_\_\_\_\_

**RESPONDENT JOHN FANNING'S RESPONSES TO COMPLAINT COUNSEL'S  
SECOND REQUESTS FOR ADMISSIONS**

Pursuant to Rule 3.32(b), Respondent John Fanning provides the following responses to Complaint Counsel's Second Requests for Admissions:

1. John Fanning was hired to advise Jerk, LLC by NetCapital.com, LLC, either directly or through its lawyer(s).

**Denied. John Fanning advised Jerk, LLC through NetCapital.com, LLC.**

2. John Fanning has been the Chairman of NetCapital.com, LLC.

**Admit.**

3. As part of his duties advising Jerk, LLC, John Fanning advised Jerk, LLC about Jerk.com's compliance with United States laws.

**Denied. John Fanning advised lawyers about compliance with laws with respect to Jerk.com.**

4. As part of his duties advising Jerk, LLC, John Fanning has reviewed content displayed on the Jerk.com website.

**Denied.**

5. As part of his duties advising Jerk, LLC, John Fanning has met with investors about providing financial backing for Jerk.com.

**Denied. As part of his duties advising NetCapital.com LLC, John Fanning met with investors about providing financial backing for Jerk.com.**

6. As part of his duties advising Jerk, LLC, John Fanning has used the email address john@netcapital.com to send and receive email communications relating to Jerk.com.

**Denied. As part of his duties advising NetCapital.com LLC, John Fanning had access to email sent to john@netcapital.com.**

7. As part of his duties advising Jerk, LLC, John Fanning has advised the person whom he considered to be Jerk, LLC's CEO.

**Denied.**

8. As part of his duties advising Jerk, LLC, John Fanning has advised Jerk, LLC's lawyer Maria Speth.

**Denied.**

SWORN TO AND SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2014.

/s/John Fanning  
John Fanning

CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2014, I caused a true and accurate copy of the document entitled *Respondent John Fanning's Responses to Complaint Counsel's Second Requests for Admissions* dated November 26, 2014, and served on Complaint Counsel on December 4, 2014 via email, to be served as follows:

One electronic copy and one paper copy by U.S. Mail to the Office of the Secretary:

Donald S. Clark, Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., N.W., Room H-159  
Washington, DC 20580  
Email: [secretary@ftc.gov](mailto:secretary@ftc.gov)

One electronic copy via email to the Office of the Counsel for the Federal Trade Commission:

Sarah Schroeder  
Yan Fang  
Kerry O'Brien  
Federal Trade Commission  
901 Market Street, Suite 670  
San Francisco, CA 94103  
Email: [sschroeder@ftc.gov](mailto:sschroeder@ftc.gov); [yfang@ftc.gov](mailto:yfang@ftc.gov); [kobrien@ftc.gov](mailto:kobrien@ftc.gov)

One electronic copy via email to counsel for Jerk, LLC:

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/s/ Peter F. Carr, II  
Peter F. Carr, II  
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Dated: December 30, 2014