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BY [Signature]
WESTERN DISTRICT OF WASHINGTON
CLERK DEPUTY

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MYFREEMEDICINE.COM, LLC, a California
limited liability corporation, and

GEOFFREY J. HASLER, individually and as a
member of Myfreemedicine.com, LLC,

Defendants.

CV5 1607P

Civil No.

**COMPLAINT FOR
INJUNCTIVE AND OTHER
EQUITABLE RELIEF**

Plaintiff, the Federal Trade Commission ("FTC" or "the Commission"), for its complaint against Myfreemedicine.com, LLC, and Geoffrey J. Hasler (collectively, "defendants"), alleges:

1. The FTC brings this action under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), to secure preliminary and permanent injunctive relief, restitution, rescission or reformation of contracts, disgorgement, and other equitable relief for defendants' deceptive marketing and sale of a program purporting to provide consumers with free prescription medications, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

JURISDICTION AND VENUE

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

1 prescription medications for consumers, which defendants supply directly to consumers or their
2 doctors once the consumer is registered with the MFM program. Contrary to defendants'
3 representations, defendants do not deal directly with pharmaceutical companies or the
4 government to obtain prescription drugs for consumers. Defendants' program consists only of
5 selling consumers PAP application forms. In some instances defendants do not even send
6 consumers the correct forms. Consumers must fill out the forms and have their doctor fill out the
7 portion of the forms for physicians. Consumers must then send the forms directly to
8 pharmaceutical companies themselves.

9 13. On their website and in telephone conversations with consumers, defendants have
10 a stated policy of giving pro-rata refunds of the MFM fee to consumers for any prescription drugs
11 that the consumer is not able to obtain for free through the MFM program. Defendants, however,
12 routinely deny all requests for refunds.

13 **VIOLATIONS OF SECTION 5 OF THE FTC ACT**

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

16 15. Misrepresentations of material fact constitute deceptive acts or practices
17 prohibited by Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

18 **COUNT ONE**

19
20 16. In connection with the marketing, offering for sale, or sale of the MFM program,
21 defendants represent, expressly or by implication, that:

- 22 a. Consumers are eligible to receive prescription medications for free;
- 23 b. Consumers' specific prescription medications are available from a PAP;
- 24 c. Defendants deal directly with pharmaceutical companies and the
25 government to provide free prescription medications directly to registered
26 consumers or their doctors;
- 27 d. Eligible consumers who pay a fee for the MFM program will receive all
28 their prescription medications for free; and

1 e. Consumers who do not receive their medications for free will receive a
2 pro-rata refund from defendants.

3 17. In truth and in fact, in numerous instances:

4 a. Consumers are not eligible to receive prescription medications for free;

5 b. Consumers' specific prescription medications are not available from a
6 PAP;

7 c. Defendants do not deal directly with the pharmaceutical companies and
8 the government to provide free prescription medications directly to
9 registered consumers or their doctors;

10 d. Eligible consumers who pay a fee for the MFM program do not receive all
11 their prescription medications for free; and

12 e. Consumers who do not receive their medications for free do not receive a
13 pro-rata refund from defendants.

14 18. Therefore, the representations set forth in Paragraph 16 are false and misleading
15 and constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C.

16 § 45(a).

17 **COUNT TWO**

18 19. Defendants have represented, expressly or by implication, that they possessed and
19 relied upon a reasonable basis that substantiated the representations set forth in Paragraph 16.a, b
20 and d at the time the representations were made.

21 20. In truth and in fact, in numerous instances, defendants did not possess and rely
22 upon a reasonable basis that substantiated the representations set forth in Paragraph 16.a, b and d
23 at the time the representations were made.

24 21. Therefore, the representation set forth in Paragraph 19 is false and misleading and
25 constitutes a deceptive act or practice in violation of Section 5(a) of the FTC Act, 15 U.S.C.

26 § 45(a).

