

1 Virginia G. Rosa, MD Bar No. 0610100005  
2 (seeking admission *pro hac vice*)  
3 (202) 326-3068 / vrosa@ftc.gov  
4 P. Connell McNulty, PA Bar No. 87966  
5 (seeking admission *pro hac vice*)  
6 (202) 326-2061 / pmcnulty@ftc.gov  
7 Roberto Anguizola, IL Bar No. 6270874  
8 (seeking admission *pro hac vice*)  
9 (202) 326-3284 / ranguizola@ftc.gov



10 Local Counsel  
11 Miles D. Freeman, CA Bar No. 299302  
12 (310) 824-4332 / mfreeman@ftc.gov  
13 Federal Trade Commission  
14 10990 Wilshire Blvd., Suite 400  
15 Los Angeles, CA 90024  
16 (310) 824-4380 (fax)

17 Attorneys for Plaintiff  
18 Federal Trade Commission

19 **UNITED STATES DISTRICT COURT**  
20 **CENTRAL DISTRICT OF CALIFORNIA**

21 \_\_\_\_\_ )  
22 FEDERAL TRADE COMMISSION, )  
23 Plaintiff, )  
24 v. )  
25 MODA LATINA BZ INC., a )  
26 California corporation, )  
27 )  
28 )

**FILED UNDER SEAL**  
**Case No.: 2:20-cv-10832 FMO (SKx)**  
**COMPLAINT FOR**  
**PERMANENT INJUNCTION**  
**AND OTHER EQUITABLE**  
**RELIEF**

1 )  
 2 ESTHER VIRGINIA FERNANDEZ )  
 3 AGUIRRE, individually and as an )  
 4 officer of Moda Latina BZ Inc., and )  
 5 )  
 6 MARCO CESAR ZARATE QUIROZ, )  
 7 individually and as an officer of Moda )  
 8 Latina BZ Inc., )  
 9 )  
 10 Defendants. )

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11 Plaintiff, the Federal Trade Commission (“FTC”), for its Complaint alleges:

12 **SUMMARY OF THE CASE**

13 1. Defendants operate an ongoing deceptive scheme targeting Latina  
 14 consumers in the midst of the COVID-19 health and economic crisis. Seizing on  
 15 economic insecurity in the community, Defendants lure consumers into purchasing  
 16 work-at-home business opportunities with the false promise that consumers will  
 17 earn hundreds of dollars per week re-selling brand-name perfumes, makeup,  
 18 jewelry, designer clothing, fashion accessories, and other luxury products. Despite  
 19 claims of “grandes ganancias” (“large profits”)<sup>1</sup> made in Defendants’ television  
 20 advertising and telemarketing pitches, consumers who purchase Defendants’ work-  
 21 at-home business opportunities and related goods lose hundreds of dollars and  
 22 often get stuck with unsellable merchandise.

23 2. In perpetrating their scheme, Defendants have taken millions of

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24 <sup>1</sup> In accordance with L.R. 11-3.10, this document is presented for filing in English.  
 25 However, Defendants interacted with consumers almost exclusively in Spanish.  
 26 For this reason, Defendants’ advertising and certain representations Defendants  
 27 made to consumers are quoted in their original Spanish language. Translations are  
 28 included in parentheses following the use of Spanish language phrases. A  
 Certificate of Translation certifying that the translations are true and accurate is  
 attached.

1 dollars from consumers while violating the Federal Trade Commission Act (“FTC  
2 Act”), 15 U.S.C. § 41 *et seq.*, and the FTC’s Telemarketing Sales Rules (“TSR”),  
3 16 C.F.R. Part 310, by, among other things: (1) making false or unsubstantiated  
4 earnings claims regarding Defendants’ work-at-home opportunities; (2)  
5 misrepresenting material aspects of Defendants’ work-at-home opportunities and  
6 related goods; and (3) making abusive telephone calls to threaten and intimidate  
7 consumers to pay Defendants.

8 3. The FTC brings this action under Sections 13(b) and 19 of the FTC  
9 Act, 15 U.S.C. §§ 53(b) and 57b, and the Telemarketing and Consumer Fraud and  
10 Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§ 6101-6108, to obtain  
11 temporary, preliminary, and permanent injunctive relief, rescission or reformation  
12 of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten  
13 monies, and other equitable relief for Defendants’ acts or practices in violation of  
14 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the TSR, 16 C.F.R. Part 310,  
15 in connection with the sale and marketing of work-at-home opportunities and  
16 related goods.

17 **JURISDICTION AND VENUE**

18 4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§  
19 1331, 1337(a), and 1345.

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

22 **PLAINTIFF**

23 6. The FTC is an independent agency of the United States Government  
24 created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC  
25 Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or  
26 affecting commerce. The FTC also enforces the Telemarketing Act, 15 U.S.C. §§  
27 6101-6108. In accordance with the Telemarketing Act, the FTC promulgated and  
28 enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive and abusive

1 telemarketing acts or practices.

2 7. The FTC is authorized to initiate federal district court proceedings, by  
3 its own attorneys, to enjoin violations of the FTC Act and the TSR and to secure  
4 such equitable relief as may be appropriate in each case, including rescission or  
5 reformation of contracts, restitution, the refund of monies paid, and the  
6 disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 57b, and 6105(b).

7 **DEFENDANTS**

8 8. Defendant Moda Latina BZ Inc. (“Moda Latina BZ”), also doing  
9 business as Moda Latina, Club Moda Latina, Perfume Box, El Club Internacional  
10 del Perfume, and Club Oro, is a California corporation with its principal place of  
11 business at 151 S. 9th Avenue, Suite M, La Puente, California 91746. Moda Latina  
12 BZ transacts or has transacted business in this district and throughout the United  
13 States. At all times material to this Complaint, acting alone or in concert with  
14 others, Moda Latina BZ has advertised, marketed, distributed, or sold work-at-  
15 home opportunities and related goods and services to consumers throughout the  
16 United States.

17 9. Defendant Esther Virginia Fernandez Aguirre, also known as Esther  
18 Fernandez (“Fernandez”), is the sole Director, Chief Executive Officer, Secretary,  
19 and Chief Financial Officer of Moda Latina BZ. Fernandez resides in California.  
20 At all times material to this Complaint, acting alone or in concert with others, she  
21 has formulated, directed, controlled, had the authority to control, or participated in  
22 the acts and practices set forth in this Complaint. Fernandez, in connection with  
23 the matters alleged herein, transacts or has transacted business in this district and  
24 throughout the United States.

25 10. Defendant Marco Cesar Zarate Quíroz, also known as Marco Zarate  
26 (“Zarate”), is the General Manager of Moda Latina BZ. Zarate resides in  
27 California. At all times material to this Complaint, acting alone or in concert with  
28 others, he has formulated, directed, controlled, had the authority to control, or

1 participated in the acts and practices set forth in this Complaint. Zarate, in  
2 connection with the matters alleged herein, transacts or has transacted business in  
3 this district and throughout the United States.

4 **COMMERCE**

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

8 **DEFENDANTS’ BUSINESS ACTIVITIES**

9 12. Since at least 2017, Defendants have advertised, marketed,  
10 distributed, promoted, and sold work-at-home opportunities to consumers  
11 throughout the United States.

12 13. Defendants market and sell work-at-home opportunities under  
13 multiple brand names including: Moda Latina, Club Moda Latina, Perfume Box, El  
14 Club Internacional del Perfume, and Club Oro (collectively “Moda Latina”).

15 14. While Defendants use multiple brand names in their advertising, they  
16 consistently use the name “Moda Latina” to receive payment for their work-at-  
17 home opportunities.

18 15. From March 2017 to August 2020, Defendants took more than \$7  
19 million from consumers who purchased Moda Latina work-at-home opportunities.

20 16. Defendants advertise Moda Latina through a variety of media  
21 including television, videos disseminated online through YouTube, and social  
22 media such as Facebook.

23 17. Defendants widely disseminate their advertising for Moda Latina  
24 throughout the United States.

25 18. Defendants also induce the purchase of Moda Latina through  
26 telemarketing.

27 19. Defendants’ marketing campaigns target Latina consumers interested  
28 in starting work-at-home businesses.

1           20. Defendants’ advertising and marketing campaigns are conducted  
2 primarily in Spanish.

3           21. Defendants make earnings claims in connection with the offer for  
4 sale, sale, and promotion of Moda Latina.

5           22. In their advertising and marketing, Defendants represent that  
6 consumers who purchase Moda Latina are likely to profit by buying and re-selling  
7 jewelry, designer clothing, fashion accessories, makeup, brand-name perfumes and  
8 other luxury products.

9           23. Typical representations made in Defendants’ advertising include the  
10 following:

11           A.     “¿Quieres tener tu propio negocio y ganar hasta mil dólares  
12 semanales?” (“Want to have your own business and earn up to a  
13 thousand dollars per week?”)

14           B.     “Gana hasta \$500.00 por semana” (“Earn up to \$500.00 per  
15 week”)

16           C.     “Llama ya!!! y ordena tu Membresía Y EMPIEZA A GANAR  
17 MUCHO DINERO!!!” (“Call now!!! and order your  
18 membership AND BEGIN TO MAKE A LOT OF  
19 MONEY!!!”).

20           D.     “¿Quieres tener tu propio negocio y ganar mucho dinero?”  
21 (“Want to have your own business and earn a lot of money?”)

22           E.     “Usted también gane mucho Dinero.” (“You too can earn a lot  
23 of money.”)

24           24. Defendants’ earnings claims regarding Moda Latina are false or  
25 unsubstantiated.

26           25. Few, if any, consumers who purchase Moda Latina earn the income  
27 Defendants advertise. Most, if not all, purchasers do not earn any income  
28 whatsoever with Moda Latina.





Fig. 1.

33. The ad urges viewers to “Llama ya!!! y ordena tu Membresía Y EMPIEZA A GANAR MUCHO DINERO!!!” (“Call now!!! and order your membership AND BEGIN TO MAKE A LOT OF MONEY!!!”).

34. Near the end of the ad, Moda Latina BZ offers a free tablet computer to viewers that call “hoy” (“today”) and enroll.

35. This ad, or substantially similar versions of the El Club Internacional del Perfume television commercial, aired nationwide as recently as October 2, 2020 on Univision.

36. Also in 2020, Moda Latina BZ ran an ad using the fictitious business name “Perfume Box” on Spanish language television networks, including Univision.

37. In the Perfume Box ad, Moda Latina BZ offers an opportunity to make money working from home selling authentic and famous brand-name perfumes.

38. The ad promises purchasers “grandes ganancias” (“large profits”).

39. During the Perfume Box ad, a male voice-over makes the following representations in Spanish:

A. “¿Quieres tener tu propio negocio y ganar hasta mil dólares

1                   semanales?” (“Do you want to have your own business and  
2                   earn up to one thousand dollars a week?”)

3                   B.       “Aquí está la oportunidad de Perfume Box... Es la primera caja  
4                   comercial de perfumes en los Estados Unidos, que está dejando  
5                   grandes ganancias a quien la ordena. Gana dinero sin jefes ni  
6                   horarios y sin descuidar a tu familia.” (“Here is the opportunity  
7                   from Perfume Box... It’s the first business perfume box in the  
8                   United States, that is leaving great profits for those who order  
9                   it. Earn money without bosses or schedules, and without  
10                  neglecting your family.”)

11               40.     The ad features two purported Perfume Box purchasers.

12               41.     The first purported Perfume Box purchaser featured in the ad (an  
13               unidentified woman with dark hair) can be seen counting wads of money at a desk  
14               while surrounded by large boxes of brand name perfumes. At the bottom of the  
15               screen appear the words “¿Quieres tener tu propio negocio y ganar mucho dinero?”  
16               (“Do you want to have your own business and earn a lot of money?”). A  
17               screenshot of this part of the Perfume Box television ad appears below as **Fig. 2**:



27                   **Fig. 2**

28







Fig. 5.

49. At the end of the ad, Moda Latina BZ offers the first 25 callers the choice of an Apple iPad or an Apple iPhone as a free gift.

50. This ad, or substantially similar versions of the Perfume Box television commercial, aired as recently as November 20, 2020 on TeleXitos, a Spanish language television network, in the San Diego, CA viewing area.

**Defendants’ Deceptive and Abusive Telemarketing**

51. When consumers respond to Defendants’ advertising by telephone, Defendants’ telemarketers repeat and reinforce many of the earnings claims and other misrepresentations that Defendants make on television.

52. During these calls, Defendants’ telemarketers tell consumers that enrolling in Moda Latina is a great opportunity to make money by buying merchandise at reduced wholesale prices from Defendants and then re-selling it at a significant profit in their communities.

53. Defendants’ telemarketers also tell consumers that to get started they will have to pay to enroll and receive an initial Moda Latina kit (“Moda Latina Kit”).

1           54. Defendants’ telemarketers tell consumers that the Moda Latina Kits  
2 will include authentic products such as gold jewelry, brand-name perfumes,  
3 makeup and other beauty and luxury fashion products.

4           55. Defendants typically charge between \$199 and \$299 for enrollment in  
5 Moda Latina.

6           56. Defendants’ telemarketers routinely tell consumers they will easily be  
7 able to recoup their investment by re-selling the products contained in the Moda  
8 Latina Kit at a profit.

9           57. In many instances, Defendants’ telemarketers make express earnings  
10 claims.

11           58. For example, in a February 2020 telephone call, one of Defendants’  
12 telemarketers, who identified himself as “Javier,” told a consumer that she could  
13 “make twice” the money she invested in a Moda Latina Kit.

14           59. During another telephone call on April 27, 2020, one of Defendants’  
15 telemarketers, who identified herself as “Leticia Hernandez,” made the following  
16 representations to an FTC investigator who was posing as a consumer:

17           A. “[L]a compañía ...le ofrece la oportunidad de que usted se  
18 inicie su negocio poco a poco, sin presión, con descuentos y  
19 ganancias pues muy buenas, de un cincuenta a un ochenta por  
20 ciento, verdad.” (“[T]he company... is giving you the  
21 opportunity for you to start your own business little by little -  
22 no pressure - with very good discounts and profits between fifty  
23 to eighty percent, right.”)

24           B. “[N]osotros vendemos perfumes totalmente originales, no  
25 vendemos réplicas, no vendemos imitaciones. Manejamos,  
26 señora, más de 1,500 fragancias. Tenemos de todas las marcas,  
27 desde las más reconocidas, como lo son Chanel, Prada,  
28 Christian Dior, Paco Rabanne, Givenchy y muchos más,

1                   verdad.” (“[W]e sell totally original perfumes, we do not sell  
2                   replicas; we do not sell imitations. Ma’am, we handle over  
3                   1,500 fragrances. We have all the brands, from the most  
4                   recognized, such as Chanel, Prada, Christian Dior, Paco  
5                   Rabanne, Givenchy and many more, right.”)

6                   C.        “No importa que no tenga experiencia [undercover identity],  
7                   simplemente con que usted tenga ganas de hacer algún negocio  
8                   que le dé a ganar dinero, pues eso es lo importante, verdad.”  
9                   (“[I]t does not matter that you have no experience. Simply the  
10                  fact that you want to do a little business that will earn you  
11                  money; that is the important thing, right.”)

12                  D.        “Este paquete, señora [undercover identity], cuenta con los  
13                  cupones que a usted de entrada le va a dar una ganancia mínima  
14                  de \$700. Este paquete puede ser para usted. Lo único que usted  
15                  tiene que hacer [undercover identity], pues es inscribirse,  
16                  activar la membresía, verdad.” (“This package, [undercover  
17                  identity], comes with the coupons that will give you a minimum  
18                  profit of \$700. This package can be for you. [Undercover  
19                  identity], the only thing you need to do is sign up, activate your  
20                  membership, right.”)

21                  E.        “El costo de inscripción de membresía, señora sería por la  
22                  cantidad mínima a pagar de \$299 de inscripción. \$299 que se lo  
23                  garantizo [undercover identity] que en menos de una semana de  
24                  haber recibido este paquete, lo recuperará y hasta le queda dinero  
25                  de ganancia, verdad.” (“The cost of membership registration,  
26                  madam, would be the minimum amount to be paid of \$299 for  
27                  the registration fee. \$299 which - I guarantee to you,  
28                  [undercover identity] - in less than a week of receiving this

1 package, you will recoup that and will even have money left  
2 over as profit, right.”)

3 60. Once consumers agree to enroll in Moda Latina, Defendants’  
4 telemarketers offer to ship the Moda Latina Kit using FedEx’s Collect on Delivery  
5 (COD) service. This service allows Moda Latina BZ to receive payments from  
6 consumers via money orders that FedEx drivers collect when Moda Latina Kits are  
7 delivered. FedEx then sends the payments to Moda Latina BZ.

8 61. While in some instances Defendants’ telemarketers agree to take  
9 payment by credit card prior to shipment, most purchasers pay by money order  
10 upon COD delivery of the Moda Latina Kit.

11 62. From July 17, 2018 to August 21, 2020, Moda Latina BZ took in more  
12 than \$2.6 million from consumers who made payment upon COD delivery.

13 63. Defendants’ telemarketers tell the consumers who agree to COD  
14 delivery that the Moda Latina Kit will be shipped by FedEx. Defendants’  
15 telemarketers instruct these consumers to give the FedEx driver a money order  
16 payable to “Moda Latina” when the Moda Latina Kit is delivered.

17 64. Soon after consumers agree to COD delivery of the Moda Latina Kit,  
18 Defendants bombard them with abusive telephone calls and messages that involve  
19 harassment, threats and intimidation.

20 65. Defendants’ abusive telephone calls and messages are designed to  
21 ensure consumers accept the Moda Latina Kit and pay with a money order upon  
22 delivery, as they had agreed to do.

23 66. During these calls, Defendants’ telemarketers routinely threaten to  
24 report consumers to credit reporting agencies and/or the federal government, and  
25 often threaten consumers with lawsuits.

26 67. For example, in April 2020, one of Defendants’ telemarketers called a  
27 consumer in Chesapeake, Virginia three times within 24 hours of her enrollment in  
28 Moda Latina. According to the consumer, each of the calls was delivered in a very

1 aggressive tone and included threats to report her to the “credit bureau” if she was  
2 not ready with a money order for \$299 when her Moda Latina Kit arrived by  
3 FedEx COD delivery.

4 68. The consumer enrolled and ordered a Moda Latina Kit on Monday,  
5 April 27, 2020. Later that day, one of Defendants’ telemarketers, who identified  
6 herself as “Yesenia,” called the consumer and told her that the call was being  
7 recorded, that Moda Latina was sending a package, and that she would have to be  
8 home to receive and pay for the package with a money order for \$299. Defendants’  
9 telemarketer also threatened to report the consumer to the “credit bureau” if she  
10 wasn’t home to make the COD payment when the Moda Latina Kit arrived.

11 69. That night, at approximately 8 p.m. EST, Defendants’ telemarketer  
12 called the consumer a second time and repeated her message from earlier in the  
13 day. She again told the consumer that the call was being recorded and stressed the  
14 importance of being home and ready with a money order for \$299 on Wednesday,  
15 when the Moda Latina Kit was due to arrive. Defendants’ telemarketer also  
16 repeated her threat to report the consumer to the “credit bureau” if she did not pay  
17 for the package upon delivery.

18 70. At approximately 1 p.m. EST on Tuesday, April 28, 2020,  
19 Defendants’ telemarketer called the consumer a third time. Once again,  
20 Defendants’ telemarketer indicated that they were on a recorded line, that the  
21 Moda Latina Kit was arriving on Wednesday, and that the consumer needed to be  
22 home and ready with a money order for \$299 to pay for the package upon delivery.  
23 Defendants’ telemarketer also repeated the threat that the consumer would be  
24 reported to a credit bureau if she did not pay for the package when it arrived.

25 71. On August 6, 2020, one of Defendants’ telemarketers, who identified  
26 herself as “Yesenia,” made the following representations in a voicemail she left for  
27 an FTC investigator who was posing as a consumer:  
28

1           A.    “Buenas tardes este mensaje es para [undercover  
2           identity]....[H]abla Yesenia del departamento de paquetería y  
3           envíos de Federal Express. Realmente [undercover identity], la  
4           gente me sorprende. La gente cuando llama y ordena muestra  
5           una responsabilidad y un compromiso. No pienses que por el  
6           hecho de no estar contestando el teléfono estás solucionando  
7           algo. Hoy pasó FedEx por tu dirección a las 12:47. No estuviste  
8           con el money order listo para recibir el paquete. Es bien  
9           importante que el día de hoy te presentes en la oficina de FedEx  
10          a recoger el paquete con identificación en mano. Recuerde que  
11          si el paquete no se recibe. Si el paquete se regresa,  
12          automáticamente la compañía va a empezar a proceder y en  
13          corte sí los obligan a pagar todos los gastos ocasionados. Y es  
14          bajo tu responsabilidad si quieres evitar de problemas a los  
15          propietarios de la residencia. El paquete se tiene que recoger  
16          hoy mismo por lo que le dijiste al chofer. Gracias y que pases  
17          muy buen día.”

18  
19           (“Good afternoon, this message is for [undercover identity].  
20           This is Yesenia of the Federal Express parcel and shipping  
21           department. Really [undercover identity], people surprise me.  
22           When people call and order, they take on a responsibility and  
23           commitment. Don’t think that by not answering the telephone  
24           you are solving anything. Today FedEx arrived at your address  
25           at 12:47. You were not there with the money order ready to  
26           receive the package. It is very important that you show up at the  
27           FedEx office today to pick up the package with your  
28           identification in hand. Remember, if the package is not

1 received. If the package is returned, the company will  
2 automatically begin proceedings and in court they will require  
3 you to pay all of the costs incurred. And it is your responsibility  
4 if you want to avoid problems for the owners of your residence.  
5 The package has to be picked up today based on what you told  
6 the driver. Thank you and have a good day.”)

7 72. Defendants rarely, if ever, follow through on their threats to sue  
8 consumers in court or to report them to credit reporting agencies or the federal  
9 government.

10 **Defendants Fail to Deliver on their Claims and Promises**

11 73. Defendants fail to deliver on their claims and promises.

12 74. Contrary to Defendants’ representations, consumers who purchase  
13 Moda Latina and attempt to re-sell the merchandise they receive from Defendants  
14 are unlikely to earn the income that Defendants advertise.

15 75. Most consumers who purchase Moda Latina do not make a profit.

16 76. In truth and in fact, the products that Defendants deliver to Moda  
17 Latina purchasers are not marketable at a profit.

18 77. In many instances, the “wholesale” prices for perfumes that  
19 Defendants offer consumers who purchase Moda Latina exceed the retail pricing  
20 for perfumes offered by major retailers such as Amazon, FragranceX and Macy’s.

21 78. In some instances, consumers report receiving knock-offs or  
22 unauthorized goods from Defendants. Such products are not salable in legitimate  
23 commerce.

24 79. Defendants have no adequate basis for making earnings claims in  
25 connection with the marketing, selling, and advertising of Moda Latina.

26 80. Based on Moda Latina BZ’s shipping records from February 2017 to  
27 May 12, 2020, 89% of consumers who placed an initial order for the Moda Latina  
28 Kit did not place a second order.



1           89. Defendants’ goods and services, including Defendants’ work-at-home  
2 opportunities, are “Investment opportunit[ies]” as defined in the TSR, 16 C.F.R. §  
3 310.2(s). The TSR defines an “Investment opportunity” as “anything, tangible or  
4 intangible, that is offered, offered for sale, sold, or traded based wholly or in part  
5 on representations, either express or implied, about past, present, or future income,  
6 profit, or appreciation.” 16 C.F.R. § 310.2(s).

7           90. The TSR prohibits sellers and telemarketers from “[m]isrepresenting,  
8 directly or by implication, in the sale of goods or services...[a]ny material aspect  
9 of an investment opportunity including, but not limited to, risk, liquidity, earnings  
10 potential, or profitability.” 16 C.F.R. § 310.3(a)(2)(vi).

11           91. The TSR prohibits sellers and telemarketers from “[m]isrepresenting,  
12 directly or by implication, in the sale of goods or services...[a]ny material aspect  
13 of the performance, efficacy, nature, or central characteristics of goods or services  
14 that are the subject of a sales offer.” 16 C.F.R. § 310.3(a)(2)(iii).

15           92. The TSR prohibits sellers and telemarketers from “[m]aking a false or  
16 misleading statement to induce any person to pay for goods or services....” 16  
17 C.F.R. § 310.3(a)(4).

18           93. The TSR prohibits sellers and telemarketers from engaging in  
19 “[t]hreats, intimidation, or the use of profane or obscene language....” 16 C.F.R. §  
20 310.4(a)(1).

21           94. The TSR applies to “[c]alls initiated by a customer or donor in  
22 response to an advertisement relating to investment opportunities, debt relief  
23 services, business opportunities other than business arrangements covered by the  
24 Franchise Rule or Business Opportunity Rule, or advertisements involving offers  
25 for goods or services described in §310.3(a)(1)(vi) or §310.4(a)(2) through (4)...”  
26 16 C.F.R. § 310.6(b)(5)(i).

27           95. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. §  
28 6102(c), and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of

1 the TSR constitutes an unfair or deceptive act or practice in or affecting commerce,  
2 in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

3 **Count II — Misrepresentations of Material Aspects of Investment**  
4 **Opportunities**

5 96. In numerous instances, in connection with telemarketing, Defendants  
6 have misrepresented, directly or by implication, material aspects of investment  
7 opportunities, including, but not limited to, the risk, liquidity, earnings potential, or  
8 profitability of Defendants' work-at-home opportunities.

9 97. Defendants' acts and practices, as described in Paragraph 96, violate  
10 the TSR prohibition on misrepresenting any material aspect of an investment  
11 opportunity, 16 C.F.R. § 310.3(a)(2)(vi).

12 98. Defendants' acts and practices, as described in Paragraph 96, also  
13 violate the TSR prohibition on misrepresenting any material aspect of the  
14 performance, efficacy, nature, or central characteristics of goods or services that  
15 are the subject of a sales offer, 16 C.F.R. § 310.3(a)(2)(iii).

16 99. Defendants' acts and practices, as described in Paragraph 96, also  
17 violate the TSR prohibition on making a false or misleading statement to induce  
18 any person to pay for goods or services, 16 C.F.R. § 310.3(a)(4).

19 **Count III — Abusive Telemarketing Threats and Intimidation**

20 100. In numerous instances, in connection with telemarketing, Defendants  
21 have used threats or intimidation to coerce consumers to pay Defendants, including  
22 but not limited to threatening consumers with damage to consumers' credit history,  
23 false legal actions, and reports to federal government authorities.

24 101. Defendants' acts and practices, as alleged in Paragraph 100, violate  
25 the TSR, 16 C.F.R. § 310.4(a)(1).

26 **CONSUMER INJURY**

27 102. Consumers are suffering, have suffered, and will continue to suffer  
28 substantial injury as a result of Defendants' violations of the FTC Act and the TSR.

1 In addition, Defendants have been unjustly enriched as a result of their unlawful  
2 acts or practices. Absent injunctive relief by this Court, Defendants are likely to  
3 continue to injure consumers, reap unjust enrichment, and harm the public interest.

4 **THE COURT’S POWER TO GRANT RELIEF**

5 103. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers this Court  
6 to grant injunctive and such other relief as the Court may deem appropriate to halt  
7 and redress violations of any provision of law enforced by the FTC. The Court, in  
8 the exercise of its equitable jurisdiction, may award ancillary relief, including  
9 rescission or reformation of contracts, restitution, the refund of monies paid, and  
10 the disgorgement of ill-gotten monies, to prevent and remedy any violation of any  
11 provision of law enforced by the FTC.

12 104. Section 19 of the FTC Act, 15 U.S.C. §57b, and Section 6(b) of the  
13 Telemarketing Act, 15 U.S.C. § 6105(b), authorize this Court to grant such relief  
14 as the Court finds necessary to redress injury to consumers resulting from  
15 Defendants’ violations of the TSR, including the rescission or reformation of  
16 contracts and the refund of money.

17 **PRAYER FOR RELIEF**

18 Wherefore, Plaintiff FTC, pursuant to Sections 13(b) and 19 of the FTC Act,  
19 15 U.S.C. §§ 53(b) and 57b, and Section 6(b) of the Telemarketing Act, 15 U.S.C.  
20 § 6105(b), and the Court’s own equitable powers, requests that the Court:

21 A. Award Plaintiff such preliminary injunctive and ancillary relief as may  
22 be necessary to avert the likelihood of consumer injury during the pendency of this  
23 action and to preserve the possibility of effective final relief, including temporary  
24 and preliminary injunctions, an order freezing assets, immediate access, and  
25 appointment of a receiver;

26 B. Enter a permanent injunction to prevent future violations of the FTC  
27 Act and the TSR by Defendants;

28 C. Award such relief as the Court finds necessary to redress injury to

1 consumers resulting from Defendants’ violations of the FTC Act and the TSR,  
2 including rescission or reformation of contracts, restitution, the refund of monies  
3 paid, and the disgorgement of ill-gotten monies; and

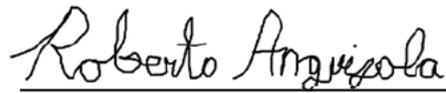
4 D. Award Plaintiff the costs of bringing this action, as well as such other  
5 and additional relief as the Court may determine to be just and proper.

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Respectfully submitted,

ALDEN F. ABBOTT  
General Counsel

Dated: November 30, 2020

  
Virginia G. Rosa  
(seeking admission *pro hac vice*)  
P. Connell McNulty  
(seeking admission *pro hac vice*)  
Roberto Anguizola  
(seeking admission *pro hac vice*)  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Mailstop CC-8528  
Washington, DC 20580  
(202) 326-3068 / vrosa@ftc.gov  
(202) 326-2061 / pmcnulty@ftc.gov  
(202) 326-3284 / ranguizola@ftc.gov

and

Local Counsel  
Miles D. Freeman, CA Bar No. 299302  
Federal Trade Commission  
10990 Wilshire Boulevard, Suite 400  
Los Angeles, California 90024  
(310) 824-4332 / mfreeman@ftc.gov

Attorneys for Plaintiff  
FEDERAL TRADE COMMISSION



## Certification of Translation Accuracy

**Date:** 07 Oct 2020  
**Certification Number:** CTA39535-1  
**ISO 9001:2015 Certification Number:** 14820/C/0001/UK/En

**Prisma Project Number:** 40353  
**Client:** Federal Trade Commission  
**FTC Project Name:** 2020-10-06 Proposed Moda Latina Complaint

**Source language(s):** Spanish

**Target language certified herein:** English [US]

**Documents certified herein:** ***File name:***  
Complaint for Permanent Injunction and Other Equitable Relief

### To whom it may concern:

Prisma International is a provider of professional translation services, and is a GSA Contract Holder for Translation Services under Schedule 382.1 (GSA Contract Number GS-10F-0088Y).

This letter certifies that the translation of the above-referenced documents has been carried out according to our ISO-certified translation process, and as such, represents a true and accurate rendering of the source documents.

The above-referenced documents were translated from Spanish to English by a translator whose professional qualifications include the following:

**Native language:** English  
**Translation language(s):** Spanish  
**Professional Certification(s):** ATA-certified

**EDUCATION**

- 2003 – 2005** New York University (New York, NY). Coursework in general, legal and financial translation.
- August 2000** M.A., Romance Languages.  
University of Pennsylvania, Philadelphia, Pennsylvania.
- May 1999** B.A., French, *summa cum laude*, Phi Beta Kappa.  
Hamilton College, Clinton, New York.

**EXPERIENCE**

**Legal/Contracts:**

- Human Resources documents
- Prenuptial agreements, divorce judgments, birth certificates, adoption judgments, attestations
- Business contracts

**NGOs:**

- Proposals and evaluation reports for international humanitarian aid projects
- Press releases, fundraising appeals

**Humanities:**

- Scholarly articles in the fields of sociology, psychology, and history
- Journal articles on music history

**Education:**

- University and Baccalauréat transcripts and diplomas
- Psychoeducational evaluations
- Course descriptions/syllabi

**CURRENT, ACTIVE MEMBERSHIPS**

- American Translators Association: Certified Translator, since 2007
- Midwest Association of Translators and Interpreters
- Translators Without Borders: Volunteer Translator, French>English, Spanish>English
- American Council on the Teaching of Foreign Languages

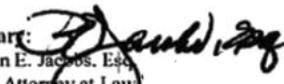
The referenced documents are a true and accurate English translation of the original Spanish documents, to the best of my knowledge. Any questions may be directed to our office by phone (612) 338-1500 or email [certifications@prisma.com](mailto:certifications@prisma.com).



James V. Romano, Ph.D.  
Chief Executive Officer  
Prisma International, Inc.  
[jromano@prisma.com](mailto:jromano@prisma.com)

**Notary:**

Brian E. Jacobs, Esq.  
N.J. Attorney at Law  
Notary 025871996  
07 Oct 2020



Notary:  
Brian E. Jacobs, Esq.  
N.J. Attorney at Law  
Notary 025871996

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I. (a) PLAINTIFFS</b> ( Check box if you are representing yourself <input type="checkbox"/> )  Federal Trade Commission	<b>DEFENDANTS</b> ( Check box if you are representing yourself <input type="checkbox"/> )  Moda Latina BZ Inc., Esther Virginia Fernandez Aguirre, and Marco Cesar Zarate Quiroz
<b>(b) County of Residence of First Listed Plaintiff</b> _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	<b>County of Residence of First Listed Defendant</b> <u>Los Angeles</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
<b>(c) Attorneys (Firm Name, Address and Telephone Number)</b> If you are representing yourself, provide the same information. Virginia G. Rosa, Roberto Anguizola / Federal Trade Commission 600 Pennsylvania Avenue NW (CC-8528) Washington, DC 20580 202-236-3068 / 3284	<b>Attorneys (Firm Name, Address and Telephone Number)</b> If you are representing yourself, provide the same information.

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input checked="" type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td><input type="checkbox"/></td> <td align="center">1</td> <td align="center">1</td> <td><input type="checkbox"/></td> <td align="center">4</td> <td align="center">4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center">2</td> <td align="center">2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center">5</td> <td align="center">5</td> </tr> <tr> <td><input type="checkbox"/></td> <td align="center">2</td> <td align="center">2</td> <td><input type="checkbox"/></td> <td align="center">5</td> <td align="center">5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center">3</td> <td align="center">3</td> <td>Foreign Nation</td> <td align="center">6</td> <td align="center">6</td> </tr> <tr> <td><input type="checkbox"/></td> <td align="center">3</td> <td align="center">3</td> <td><input type="checkbox"/></td> <td align="center">6</td> <td align="center">6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF	<input type="checkbox"/>	1	1	<input type="checkbox"/>	4	4	Citizen of Another State	2	2	Incorporated and Principal Place of Business in Another State	5	5	<input type="checkbox"/>	2	2	<input type="checkbox"/>	5	5	Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6	<input type="checkbox"/>	3	3	<input type="checkbox"/>	6	6
Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF																																
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Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6																																
<input type="checkbox"/>	3	3	<input type="checkbox"/>	6	6																																

**IV. ORIGIN** (Place an X in one box only.)

<input checked="" type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify) _____	<input type="checkbox"/> 6. Multidistrict Litigation - Transfer	<input type="checkbox"/> 8. Multidistrict Litigation - Direct File
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**V. REQUESTED IN COMPLAINT: JURY DEMAND:**  Yes  No (Check "Yes" only if demanded in complaint.)

**CLASS ACTION under F.R.Cv.P. 23:**  Yes  No **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Defendants make material misrepresentations of fact in the marketing or sale of goods or services in interstate commerce in violation of the Federal Trade Commission Act (15 USC 45(a) and 53(b)), the Telemarketing and Consumer Fraud Abuse Prevention Act (15 USC 6105), and the Telemarketing Sales Rule (16 CFR Part 310).

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee Sentence	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 140 Negotiable Instrument	<b>TORTS PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<b>Other:</b>	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<b>FEDERAL TAX SUITS</b>
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<b>LABOR</b>	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>QUESTION A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF:	INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	Eastern

<b>QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action?</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  If "no," skip to Question C. If "yes," answer Question B.1, at right.	<b>B.1.</b> Do 50% or more of the defendants who reside in the district reside in Orange Co.?  <i>check one of the boxes to the right</i> →	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.  <input checked="" type="checkbox"/> NO. Continue to Question B.2.
	<b>B.2.</b> Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)  <i>check one of the boxes to the right</i> →	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.  <input checked="" type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

<b>QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," skip to Question D. If "yes," answer Question C.1, at right.	<b>C.1.</b> Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.?  <i>check one of the boxes to the right</i> →	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.  <input type="checkbox"/> NO. Continue to Question C.2.
	<b>C.2.</b> Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)  <i>check one of the boxes to the right</i> →	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.  <input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

<b>QUESTION D: Location of plaintiffs and defendants?</b>	<b>A.</b> Orange County	<b>B.</b> Riverside or San Bernardino County	<b>C.</b> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>D.1. Is there at least one answer in Column A?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "yes," your case will initially be assigned to the SOUTHERN DIVISION.  Enter "Southern" in response to Question E, below, and continue from there.  If "no," go to question D2 to the right. →	<b>D.2. Is there at least one answer in Column B?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "yes," your case will initially be assigned to the EASTERN DIVISION.  Enter "Eastern" in response to Question E, below.  If "no," your case will be assigned to the WESTERN DIVISION.  Enter "Western" in response to Question E, below. ↓
---	---

<b>QUESTION E: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, C, or D above: →	Western

<b>QUESTION F: Northern Counties?</b>
Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases** are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

**A civil forfeiture case and a criminal case** are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

**X. SIGNATURE OF ATTORNEY  
(OR SELF-REPRESENTED LITIGANT):** \_\_\_\_\_

*Roberto Anguizola*

DATE: November 30, 2020

**Notice to Counsel/Parties:** The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))