

ORIGINAL

FEDERAL TRADE COMMISSION  
WASHINGTON, DC 20580

**NOTICE OF APPEARANCE**



CASE NAME ECM BioFilms, Inc. et al.	FILE/DOCKET NUMBER D09358
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Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENT(S) OR THIRD PARTY(IES)
Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding.  Robert Sinclair (President & CEO) robert.sinclair@ecmbiofilms.com ECM BioFilms, Inc. Victoria Place, Suite 225 100 South Park Place Plainesville, OH 44077 Phone Number: 440-350-1400 Fax Number: 440-350-1444	Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.  ECM Biofilms, Inc. ECM BioFilms, Inc. Victoria Place, Suite 225 100 South Park Place Plainesville, OH 44077 Phone Number: 440-350-1400 Fax Number: 440-350-1444

3. ASSOCIATE/ASSISTANT DIRECTOR

4. SIGNATURE OF SENIOR COUNSEL (Jonathan W. Emord)	5. DATE SIGNED 4/25/2014
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Return this form to: Federal Trade Commission  
Room H-113  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF THE ADMINISTRATIVE LAW JUDGES  
Washington, D.C.

In the Matter of

ECM BioFilms, Inc.,  
a corporation, also d/b/a  
Enviroplastics International

PUBLIC  
Docket No. 9358

**NOTICE OF APPEARANCE AND  
CERTIFICATE OF ELIGIBILITY TO APPEAR BEFORE COMMISSION**

Please note my appearance as a corporate representative for Respondent ECM BioFilms in the above-referenced matter. Pursuant to Rules 4.1(a)(2)(i) and 4.1(d), I hereby state that I am eligible to appear under Commission Rule 4.1(a)(2)(i) by extension of my role as President and CEO of ECM BioFilms. Per Rule 4.1(a)(2)(i), I hereby attach evidence of adequate authorization to represent the corporation through an Action by Unanimous Written Consent of Directors of ECM Biofilms, Inc. (executed April 17, 2014). As ECM's corporate representative, I enter this appearance in addition to, and not to the prejudice of, appearances of Respondent's outside counsel who have already entered notices on behalf of the Respondent.

Respectfully Submitted,

/s/ Robert Sinclair  
Robert Sinclair, Director, President, and CEO  
ECM Biofilms, Inc.  
Victoria Place, Suite 225  
100 South Park Place  
Painesville, OH 44077  
P: (440) 350-1400  
F: (440) 350-1444  
E: robert.sinclair@ecmbiofilms.com

**CERTIFICATE OF SERVICE AND ELECTRONIC FILING**

I hereby certify that on April 25, 2014, I caused a true and correct copy of the paper original of the foregoing **NOTICE OF APPEARANCE AND CERTIFICATE OF ELIGIBILITY** to be filed and served as follows:

One electronic copy through the FTC's E-Filing System and one electronic courtesy copy to the **Office of the Secretary:**

Donald S. Clark, Secretary  
Federal Trade Commission  
Const. Center Bld.  
400 7th Street, S.W., 5th Floor, RM-5610  
Washington, D.C. 20024  
Email: [secretary@ftc.gov](mailto:secretary@ftc.gov)

One electronic courtesy copy via email to the **Office of the Administrative Law Judge:**

The Honorable D. Michael Chappell  
Administrative Law Judge  
600 Pennsylvania Ave., NW, Room H-110  
Washington, D.C. 20580

One electronic copy to **Counsel for Complainant:**

Katherine Johnson  
Division of Enforcement  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Mail stop M-8102B  
Washington, D.C. 20580  
Email: [kjohnson3@ftc.gov](mailto:kjohnson3@ftc.gov)

Elisa Jillson  
Division of Enforcement  
Bureau of Consumer Protection  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Mail stop M-8102B  
Washington, D.C. 20580  
Email: [ejillson@ftc.gov](mailto:ejillson@ftc.gov)

I further certify that I retain a paper copy of the signed original of the foregoing document that is available for review by the parties and adjudicator consistent with the Commission's Rules.

/s/ Jonathan W. Emord  
Jonathan W. Emord  
EMORD & ASSOCIATES, P.C.  
11808 Wolf Run Lane  
Clifton, VA 20124  
Telephone: 202-466-6937  
Facsimile: 202-466-6938  
Email: [jemord@emord.com](mailto:jemord@emord.com)

**ACTION BY UNANIMOUS WRITTEN CONSENT OF DIRECTORS  
of  
ECM BIOFILMS, INC.**

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April 17, 2014

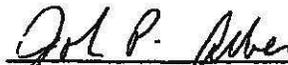
Pursuant to the authority of Ohio Revised Code Section 1701.54, the undersigned, being all the of the *DIRECTORS* of *ECM BIOFILMS, INC.*, an Ohio corporation, ("the Corporation") hereby state the following beliefs, take the following action and adopt the following resolutions by their unanimous written consent:

*WHEREAS, Robert Sinclair, in his role as President and CEO of ECM BioFilms, Inc., has general direction of the Corporation's business, affairs and property and thereby is the person that can represent the Corporation in any matter, be it*

*RESOLVED, that the board of directors specifically acknowledges that Robert Sinclair is the person who is empowered by the Regulations and By Laws of the Corporation to represent the Corporation in any matter before the Federal Trade Commission, and be it further*

*RESOLVED, that this representation includes, but is not limited to, all rights of the Corporation at depositions and hearings.*

  
\_\_\_\_\_  
TIMOTHY J. GOODING, Director

  
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JOHN P. ALBERT, Director

  
\_\_\_\_\_  
ROBERT SINCLAIR, Director