

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



In the matter of:)
)
Jerk, LLC, a limited liability company,)
)
Also d/b/a JERK.COM, and)
)
John Fanning,)
Individually and as a member of)
Jerk, LLC,)
)
Respondents.)
_____)

DOCKET NO. 9361

ORIGINAL

PUBLIC

**RESPONDENT JERK, LLC'S RESPONSES TO COMPLAINT COUNSEL'S
SECOND REQUESTS FOR ADMISSIONS**

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

1. Paragraphs 4 through 14 of the Federal Trade Commission's Complaint in this action (the "Complaint") accurately describe Jerk, LLC's acts and practices.

Denied.

2. Jerk, LLC has made deceptive representations in violation of Section 5(a) of the Federal Trade Commission Act as described in Paragraphs 15 through 19 of the Complaint.

Denied.

3. John Fanning has been a managing member of Jerk, LLC.

Denied.

4. John Fanning has had authority to control Jerk, LLC's acts and practices.

Denied.

5. NetCapital.com, LLC has the majority shareholder Jerk, LLC.

Denied.

6. Jerk, LLC does not currently carry out any activities, including any ongoing business.

Denied.

7. Jerk, LLC does not currently have any place of business.

Denied.

8. Jerk, LLC does not currently have any members, officers, directors, managers, or employees.

Denied.

SWORN TO AND SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY
THIS 20TH DAY OF FEBRUARY 2015.

JERK, LLC

By: /s/ Titus Robinson
Titus Robinson

Its: Authorized Representative

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2015, I caused to be served a true and accurate copy of the document entitled *Respondent Jerk, LLC's Responses to Complaint Counsel's Second Requests for Admissions*, previously served on Complaint Counsel on December 4, 2014, as follows:

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

Complaint Counsel:

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

Counsel for John Fanning:

Peter F. Carr, II
ECKERT, SEAMANS, CHERIN & MELLOTT, LLC
Two International Place, 16th Floor
Boston, MA 02110
Email: pcarr@eckertseamans.com

/s/ Alexandria B. Lynn

Dated: February 20, 2015

Notice of Electronic Service for Public Filings

I hereby certify that on February 20, 2015, I filed via hand a paper original and electronic copy of the foregoing RESPONDENT JERK, LLC'S RESPONSES TO COMPLAINT COUNSEL'S SECOND REQUESTS FOR ADMISSIONS , with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on February 20, 2015, I filed via E-Service of the foregoing RESPONDENT JERK, LLC'S RESPONSES TO COMPLAINT COUNSEL'S SECOND REQUESTS FOR ADMISSIONS , with:

Sarah Schroeder
Attorney
Federal Trade Commission
sschroeder@ftc.gov
Complaint

Yan Fang
Attorney
Federal Trade Commission
yfang@ftc.gov
Complaint

Kerry O'Brien
Attorney
Federal Trade Commission
kobrien@ftc.gov
Complaint

Maria Speth
Attorney
Jaburg & Wilk, P.C.
mcs@jaburgwilk.com
Respondent

Boris Yankilovich
Attorney
Federal Trade Commission
byankilovich@ftc.gov
Complaint

Kenneth H. Abbe
Attorney
Federal Trade Commission
kabbe@ftc.gov
Complaint

I hereby certify that on February 20, 2015, I filed via other means, as provided in 4.4(b) of the foregoing RESPONDENT JERK, LLC'S RESPONSES TO COMPLAINT COUNSEL'S SECOND REQUESTS FOR ADMISSIONS , with:

Peter F. Carr, II
Attorney
Eckert Seamans Cherin & Mellott, LLC
pcarr@eckertseamans.com
Respondent

Alexandria Lynn
Attorney