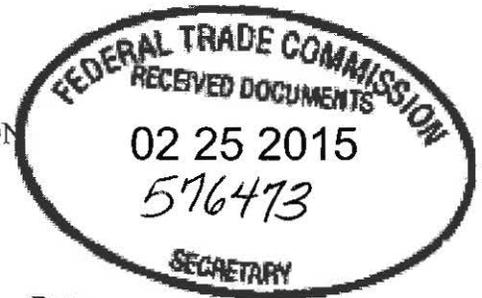


UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



\_\_\_\_\_  
)  
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  
  
PUBLIC

**ORIGINAL**

**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](mailto: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](mailto:sschroeder@ftc.gov); [yfang@ftc.gov](mailto:yfang@ftc.gov); [kobrien@ftc.gov](mailto:kobrien@ftc.gov)

Counsel for John Fanning:

Peter F. Carr, II  
ECKERT, SEAMANS, CHERIN & MELLOTT, LLC  
Two International Place, 16<sup>th</sup> Floor  
Boston, MA 02110  
Email: [pcarr@eckertseamans.com](mailto:pcarr@eckertseamans.com)

/s/ Alexandria B. Lynn

Dated: February 20, 2015

Notice of Electronic Service for Public Filings

**I hereby certify that on February 25, 2015, I filed via hand a paper original and electronic copy of the foregoing Declaration of Alexandria B. Lynn, Jerk's Opposition to Motion for Sanctions, Attachment A to Declaration of Alexandria B. Lynn, Attachment B to Declaration of Alexandria B. Lynn, Motion for Leave to File Opposition to Motion for Sanctions Late, 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 25, 2015, I filed via E-Service of the foregoing Declaration of Alexandria B. Lynn, Jerk's Opposition to Motion for Sanctions, Attachment A to Declaration of Alexandria B. Lynn, Attachment B to Declaration of Alexandria B. Lynn, Motion for Leave to File Opposition to Motion for Sanctions Late, with:**

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

Yan Fang  
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Complaint

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Maria Speth  
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Respondent

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byankilovich@ftc.gov  
Complaint

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

**I hereby certify that on February 25, 2015, I filed via other means, as provided in 4.4(b) of the foregoing Declaration of Alexandria B. Lynn, Jerk's Opposition to Motion for Sanctions, Attachment A to Declaration of Alexandria B. Lynn, Attachment B to Declaration of Alexandria B. Lynn, Motion for Leave to File Opposition to Motion for Sanctions Late, with:**

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

Alexandria Lynn  
Attorney