

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CELLMARK BIOPHARMA, LLC, a limited liability company; and

DEREK E. VEST, individually and as the owner of CellMark Biopharma, LLC,

Defendants.

Case No. 2:18-cv-00014-JES-CM

**Notice of Settlement and Motion for Court Approval of  
Stipulated Order for Permanent Injunction**

Pursuant to Local Rule 3.08(a), plaintiff, the Federal Trade Commission (“FTC”), notifies the Court that the parties have settled this case and moves for approval of the proposed settlement. On January 9, 2018, the FTC filed in this Court its Complaint for Permanent Injunction and Other Equitable Relief against CellMark Biopharma, LLC and Derek E. Vest (the “Defendants”). Prior to the complaint filing, the FTC and the Defendants agreed to a Stipulated Order for Permanent Injunction, which resolves all matters in dispute in the action between them. The FTC authorized the filing of the Complaint and Stipulated Order for Permanent Injunction on January 5, 2018. The parties request that the Court approve and enter the attached proposed Stipulated Order for Permanent Injunction. Counsel for the Defendants does not oppose this motion.

In light of the settlement, the plaintiff moves that the Court find the requirements of the Related Case Order and Track Two Notice (Docket Entry 3) and Interested Persons Order for Civil Case (Docket Entry 4) to be moot.

Dated: January 11, 2018

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2018, I caused the enclosed Notice of Settlement and Motion for Approval of Stipulated Order for Permanent Injunction and the proposed Stipulated Order for Permanent Injunction to be filed pursuant to the Court's ECF Filing Procedures (Civil Cases) and served via overnight mail upon the following:

RICHARD J. OPARIL  
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Dated: January 11, 2018

Respectfully submitted,



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