

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

**TRAFFIC JAM EVENTS, LLC, a limited
liability company**

and

**DAVID J. JEANSONNE II, individually and as
an officer of TRAFFIC JAM EVENTS, LLC.**

DOCKET NO. 9395

**RESPONDENTS' MEMORANDUM IN OPPOSITION TO MOTION TO PRECLUDE
OR LIMIT THE DEPOSITION OF FORMER FTC PARALEGAL**

Respondents Traffic Jam Events, LLC and David Jeansonne (collectively "Respondents"), through undersigned counsel, respectfully file this Memorandum opposing the Motion to Preclude or Limit the Deposition of Former FTC Paralegal filed by Complaint Counsel. It appears that the only reason that Complaint Counsel has moved to preclude the deposition of Ms. Saunders is her status as a *former FTC paralegal*, not because she does not have discoverable information. Ms. Saunders has been identified by Complaint Counsel, on at least four occasions, as a person possessing discoverable information about the allegations in the Complaint. For the reasons that follow, the motion should be denied.

BACKGROUND

On July 16, 2020, the Federal Trade Commission initiated a lawsuit in the Eastern District of Louisiana against Respondents, alleging that Respondents had violated the act by creating a "false and deceptive" advertisement of an automobile tent sale. (Rec. Doc. 1., EDLA CA. No. 2:20-cv-1740). In connection with that matter, Individual Respondent submitted a declaration that, *inert alia*, averred that the complained of COVID advertisements (the Mailer") were limited to

two instances in March of 2020 and further established the following uncontested facts:

- The Mailer involved 45,000 pieces, with 35,000 pieces for an automotive tent sale in Florida, and 10,000 pieces for an automotive tent sale in Alabama.
- From these 45,000 mail pieces, the Florida Attorney General's Office received two complaints, both from individuals neither of whom appeared at either automotive tent sale.
- Traffic Jam and David Jeansonne, II are not aware, nor have they been notified of, any consumer complaints initiated with any Alabama officials on a state or local level with respect to the Mailer.
- The Mailer was printed and sent in March of 2020 as part of one advertising program.
- The sales took place over a single week as reflected on the Mailer. There are no ongoing sales associated with the Mailer nor am I benefitting in any way as a result of the Mailer.
- The Mailer was not a successful advertising program, and generated less than 40 attendees collectively at the two sales.
- No subsequent advertising programs of a similar nature have been used since the sales.
- Specifically, since the Mailer, neither David Jeansonne, II nor Traffic Jam, nor any of its agents, affiliates or employees, have distributed of any other solicitations in substantially the same form as the Mailer.

(**Exhibit 1**, Sworn Declaration of David Jeansonne in C.A. No. 2:20-cv-1740 at ¶¶ 6-13). Finally, and of great import to the instant complaint initiated two months later were these statements:

- Since that time [April 23, 2020], Traffic Jam has given no further consideration to using the Mailer or any version similar thereto.
- Since that time, neither David Jeansonne, II nor Traffic Jam, nor any of its agents, affiliates or employees, have engaged in any activities regarding the creation, publishing, or distribution of solicitations in substantially the same form as the Mailer, nor, from this time and beyond, do David Jeansonne, II, Traffic Jam, and its agents, affiliates or employees, have any plans or desire to be involved in the creation, publishing, or distribution of solicitations in substantially the same form as the Mailer.
- From this time [date of declaration] and into the future, neither David Jeansonne, II nor Traffic Jam will issue the Mailer, nor any mailer or advertisement in substantially similar form.

(Exh. 1 at ¶¶ 16-18).

Thereafter, the federal district judge ruled in favor of Respondents and denied Complaint Counsel's requested preliminary injunction. (*See* Rec. Doc. 20 in C.A. No. 2:20-cv-1740). The FTC filed Initial Disclosures which identified the proposed deponent, Emilie Saunders, as an

individual “likely” possessing information “relating to the practices at issue in the complaint.” (**Exhibit 2**, FTC Initial Disclosures dated July 22, 2020). Simply, *Ms. Saunders was identified on July 22, 2020 as an “individual likely to have discoverable information.”* (Exh. 2, emphasis added).

Then, on August 7, 2020, just before a scheduled hearing on Respondents’ Motion to Dismiss, the FTC voluntarily dismissed its action and withdrew without prejudice the complaint. (See Rec. Doc. 30 in in C.A. No. 2:20-cv-1740). On that same day, Complaint Counsel served a copy of the Complaint initiated by the Federal Trade Commission, essentially mirroring the allegations of the original complaint filed in federal district court with respect to the Mailer (Count One), and adding additional Counts Two and Three.

On September 3, 2020, Complaint Counsel served its initial disclosures in this matter. **Again, Ms. Saunders was identified as someone likely to possess discoverable information.** (See **Exhibit 3**, Complaint Counsel’s Initial Disclosures). In particular, Complaint Counsel stated the following concerning “Individuals and Entities Likely to Have Discoverable Information”:

FTC investigator Kathleen Nolan, FTC paralegal Eleni Broadwell, former FTC paralegal Emilie Saunders, all of whom Respondents may contact through Complaint Counsel, are likely to have information relating to the practices at issue in the complaint.

(Exh. 3 at p. 4).

On October, 6, 2020, Complaint Counsel filed their Preliminary Witness List. (**Exhibit 4**). In that list, Ms. Saunders was identified as a witness who would testify at the hearing on the topics of (i) Respondents’ advertising, marketing and promotional material; and (ii) consumer complaints. *Id.* In Complaint Counsel’s own words:

19. FTC former Paralegal Emilie Saunders.

Proposed Testimony: We anticipate that Ms. Saunders will testify about (i) Respondents' advertising, marketing, and promotional material; and (ii) consumer complaints.

(Exh. 4 at p. 5). Finally, On July 19, 2021, *after the close of discovery and after the filing of the motion to preclude*, Complaint Counsel filed an Amended Witness List that removed Ms. Saunders from the list, and designated the current FTC paralegal as testifying to the issues on which Ms. Saunders was previously identified to testify. (**Exhibit 5** at p. 5).

After 23 *subpoenae duces tecum*, almost a year of discovery, and the deposition of FTC investigator Kathleen Nolan where she could not identify a single consumer harmed by anything alleged in the Complaint, Respondents are still patiently waiting for a single witness who can explain what *factual* information the Commission relied upon to invoke its statutory authority under 15 U.S.C. § 45, and, in particular, section (n). *See, e.g., In re LabMD, Inc.*, No. 9357 (Nov. 19, 2015). Ms. Nolan's deposition revealed that she was appointed after the Aug 7 Complaint was filed and she could not identify a single consumer who she interviewed, spoke to or consulted with to determine any actual or threatened consumer harm. Much of her deposition involved instructions not to testify on the basis of the deliberative process privilege (despite the fact that she was only involved in post-decisional matters) or the law enforcement/work product privilege. To date, Complaint Counsel has not provided a single person who was allowed to testify concerning the factual basis for the Complaint.

When this matter was returned to adjudicative status, Respondents requested depositions, including that of Ms. Saunders. Complaint counsel initially advised that Ms. Saunders would have to be subpoenaed and provided her telephone number only. After numerous request for her last known address, Complaint Counsel finally advised Respondents that her deposition could be arranged through the offices of Complaint Counsel. That deposition was scheduled on the only day

provided, July 16, 2021. Thereafter, counsel agreed that in light of the motion to be filed, and to allow the Court to address the motion, that deposition would be postponed.

LAW AND ARGUMENT

The motion should be denied for the simple reason that Complaint Counsel’s own filings, identifying Ms. Saunders as possessing discoverable information, contradicts their current argument. Rule 3.33(a) provides that “[a]ny party may take a deposition of any named person or of a person or persons described with reasonable particularity, provided that such deposition is *reasonably expected to yield information within the scope of discovery* under § 3.31(c)(1)...” (emphasis added). Rule 3.31(c) provides that:

(1) In general. Parties may obtain discovery to the extent that it may be reasonably expected to yield information relevant to the allegations of the complaint, to the proposed relief, or to the defenses of any respondent. Such information may include the existence, description, nature, custody, condition, and location of any books, documents, other tangible things, electronically stored information, and the identity and location of persons having any knowledge of any discoverable matter. Information may not be withheld from discovery on grounds that the information will be inadmissible at the hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

Complaint Counsel’s motion argues, basically, that Ms. Saunders does not possess discoverable information. This is directly contradicted by (i) her execution of a declaration submitted in the Eastern District action; (ii) her identification as a person “likely to possess” discoverable information about the complaint filed in the Eastern District of Louisiana – which contained the same allegations regarding Count One of the instant Complaint; (iii) her identification as possessing discoverable information regarding the allegations in this Complaint in Complaint Counsel’s Initial Disclosures; and (iv) her identification in the Preliminary Witness List as possessing discoverable information regarding both the Complaint and consumer complaints. On this basis alone, the deposition of Ms. Saunders is reasonably expected to yield relevant information.

Complaint Counsel argues that Respondents are using the deposition of Ms. Saunders improperly, to ascertain what information prompted the Commission to initiate and approve the filing of the two complaints. While Respondents are not seeking to probe Ms. Saunders on any “reasoning or bases” of the Commission in determining whether to bring an enforcement action, *see, e.g. In re Axon Enter.*, 2020 FTC LEXIS 127, at *7 (July 21, 2020), Respondents are entitled to discover what *factual information* Ms. Saunders may have obtained regarding the allegations in the Complaint, whether she participated in any deliberative process at all, *see e.g., Nat’l Council of La Raza v. Dep’t of Justice*, 411 F.3d 350, 356 (2d Cir. 2005), and whether she presented any evidence to anyone at any time.

Complaint Counsel’s overly broad interpretation of the deliberative process privilege in this case is deliberate, and intended to prevent discovery into the most basic of questions: what factual information did the Commission possess to make the necessary analysis as required by 15 USC 45(n) to bring the Complaint. Respondents are not trying to probe the decision-making or mental processes that produced this decision; rather, Respondents simply want to know if *any* factual information existed to bring this Complaint, and, if so, what that factual information was and where it came from.

The fact that the FTC first filed suit in the Eastern District – using the same allegations – is a special circumstance that additionally warrants this discovery. Namely, in that suit, the factual allegations made by the FTC about Respondents’ ongoing activity and harm were proven to be false, as shown in the federal district judge’s ruling. Yes, approximately two months later, the Commission instituted a Complaint with the same allegations, at least regarding Count One. Thus, any factual information obtained by Ms. Saunders in this interval is highly relevant and not subject to the deliberative process privilege because the decision regarding an alleged violation of the Act

had already been made.

As this Court has noted:

The deliberative process privilege is a qualified privilege and can be overcome where there is a sufficient showing of need. *In re Hoechst Marion Roussel, Inc.*, 2000 FTC LEXIS 134, at *9 (citing *In re Sealed Case*, 121 F.3d 729, 737 (D.C. Cir. 1997); *U.S. v. Farley*, 11 F.3d 1385, 1386 (7th Cir. 1993)). A litigant may obtain deliberative materials if his or her need for the materials **and the need for accurate fact-finding override the government's interest in nondisclosure**. *In re Hoechst Marion Roussel, Inc.*, 2000 FTC LEXIS 134, at *9 (citing *Warner*, 742 F.2d at 1161). Among the factors to be considered in making this determination are: (1) the relevance of the evidence; (2) the availability of other evidence; (3) the government's role in the litigation; and (4) the extent to which disclosure would hinder frank and independent discussion regarding contemplated policies and decisions. *Id.* (citations omitted).

In re Laboratory Corp of Amer., Docket No. 9345 (Feb. 24, 2011). Here, the government can have no interest in nondisclosure because the decision to prosecute regarding the allegations in the Complaint had already been made as of June 16, 2020, when the action in the Eastern District was filed. Respondents have a serious need for **accurate fact-finding** that overrides the government's interest in non-disclosure, **especially when the only interest in non-disclosure is the apparent desire to keep the fact that the Commission had no factual information to make the 45(n) determination in the first place hidden**. The only way for Respondents to discover what facts were gathered between the Eastern District action and August 7, 2020, when the instant complaint was filed, is to ask Ms. Saunders what – if anything – she “discovered” about the factual allegations, which would include whether *any consumer* made a complaint or was interviewed by an FTC staff member, or what other facts were developed and documents gathered. Moreover, the mere date on which Ms. Saunders obtained information – as identified in her Declaration – may be relevant, as well as the source of that information.¹ To date – through discovery – the answer

¹ As to source, Respondents are entitled to know whether the documents relating to the allegations in the Complaint were found by Ms. Saunders or provided to Ms. Saunders by some person outside of the FTC. The identity of the person who may have provided this information is not subject to the work product

to these questions have been **NONE**- indicating that this entire Complaint, and the factual allegations behind it – were the work of Complaint Counsel’s own analysis as opposed to any actual consumer harm.

CONCLUSION

For these reasons, this Court should deny the Motion to Preclude or Limit the Deposition of Former FTC Paralegal filed July 16, 2021, and issue an Order allowing the deposition to proceed. Additionally, this deposition should not be limited only to questioning Ms. Saunders about her declaration because Complaint Counsel has identified her as possessing discoverable information *beyond what is contained in her Declaration*. Accordingly, the Order should note, at a minimum, that the deposition proceed on the basis of discovering all relevant information Ms. Saunders has concerning the matters for which she was identified as having such information.

July 21, 2021

Respectfully submitted,

/s/ L. Etienne Balart

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***Counsel for Respondents, Traffic Jam Events,
LLC and David J. Jeansonne II***

doctrine because it is a piece of factual information cited in her Declaration and used as the factual basis of the allegations in the Complaint. Any argument that it was subject to a privilege is destroyed by the use of this factual information as a sword. Complaint Counsel creates a vicious circle whereby Respondents are not entitled to know *what factual information was developed to inform the Complaint*, because all such material – even that used as a basis for the allegations in the Complaint -- is protected from disclosure.

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2021, I caused the foregoing document to be served via the FTC's E-filing system and electronic mail to:

April Tabor
Acting Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

The Honorable Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

Thomas J. Widor
Sanya Shahrabi
Federal Trade Commission
Bureau of Consumer Protection
600 Pennsylvania Avenue, NW
Mailstop CC-10232
Washington, DC 20506
twidor@ftc.gov
sshahrabi@ftc.gov

Complaint Counsel

/s/ L. Etienne Balart

L. ETIENNE BALART

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

TRAFFIC JAM EVENTS, LLC, a limited liability company, and

DAVID J. JEANSONNE II, individually and as an officer of TRAFFIC JAM EVENTS, LLC,

Defendants.

Civil Action No. 2:20-cv-1740

Judge: Wendy B. Vitter

Magistrate: Dana Douglas

DECLARATION OF DAVID JEANSONNE, II

I, David Jeansonne, II, pursuant to 28 U.S.C. § 1746, declare the following:

1. I am of the full age of majority and make this declaration based upon my personal knowledge.
2. I am the founder and President of Traffic Jam Events, LLC (“Traffic Jam”) and have held that position since 2007. Traffic Jam is in the business of direct mail advertising.
3. Traffic Jam and David Jeansonne, II have been named as Defendants in the above captioned litigation filed by the Federal Trade Commission (“FTC”) against Traffic Jam and David Jeansonne, II (Traffic Jam, David Jeansonne, II and the FTC are collectively referred to herein as the “Parties”) in the United States District Court for the Eastern District of Louisiana, Civil Action No. 2:20-cv-1740, relating to a certain mailer/advertisement referencing COVID (the “Litigation”).
4. Through my counsel, I offered to enter into a stipulation or a consent judgment on behalf of Traffic Jam and David Jeansonne, II regarding the statements contained herein; however, the Parties were unable to agree to such a stipulation or consent judgment. Therefore, this Declaration is submitted in opposition to the FTC’s Motion for a Temporary Restraining Order (“TRO”) and the hearing in connection with same.
5. The mailer/advertisement complained of in the Litigation (the “Mailer”) was used in connection with one mailing event distributed for two locations back in March 2020.

6. The Mailer involved 45,000 pieces, with 35,000 pieces for an automotive tent sale in Florida, and 10,000 pieces for an automotive tent sale in Alabama.

7. From these 45,000 mail pieces, the Florida Attorney General's Office received two complaints, both from individuals neither of whom appeared at either automotive tent sale.

8. Traffic Jam and David Jeansonne, II are not aware, nor have they been notified of, any consumer complaints initiated with any Alabama officials on a state or local level with respect to the Mailer.

9. The Mailer was printed and sent in March of 2020 as part of one advertising program.

10. The sales took place over a single week as reflected on the Mailer. There are no ongoing sales associated with the Mailer nor am I benefitting in any way as a result of the Mailer.

11. The Mailer was not a successful advertising program, and generated less than 40 attendees collectively at the two sales.

12. No subsequent advertising programs of a similar nature have been used since the sales.

13. Specifically, since the Mailer, neither David Jeansonne, II nor Traffic Jam, nor any of its agents, affiliates or employees, have distributed of any other solicitations in substantially the same form as the Mailer.

14. On April 17, 2020, Mike Kastrenakes informed me that the Florida Attorney General was requesting that New Wave Automotive Sales enter into an agreement to pay each customer at the Florida tent sale \$3,300.00. Mike Kastrenakes also informed me that he was having his attorney review this demand. I have read the Assurance of Voluntary Compliance entered into by Mike Kastrenakes wherein he agreed to pay \$11,000, \$10,000 of which was to be held for restitution to eligible consumers and for "future enforcement efforts," and cooperate with the Florida Attorney General.

15. On or about April 23, 2020, Traffic Jam became aware of a news report in Tampa, Florida regarding the Mailer. Traffic Jam subsequently learned that an action had been filed in Tampa, Florida by the Office of the Attorney General, State of Florida, Department of Legal Affairs, alleging that the mailer violated Florida law.

16. Since that time, Traffic Jam has given no further consideration to using the Mailer or any version similar thereto.

17. Since that time, neither David Jeansonne, II nor Traffic Jam, nor any of its agents, affiliates or employees, have engaged in any activities regarding the creation, publishing, or distribution of solicitations in substantially the same form as the Mailer, nor,

from this time and beyond, do David Jeansonne, II, Traffic Jam, and its agents, affiliates or employees, have any plans or desire to be involved in the creation, publishing, or distribution of solicitations in substantially the same form as the Mailer.

18. From this time and into the future, neither David Jeansonne, II nor Traffic Jam will issue the Mailer, nor any mailer or advertisement in substantially similar form.

19. While Traffic Jam and David Jeansonne, II deny that the Mailer contained the term “official” or otherwise referenced the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, Traffic Jam and David Jeansonne, II will not represent or imply to any consumers that official COVID-19 government stimulus funds, including but not limited to funds available under the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, are being offered by Traffic Jam and/or David Jeansonne, II, or any car dealership with which they work or provide advertising and marketing services to.

20. Traffic Jam and David Jeansonne, II will not represent or imply to any consumers that Defendants or any car dealership with which they work are affiliated with, are supported, endorsed, certified, or licensed by, or are working in partnership with or as an agent of any government agency, for the purpose of providing official, government-issued COVID-19 stimulus relief funds or other government relief funds related to COVID-19, as currently enacted.

21. Traffic Jam and David Jeansonne, II will preserve all records related to the Litigation.

22. Traffic Jam and David Jeansonne, II will not use any customer information obtained in the tent sales resulting from the Mailer.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: 6-22-20



DAVID JEANSONNE, II

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

TRAFFIC JAM EVENTS, LLC, a limited liability company, and

DAVID J. JEANSONNE II, individually and as an officer of TRAFFIC JAM EVENTS, LLC,

Defendants.

Civil Action No. 2:20-cv-1740

Section D(3)

Judge: Wendy B. Vitter

Magistrate: Dana Douglas

PLAINTIFF’S FED. R. CIV. P. 26(a)(1) INITIAL DISCLOSURES

The Federal Trade Commission (“FTC”), pursuant to Federal Rule of Civil Procedure 26(a)(1), and without waiving any privileges, makes the following initial disclosures.

1. The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Defendant Traffic Jam Events and its current and former principals, officers, directors, managers, employees, agents, and representatives, each of whom Defendants can more readily identify than Plaintiff, and each of whose addresses and telephone numbers Defendants likely have, including:

Name	Address	Telephone Number
David J. Jeansonne II	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109

Name	Address	Telephone Number
Chad Bullock	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
Justin Brophy	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109

These individuals are likely to have information relating to the practices at issue in the complaint.

Clients of Defendant Traffic Jam Events advertising, marketing, and staffed event services, each of whom Defendants can more readily identify than Plaintiff, and each of whose addresses and telephone numbers Defendants likely have, including:

Name	Address	Telephone Number
Michael Kastrenakes	MK Automotive, Inc. 8000 Park Blvd N Pinellas Park, FL 33781	(727) 475-5170
Mike Taylor	MK Automotive, Inc. 8000 Park Blvd N Pinellas Park, FL 33781	(727) 475-5170
Dothan Chrysler Dodge Jeep Ram FIAT	4074 Ross Clark Cir Dothan, AL 36303	(334) 794-0606
Landers McLarty Toyota	2970 Huntsville Hwy Fayetteville, TN 37334	(931) 438-6300
Landers McLarty Nissan	6520 University Dr. NW Huntsville, AL 35806	(256) 203-8191

Third parties that have assisted, facilitated, or acted in concert or active participation with Defendants relating to their advertising, marketing, and staffed event services, each of whom Defendants can more readily identify than Plaintiff, and each of whose addresses and telephone numbers Defendants likely have, including:

Name	Address	Telephone Number
Platinum Plus Printing	701 6th Street NW Maple Lake, MN 55358	(320) 291-0491

Consumers targeted by Defendants' advertising and marketing, each of whom Defendants can more readily identify than Plaintiff, and each of whose addresses and telephone numbers Defendants likely have.

FTC paralegal Emilie Saunders, who Defendants may contact through undersigned FTC counsel, is likely to have information relating to the practices at issue in the complaint.

The FTC identifies these individuals based on its investigation of this matter so far. Discovery in this matter has not yet begun, and the FTC reserves its right to supplement these disclosures should it learn of other individuals likely to have discoverable information on which it may rely to support its claims.

2. A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:

The FTC may use the following documents currently in its possession, custody or control, to support its claims, all of which currently are maintained electronically.

- Defendants' advertisements and marketing materials;
- Defendants' communications with its customers;
- Consumer complaints;

- State enforcement actions concerning Defendants' advertising and marketing, including but not limited to actions taken by the states of Florida, Indiana, and Kansas; and
- Defendants' corporate filings.

The FTC identifies these documents based on its investigation of this matter so far. Discovery in this matter has not yet begun, and the FTC reserves its right to supplement these disclosures should it learn of other documents likely to contain discoverable information on which it may rely to support its claims.

3. A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:

Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), authorizes the Court to award equitable monetary relief, including rescission or reformation of contracts, restitution, the refund of money paid, and disgorgement of ill-gotten money. Based on information currently available, equitable monetary relief in this case includes disgorgement of all funds obtained by Defendants as a result of their deceptive advertising. Computation of the scope of monetary relief will be based principally on discovery obtained from Defendants.

4. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment:

The FTC is not aware of any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in this action or to indemnify or reimburse for payments made to satisfy a judgment.

Dated: July 22, 2020

Respectfully submitted,

/s/ Thomas J. Widor
SANYA SHAHRASBI (D.C. Bar No. 1671001)
THOMAS J. WIDOR (D.C. Bar No. 490184)
FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., NW, CC-10232
Washington, DC 20580
(202) 326-2709 (Shahrasbi)
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sshahrasbi@ftc.gov
twidor@ftc.gov
Fax: 202-326-3768

CERTIFICATE OF SERVICE

I hereby certify that a copy of Plaintiff's Fed. R. Civ. P. 26(a)(1) Initial Disclosures has been forwarded to counsel of record by email on July 22, 2020.

/s/ Thomas J. Widor

X200041

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Joseph J. Simons, Chairman**
 Noah Joshua Phillips
 Rohit Chopra
 Rebecca Kelly Slaughter
 Christine S. Wilson

In the Matter of

**TRAFFIC JAM EVENTS, LLC, a limited liability
Company, and**

**DAVID J. JEANSONNE II, individually and as an
Officer of TRAFFIC JAM EVENTS, LLC.**

DOCKET NO. 9395

COMPLAINT COUNSEL'S INITIAL DISCLOSURES

Pursuant to Rule 3.31(b) of the Federal Trade Commission's Rules of Practice, Complaint Counsel hereby provides its mandatory initial disclosures to Respondents Traffic Jam Events, LLC and David J. Jeansonne II. 16. C.F.R. § 3.31(b).

1. Individuals and Entities Likely To Have Discoverable Information.

Complaint Counsel sets forth below the names and last known addresses and telephone numbers, if any, of individuals we currently believe are likely to have discoverable information relevant to the allegations of the Commission's complaint, to the proposed relief, or to the defenses of the Respondents.

Although Respondents already possess knowledge of the identities, addresses, and phone numbers of Traffic Jam Events' present or former officers, directors, employees, agents, or consultants, these disclosures identify the individuals affiliated with Respondent whom we currently understand may have discoverable and relevant information, including:

EXHIBIT 3

Name	Address	Telephone Number
David J. Jeanson II	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
Chad Bullock	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
Justin Brophy	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
William Lilley	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
Mariela Everst	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109
James Whelan	Traffic Jam Events, LLC 2232 Idaho Avenue Kenner, LA 70062	800-922-8109

Clients of Defendant Traffic Jam Events advertising, marketing, and staffed event services, each of whom Defendants can more readily identify than Plaintiff, and each of whose addresses and telephone numbers Defendants likely have, including:

Name	Address	Telephone Number
Michael Kastrenakes	MK Automotive, Inc. 8000 Park Blvd N Pinellas Park, FL 33781	(727) 475-5170
Mike Taylor	MK Automotive, Inc. 8000 Park Blvd N Pinellas Park, FL 33781	(727) 475-5170
Best Ford Inc.	579 Amherst Street Nashua, NH 03061	(603) 889-0161
Curbside Motors, Inc.	9915 South Tacoma Way Lakewood, WA 98499	(253) 471-7575

Dothan Chrysler Dodge Jeep Ram FIAT	4074 Ross Clark Cir Dothan, AL 36303	(334) 794-0606
Ingram Park Mazda	7000 NW Loop 410 San Antonio, TX 78238	(210) 406-0122
Landers McLarty Toyota	2970 Huntsville Hwy Fayetteville, TN 37334	(931) 438-6300
Landers McLarty Nissan	6520 University Dr. NW Huntsville, AL 35806	(256) 203-8191
Ram Country Chrysler Dodge	3611 US-90 Del Rio, TX 78842	(830) 282-0069

Third parties that have assisted, facilitated, or acted in concert or active participation with Respondents relating to their advertising, marketing, and staffed event services, each of whom Respondents can more readily identify than Complaint Counsel, and each of whose addresses and telephone numbers Respondents likely have, including:

Name	Address	Telephone Number
Platinum Plus Printing	701 6th Street NW Maple Lake, MN 55358	(320) 291-0491
Driven2Win	450 State Road 13 Ste 106 Saint Johns, FL 32259	(904) 638-7200
Lewis Color	30 Joe Kennedy Blvd Statesboro, GA 30458	1-800-346-0371
MidAtlantic Printers	503 Third Street Altavista, VA 24517	(888) 231-3175
ARD Printing Solutions, LLC	5442 SW 149 th Court Miami, FL 33185	(305) 552-5152

Consumers targeted by Respondents' advertising and marketing, each of whom Respondents can more readily identify than Complaint Counsel, and each of whose addresses and telephone numbers Respondents likely have, including:

Name	Address	Telephone Number
Thomas Andrews	Brooksville, FL	Unknown
Ramon DeJesus	984 Middlesex Street, 2L Lowell, MA 01852	(978) 728-1348
Talisha Jackson	Unknown	(912) 602-9516

Name	Address	Telephone Number
Armandine Legare	1208 N. Bedell Avenue Del Rio, TX 78840	(415) 424-2897
Will Manzer	2518 Jackson Street Hollywood, FL 33020	(954) 667-9455
Kyle Martin	3102 Carter Path Orlando, FL 34484	Unknown
Erin Richmond	79 Whittemore Road Londonderry, NH 03053	Unknown
John Roebuck	2425 King Oak Lane St. Cloud, FL 34769	Unknown
Edward Steinberger	4 Divinity Circle Nashua, NH 03063	Unknown
Juanita Van De Riet	11203 Prairie Spring Drive San Antonio, TX 78249	(210) 699-8253
Lewis Wilcox	7048 72nd Street N Pinellas Park, FL 33781	(727) 686-6463
Eric Wissenbach	34769 Orchid Parkway Dade City, FL 33523	(813) 774-2977
William Zehnpfund	2720 Lexington Street Steilacoom, WA 98388	(253) 582-7491

FTC investigator Kathleen Nolan, FTC paralegal Eleni Broadwell, former FTC paralegal Emilie Saunders, all of whom Respondents may contact through Complaint Counsel, are likely to have information relating to the practices at issue in the complaint.

We reserve the right to supplement this list from time to time, based on Respondents’ initial disclosures or other information that may come to Complaint Counsel’s attention during discovery. Further, pursuant to Rules 3.31(b)(2) and 3.31A, Complaint Counsel will disclose the identity of testifying experts, if any, as provided in the Scheduling Order, if any, to be entered in this matter.

2. Relevant Documents and Electronically Stored Information.

Pursuant to Rule 3.31(b)(2), Complaint Counsel provides the following “description by category and location of[] all documents and electronically stored information. . . in the

possession, custody, or control of the Commission or respondent(s) that are relevant to the allegations of the Commission's Complaint, to the proposed relief, or to the defenses of the respondent[,]" subject to the limitations set forth therein. 16 C.F.R. § 3.31(b)(2). The documents, electronically stored information, and tangible things ("documents") in the Commission's or the Bureau of Consumer Protection's possession, custody, or control that are relevant to the allegations asserted in the Complaint, the proposed relief, or Respondent's defenses fall into the following categories:

- Respondents' corporate filings;
- Respondents' advertisements and marketing materials;
- Consumer complaints;
- State enforcement actions concerning Defendants' advertising and marketing, including but not limited to actions taken by the states of Florida, Indiana, and Kansas; and
- Defendants' communications with its customers.

All such documents are maintained electronically. Copies of responsive documents are being produced to Respondents.

Complaint Counsel is without knowledge at this time as to the category and location of relevant documents in the possession, custody, or control of Respondents. Complaint Counsel believes that Respondents are generally in the possession of documents relevant to the allegations of the Commission's complaint, and anticipates that Respondents will provide this information as part of their mandatory initial disclosures.

Dated: September 3, 2020

Respectfully submitted,

/s/ Thomas J. Widor
Thomas J. Widor
Sanya Shahrabi
Division of Financial Practices
Federal Trade Commission
600 Pennsylvania Ave., NW, CC-10232
Washington, DC 20580
(202) 326-2709 (Shahrabi)
(202) 326-3039 (Widor)
sshahrabi@ftc.gov, twidor@ftc.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of Complaint Counsel's Initial Disclosures has been forwarded to counsel for Respondents by email on September 3, 2020.

/s/ Thomas J. Widor

X200041

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

TRAFFIC JAM EVENTS, LLC, a limited liability company, and

DAVID J. JEANSONNE II, individually and as an officer of TRAFFIC JAM EVENTS, LLC.

DOCKET NO. 9395

COMPLAINT COUNSEL’S PRELIMINARY WITNESS LIST

Pursuant to the Court’s Scheduling Order, dated September 4, 2020, Complaint Counsel hereby submits its Preliminary Witness List identifying individuals who may testify in Complaint Counsel’s direct case (excluding expert witnesses and rebuttal expert witnesses) and a description of their proposed testimony.

The information disclosed herein is based upon the information reasonably available to Complaint Counsel at the current time. Complaint Counsel notes that it has not yet received any responses to its discovery requests. Where Complaint Counsel is aware that a proposed third-party witness is represented by counsel, the name, address, and telephone number of legal counsel is provided. Without prejudicing Complaint Counsel’s ability to supplement this Preliminary Witness List at a later time in Complaint Counsel’s Expert Witness List and Final Proposed Witness List, Complaint Counsel hereby offers its Preliminary Witness List.

1. A&D Automotive, Inc. representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from A&D Automotive, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising and marketing, and any communications with Respondents.

2. Curbside Motors, Inc. representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from Curbside Motors, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

3. Ingram Park Mazda representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from Ingram Park Mazda will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

4. MK Automotive Inc. representative; individual(s) to be determined, including Michael Kastrenakes and Mike Taylor.

Proposed Testimony: We anticipate that one or more representatives from MK Automotive, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

5. Ram Country Chrysler-Dodge, Inc. representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from Ram Country Chrysler-Dodge, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

6. RLJ-McLarty-Landers Automotive Holdings, LLC representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from RLJ-McLarty-Landers Automotive Holdings, LLC will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

7. Unidentified dealership representatives; individual(s) to be determined.

Proposed Testimony: Subject to additional discovery, we anticipate that representatives from one or more additional unidentified dealerships will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

8. David J. Jeanson II.

Proposed Testimony: We anticipate that Respondent Jeanson will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents

advertising and marketing; and (v) his role with Respondent Traffic Jam Events, LLC and Platinum Plus Printing, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

9. Traffic Jam Events, LLC representative; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more representatives from Traffic Jam Events, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

10. Traffic Jam Events, LLC employee Justin Brophy.

Proposed Testimony: We anticipate that Mr. Brophy will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

11. Traffic Jam Events, LLC employee Chad Bullock.

Proposed Testimony: We anticipate that Mr. Bullock will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

12. Traffic Jam Events, LLC employee William Lilley.

Proposed Testimony: We anticipate that Mr. Lilley will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam

Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

13. One or more unidentified current or former Traffic Jam Events, LLC employees.

Proposed Testimony: We anticipate that one or more unidentified employees of Traffic Jam Events, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

14. Traffic Jam Events, LLC employee and Platinum Plus Printing, LLC officer, Jim Whelan.

Proposed Testimony: We anticipate that Mr. Whelan will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

15. Platinum Plus Printing, LLC representative; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more representatives from Platinum Plus Printing, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

16. Representatives of unidentified third parties that have assisted, facilitated, or acted in concert or active participation with Respondents relating to their advertising, marketing, and staffed event services; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more representatives from third parties that have assisted, facilitated, or acted in concert or active participation with Respondents relating to their advertising, marketing, and staffed event services will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any

advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

17. Consumers targeted by Respondents mailings; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more consumers will testify about their reaction to Respondents advertising, marketing, and promotional material as well as any complaints resulting from Respondents advertising, marketing, and promotional material.

18. FTC Investigator Kathleen Nolan.

Proposed Testimony: We anticipate that Ms. Nolan will testify about (i) Respondents' corporate structure; (ii) the relationship between Respondent Traffic Jam Events, LLC and Respondent Jeansonne; (iii) the relationship between Respondent Traffic Jam Events, LLC and Platinum Plus Printing, LLC; (iv) Respondents' advertising, marketing, and promotional material; (v) consumer complaints; (vi) and law enforcement actions and investigations concerning Respondents advertising, marketing, and promotional material.

19. FTC former Paralegal Emilie Saunders.

Proposed Testimony: We anticipate that Ms. Saunders will testify about (i) Respondents' advertising, marketing, and promotional material; and (ii) consumer complaints.

20. FTC Paralegal Eleni Broadwell.

Proposed Testimony: We anticipate that Ms. Broadwell will testify about (i) Respondents' advertising, marketing, and promotional material and (ii) consumer complaints.

Respectfully submitted,

October 6, 2020

By: /s/ Thomas J. Widor
Thomas J. Widor
Federal Trade Commission
Bureau of Consumer Protection
600 Pennsylvania Avenue, NW
Mailstop CC-10232
Washington, DC 20506

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2020, I caused the foregoing document to be served via electronic mail to:

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Counsel for Respondents

October 6, 2020

By: /s/ Thomas J. Widor
Thomas J. Widor
Federal Trade Commission
Bureau of Consumer Protection

X200041

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

TRAFFIC JAM EVENTS, LLC, a limited liability company, and

DAVID J. JEANSONNE II, individually and as an officer of TRAFFIC JAM EVENTS, LLC.

DOCKET NO. 9395

COMPLAINT COUNSEL’S AMENDED PRELIMINARY WITNESS LIST

Pursuant to the Court’s Scheduling Order, dated September 4, 2020, and the First Revised Scheduling Order, dated May 7, 2021, Complaint Counsel hereby amends its Preliminary Witness List identifying individuals who may testify in Complaint Counsel’s direct case (excluding expert witnesses and rebuttal expert witnesses) and a description of their proposed testimony.

The information disclosed herein is based upon the information reasonably available to Complaint Counsel at the current time. Complaint Counsel notes that Respondents still have not complied with the Court’s discovery orders and completed production of their responses to Complaint Counsel’s discovery requests. Where Complaint Counsel is aware that a proposed third-party witness is represented by counsel, the name, address, and telephone number of legal counsel is provided. Without prejudicing Complaint Counsel’s ability to supplement this Preliminary Witness List at a later time in Complaint Counsel’s Final Proposed Witness List, Complaint Counsel hereby offers its Amended Preliminary Witness List.

1. A&D Automotive, Inc. representative: William Cox.

Proposed Testimony: We anticipate that Mr. Cox will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising and marketing, and any communications with Respondents.

2. Ingram Park Mazda representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from Ingram Park Mazda will testify about products and services developed, disseminated, marketed, promoted, or

provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

3. MK Automotive Inc. representatives, including Michael Kastrenakes and Mike Taylor.

Proposed Testimony: We anticipate that one or more representatives from MK Automotive, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

4. Ram Country Chrysler-Dodge, Inc. representative; individual(s) to be determined.

Proposed Testimony: We anticipate that one or more representatives from Ram Country Chrysler-Dodge, Inc. will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

5. RLJ-McLarty-Landers Automotive Holdings, LLC representatives: Eddie Williams and Robert Register.

Proposed Testimony: We anticipate that Mr. Williams and Mr. Register will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

6. Unidentified dealership representatives; individual(s) to be determined.

Proposed Testimony: Subject to additional discovery, we anticipate that representatives from one or more additional unidentified dealerships will testify about products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; and any communications with Respondents.

7. David J. Jeanson II.

Proposed Testimony: We anticipate that Respondent Jeanson will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) his role with Respondent Traffic Jam Events, LLC and Platinum Plus Printing, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

8. Traffic Jam Events, LLC representative; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more representatives from Traffic Jam Events, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

9. Traffic Jam Events, LLC employee Justin Brophy.

Proposed Testimony: We anticipate that Mr. Brophy will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

10. Traffic Jam Events, LLC employee Chad Bullock.

Proposed Testimony: We anticipate that Mr. Bullock will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

11. Traffic Jam Events, LLC employee William Lilley.

Proposed Testimony: We anticipate that Mr. Lilley will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

12. Traffic Jam Events, LLC former employee Mercedes Lozano.

Proposed Testimony: We anticipate that Ms. Lozano will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any

advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

13. One or more unidentified current or former Traffic Jam Events, LLC employees, including Michael Chastain, Garrett Gillespie, Jimmy Hailey, Elias Iglesias, Brian McCaskill, Ty Prestwood, Christopher Rivera, Joseph Rivera, David Sherman, Taylor Simpson, Art Spath.

Proposed Testimony: We anticipate that one or more unidentified employees of Traffic Jam Events, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

14. Traffic Jam Events, LLC employee and Platinum Plus Printing, LLC officer, Jim Whelan.

Proposed Testimony: We anticipate that Mr. Whelan will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

15. Platinum Plus Printing, LLC representative; individual(s) to be identified.

Proposed Testimony: We anticipate that one or more representatives from Platinum Plus Printing, LLC will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

16. Representatives of unidentified third parties that have assisted, facilitated, or acted in concert or active participation with Respondents relating to their advertising, marketing, and

staffed event services; individual(s) to be identified, including Matthew Dennis of DealerApps, Inc.

Proposed Testimony: We anticipate that one or more representatives from third parties that have assisted, facilitated, or acted in concert or active participation with Respondents relating to their advertising, marketing, and staffed event services will testify about (i) products and services developed, disseminated, marketed, promoted, or provided by Respondents, including any advertising, marketing, or promotional material; (ii) communications with current and prospective customers; (iii) the relationship with Platinum Plus Printing, LLC; (iv) any complaints, investigations, lawsuits, or proceedings relating to Respondents or Respondents advertising and marketing; and (v) Respondent Jeansonne's role with Respondent Traffic Jam Events, LLC and Platinum Plus Print, LLC, including, but not limited to, creating, developing, reviewing, editing, approving, or disseminating any advertisements or promotional materials.

17. Consumers targeted by Respondents mailings; individual(s) to be identified, including Thomas Andrews, David Ault, James Bond, Pamela Denson, Tyler Langham, Armandine Legare, Kyle Martin, Ken Prewit, George Thaxton, Juanita Van de Riet, Eric Wissenbach.

Proposed Testimony: We anticipate that one or more consumers will testify about their reaction to Respondents advertising, marketing, and promotional material as well as any complaints resulting from Respondents advertising, marketing, and promotional material.

18. Better Business Bureau of Abilene, President John Riggins.

Proposed Testimony: We anticipate that Mr. Riggins will testify about consumer complaints resulting from Respondents advertising, marketing, and promotional material.

19. FTC Investigator Kathleen Nolan.

Proposed Testimony: We anticipate that Ms. Nolan will testify about (i) Respondents' corporate structure; (ii) the relationship between Respondent Traffic Jam Events, LLC and Respondent Jeansonne; (iii) the relationship between Respondent Traffic Jam Events, LLC and Platinum Plus Printing, LLC; (iv) Respondents' advertising, marketing, and promotional material; (v) consumer complaints; (vi) and law enforcement actions and investigations concerning Respondents advertising, marketing, and promotional material.

20. FTC Paralegal Eleni Broadwell.

Proposed Testimony: We anticipate that Ms. Broadwell will testify about (i) Respondents' advertising, marketing, and promotional material and (ii) consumer complaints.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

July 19, 2021

By: /s/ Thomas J. Widor
Thomas J. Widor
Federal Trade Commission
Bureau of Consumer Protection
600 Pennsylvania Avenue, NW
Mailstop CC-10232
Washington, DC 20506

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2021, I caused the foregoing document to be served via electronic mail to:

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Counsel for Respondents

David Jeansonne
david@trafficjamevents.com

July 19, 2021

By: /s/ Thomas J. Widor
Thomas J. Widor
Federal Trade Commission
Bureau of Consumer Protection