

1 DAVID C. SHONKA
2 Acting General Counsel

3 SARAH SCHROEDER, Cal. Bar No. 221528
4 ROBERTA TONELLI, Cal. Bar No. 278738
5 EVAN ROSE, Cal. Bar No. 253478
6 Federal Trade Commission
7 901 Market Street, Suite 570
8 San Francisco, CA 94103
9 sschroeder@ftc.gov, rtonelli@ftc.gov, erose@ftc.gov
10 Tel: (415) 848-5100; Fax: (415) 848-5184

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 vs.

18 AMERICAN FINANCIAL BENEFITS
19 CENTER, a corporation, also d/b/a AFB and AF
20 STUDENT SERVICES;

21 AMERITECH FINANCIAL, a corporation;

22 FINANCIAL EDUCATION BENEFITS
23 CENTER, a corporation; and

24 BRANDON DEMOND FRERE, individually
25 and as an officer of AMERICAN FINANCIAL
26 BENEFITS CENTER, AMERITECH
27 FINANCIAL, and FINANCIAL EDUCATION
28 BENEFITS CENTER,

Defendants.

Case No. 4:18-cv-00806-SBA

**DECLARATION OF CRAIG DAVIS
IN SUPPORT OF FEDERAL TRADE
COMMISSION'S MOTION FOR
PRELIMINARY INJUNCTION**

DECLARATION OF CRAIG DAVIS

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2 1. My name is Craig Davis. I work for LORD Manufacturing Company and live in
3 Erie, Pennsylvania. The following statements are within my personal knowledge and if called as
4 a witness I could and would competently testify thereto.

5 2. I worked for Hammermill Paper Company for over 20 years and earned around
6 \$40,000 per year. When the plant closed, I went to a trade school (Universal Technical Institute)
7 and acquired around \$50,000 in student debt. I was the oldest student at the school and
8 graduated at the top of my class with a 3.97 GPA. My understanding was that the federal
9 government would pay for my education through the Trade Act Program, but program
10 administrator said my school was not properly accredited.

11 3. Sometime around summer 2016, I received a mailer stating that I qualified for a
12 reduced student loan payment. I called the number listed on the mailer and spoke with someone
13 who said he could help me reduce my loan payment. I later learned that the number I called was
14 for a company called AmeriTech Financial (“AmeriTech”). I do not recall the specifics of the
15 conversation because the AmeriTech agent gave me a lot of information very quickly. Based on
16 the agent’s statements, I believed my student loan payment would be reduced to \$0 or \$20,000.
17 The agent also promised me 100% client satisfaction.

18 4. While I was on the phone with the AmeriTech agent, he emailed me many
19 documents. I opened the documents on my computer. Some documents appeared to be contracts
20 and forms. All the fields on the forms were blank. The AmeriTech agent quickly discussed the
21 documents with me and told me where to sign electronically. He said he would fill in the
22 information on the forms later. I did not understand the electronic signature, but trusted the
23 AmeriTech agent and followed his instructions. Everything was going so fast that I did not have
24 time to read every document. I expected AmeriTech to send me the paperwork in the mail so I
25 could properly review the documents and sign a final version.

26 5. A few weeks after my call with the AmeriTech agent, my bank called to me to
27 report a bounced transaction. I was surprised to learn that AmeriTech had withdrawn \$207 from
28 my checking account. I was not aware that AmeriTech was going to automatically withdrawn

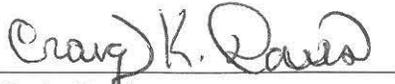
1 funds from my bank account and was not prepared for the payment. I had not even signed a final
2 agreement. I had to pay a fee to my bank due to the bounced transaction.

3 6. In July 2016, I called AmeriTech and demanded a refund. AmeriTech initially
4 offered me only a \$100 refund, so I filed a complaint with the Better Business Bureau (“BBB”).
5 After I filed the complaint with the BBB, AmeriTech gave me a full refund. AmeriTech also
6 urged me to withdraw my complaint with the BBB. I was not 100% satisfied with AmeriTech’s
7 service and did not want to withdraw my complaint.

8 7. In 2016 or 2017, my computer crashed. As a result, I do not have copies of the
9 documents AmeriTech emailed me or my correspondence with the company.

10 8. I am still sorting out my student loan. Every day I receive phone calls, from
11 different phone number, saying I qualify for a reduced student loan payment. Many of the
12 callers imply that they are my student loan servicer and say things like “this is our last attempt to
13 contact you.” When I tell the callers that I am not interested and try to hang up, they continue
14 talking and say things like “you’re not interested in saving money?” I am frustrated by this
15 entire experience and do not know who to trust.

16 9. I declare under penalty of perjury that the foregoing is true and correct. Executed
17 on August 31, 2017 in Erie, Pennsylvania.

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19 Craig Davis
20 Declarant
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