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10 *Attorneys for Petitioner Federal Trade Commission*

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA
 13 WESTERN DIVISION

14 FEDERAL TRADE COMMISSION,
 15 Petitioner,
 16 v.
 17 IT MEDIA, INC.,
 18 Respondent.

19 Case No.

20 **PETITION TO ENFORCE CIVIL
 21 INVESTIGATIVE DEMAND**

22 1. On August 4, 2016, Petitioner, the Federal Trade Commission (FTC or
 23 Commission), issued a civil investigative demand (CID) to Respondent IT Media,
 24 Inc. (IT Media) pursuant to Section 20 of the FTC Act, 15 U.S.C. § 57b-1. A CID
 25 is a type of administrative process akin to a subpoena. The CID seeks documents
 26 and answers to interrogatories relevant to an ongoing FTC investigation into the
 practices of businesses that market loans online and, in particular, whether their

1 practices in collecting and selling consumers' personal information (known as
2 "leads") may violate the FTC Act or other statutes enforced by the FTC.

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4 2. By this Petition, the FTC seeks an order directing IT Media to show
5 cause why it should not be required to comply with the CID and, subsequently, for
6 an order enforcing the CID. In support of the Petition, the FTC submits the
7
8 accompanying Memorandum of Law, Declaration of FTC investigator Joseph
9 Weber, Jr. (Petitioner's Exhibit (Pet. Exh.) 1), and Petitioner's Exhs. 2-11.¹
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11 ¹ The additional supporting exhibits are as follows:

12 Pet. Exh. 2 Resolution Directing Use of Compulsory Process in Non-Public
13 Investigations of Various Unnamed Loan Brokers, Lenders, Loan Servicers, and
14 Other Marketers of Loans (FTC File No. 042 3135);

15 Pet. Exh. 3 Civil Investigative Demand to IT Media, Inc., issued August 4,
16 2016;

17 Pet. Exh. 4 Statement of Information filed with the California Secretary of
18 State reflecting address for IT Media in Beverly Hills, CA, and Daniel Negari as its
19 agent for service of process, March 16, 2009;

20 Pet. Exh. 5 Confirmation of attempted delivery by FedEx on IT Media,
21 Beverly Hills, California, August 8, 2016;

22 Pet. Exh. 6 Real property records from Clark County, Nevada, reflecting
23 address for Daniel Negari in Las Vegas, Nevada;

24 Pet. Exh. 7 Confirmation of FedEx delivery on Daniel Negari, registered
25 agent for IT Media, Las Vegas, Nevada, August 15, 2016;

26 Pet. Exh. 8 Statement of Information filed with the California Secretary of
State reflecting address for IT Media, Inc. in Santa Monica, California, and
designating Paracorp Inc. as agent for service of process, September 15, 2016;

Pet. Exh. 9 Business Entity Detail record reflecting addresses registered
with the California Secretary of State for IT Media in Santa Monica, California,
and Paracorp Inc. in Sacramento, California, October 18, 2016;

Pet. Exh. 10 Confirmation of FedEx delivery on Paracorp Inc., registered
agent for IT Media, Sacramento, California, October 26, 2016; and

Pet. Exh. 11 Confirmation of FedEx delivery on IT Media, Santa Monica,
California, October 26, 2016.

Jurisdiction and Venue

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2 3. This Court has subject-matter jurisdiction to enforce the FTC’s CIDs
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4 under Sections 20(e) and (h) of the FTC Act, 15 U.S.C. §§ 57b-1(e), (h), and under
5 28 U.S.C. §§ 1331, 1337(a), and 1345.

6 4. Venue is proper because IT Media is found, resides, or transacts
7
8 business in this district. 15 U.S.C. § 57b-1(e); 28 U.S.C. § 1391; Pet. Exh. 1 at ¶ 4.

The Parties

9
10 5. Petitioner, FTC, is an administrative agency of the United States and
11
12 is authorized to issue process (including CIDs) requesting materials, answers to
13 interrogatories, and sworn testimony in an authorized investigation to determine if
14 a person or business entity may be violating the FTC Act by engaging in “unfair or
15 deceptive acts or practices in or affecting commerce.” 15 U.S.C. §§ 45, 57b-1(c).
16
17 The FTC has the authority to investigate and initiate proceedings to prohibit such
18 activities where appropriate. 15 U.S.C. §§ 43, 46(a), 53(b).

19
20 6. Respondent, IT Media, is incorporated in California and maintains its
21
22 principal place of business and transacts business in this district. IT Media
23 provides services to online loan marketers. Daniel Negari is the President, Chief
24 Financial Officer, and a director of IT Media, and was the company’s registered
25 agent for service until September 15, 2016. Pet. Exh. 1 at ¶¶ 4, 5, 10; Pet. Exhs. 4,
26 8.

1 **The Commission’s Investigation and Civil Investigative Demand**

2 7. On January 7, 2014, the Commission issued a Resolution Directing
3
4 Use of Compulsory Process in Non-Public Investigations of Various Unnamed
5 Loan Brokers, Lenders, Loan Servicers, and Other Marketers of Loans. The
6 purpose of the investigations authorized by the Resolution are

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8 To determine whether unnamed persons, partnerships, corporations, or
9 others have engaged or are engaging in deceptive or unfair acts or
10 practices in or affecting commerce in the advertising, marketing, sale,
11 or servicing of loans and related products in violation of Section 5 of
12 the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation
13 is also to determine whether various unnamed loan brokers, lenders,
14 loan servicers, and other marketers of loans have engaged or are
15 engaging in acts or practices in violation of the Consumer Credit
16 Protection Act, 15 U.S.C. § 1601 *et seq.* The investigation is also to
17 determine whether Commission action to obtain redress for injury to
18 consumers or others would be in the public interest.

19 Resolution, File No. 042 3135 (Pet. Exh. 2). The present investigation
20 focuses on the practices of online services and businesses that market loans,
21 including the receipt, sale, transfer, and storage of consumer leads. Pet. Exh. 1 at
22 ¶ 5.

23 8. On August 4, 2016, under the authority of the Resolution, the FTC
24 issued a CID to IT Media requiring it to produce documents and respond to
25 interrogatories by August 25, 2016. Pet. Exh. 3; Pet. Exh. 1 at ¶ 6.

26 9. The FTC served the CID on IT Media on August 15, 2016, by
delivering it by FedEx courier to the residence of IT Media’s registered agent, Daniel

1 Negari, in Las Vegas, Nevada. IT Media and Mr. Negari did not provide the requested
2 materials and information and did not contact the FTC. Pet. Exhs. 4, 6, 7; Pet. Exh. 1
3 at ¶ 10.
4

5 10. FTC staff subsequently learned that IT Media had moved to a new
6 location in Santa Monica, California, and had designated Paracorp, Inc. as its new
7 agent to receive service of process in Sacramento, California. Pet. Exh. 1 at ¶ 11; Pet.
8 Exhs. 8, 9. On October 26, 2016, the FTC served the CID on IT Media by delivering a
9 copy by FedEx courier to IT's new address in Santa Monica and also by delivering a
10 copy by FedEx to its new agent, Paracorp, in Sacramento, California. Pet. Exh. 1 at ¶
11 11; Pet. Exhs. 10, 11. To date, IT Media has not provided the requested materials or
12 contacted the FTC about the CID. Pet. Exh. 1 at ¶ 12.
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16 11. IT Media's failure to comply with the August 4, 2016 CID has materially
17 impeded the FTC's ongoing investigation. Pet. Exh. 1 at ¶ 13.
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Prayer For Relief

WHEREFORE, the Commission respectfully this Court to issue:

1. An order, substantially in the form attached, directing IT Media to show cause why it should not comply with the CID;
2. After IT Media’s response to the order to show cause and the Commission’s reply if any, an order directing IT Media to comply with the CID within ten days of such order or at such later date established by the FTC; and
3. Such other relief as this Court deems just and proper.

Dated: December 22, 2016

Respectfully submitted,

/s/ Thomas J. Syta

Thomas J. Syta (CA Bar No. 116286)

PROOF OF SERVICE

I hereby certify that on December 22, 2016, I caused a true and correct copy of the foregoing Petition to Enforce Civil Investigative Demand to be served by FedEx overnight delivery service on Respondent IT Media, Inc. to the following addresses:

IT Media, Inc.
2800 Olympic Blvd. #1
Santa Monica, CA 90404

IT Media, Inc.
c/o Paracorp, Inc. (registered agent)
2804 Gateway Oaks Drive
Sacramento, CA 95833

/s/ Thomas J. Syta
Thomas J. Syta (CA Bar No. 116286)

1 THOMAS J. SYTA (CA Bar No. 116286)
2 E-mail: tsyta@ftc.gov
3 MICHAEL D. BERGMAN (*pro hac vice* pending)
4 Email: mbergman@ftc.gov
5 FEDERAL TRADE COMMISSION
6 10877 Wilshire Boulevard, Suite 700
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8 Telephone: (310) 824-4324
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10 *Attorneys for Petitioner Federal Trade Commission*

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 FEDERAL TRADE COMMISSION,
15 Petitioner,
16 v.
17 IT MEDIA, INC.,
18 Respondent.

19 Case No.

20 **MEMORANDUM IN SUPPORT**
21 **OF PETITION TO ENFORCE**
22 **CIVIL INVESTIGATIVE DEMAND**

23 The Federal Trade Commission (FTC) petitions this Court to enforce a civil
24 investigative demand (CID) issued to Respondent IT Media, Inc. (IT Media) on August
25 4, 2016, in an FTC law enforcement investigation.¹ The CID requires IT Media to
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¹ A CID is a form of administrative compulsory process akin to a subpoena *duces tecum* or subpoena *ad testificandum*. Congress modeled the FTC’s CID authority on the Antitrust Civil Process Act, 15 U.S.C. § 1311, which grants similar authority to the U.S. Department of Justice. See H.R. CONG. REP. NO. 96-917 at 32 (1980), reprinted in 1980 U.S.C.C.A.N. 1143, 1149; S. REP. NO. 96-500 at 23-25 (1979), reprinted in 1980 U.S.C.C.A.N. 1102, 1124–26. See also *Gen. Fin. Corp. v. FTC*, 700 F.2d 366,

1 produce documents and respond to written questions. *See* Pet. Exh. 3. IT Media’s
2 failure to respond to the CID has materially impeded the FTC’s investigation of
3 possible violations of Section 5 of the FTC Act, 15 U.S.C. § 45, and the Consumer
4 Credit Protection Act, 15 U.S.C. § 1601 *et seq.*

6 **JURISDICTION AND VENUE**

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8 Section 20 of the FTC Act, 15 U.S.C. §57b-1, authorizes the Commission to
9 issue a CID to any person who may have documents or information relevant to an
10 investigation of potential unfair or deceptive acts or practices. 15 U.S.C.

11
12 § 57b-1(c)(1). The Commission may issue CIDs to require any person to produce
13 documents, *id.* § 57b-1(c)(3), (c)(11), respond to written questions, *id.* § 57b-1(c)(5),
14 (c)(13), or give oral testimony under oath at an FTC investigational hearing, *id.*

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16 § 57b-1(c)(6), (c)(14). If the CID recipient does not comply, the Commission may
17 petition a district court for an enforcement order, *id.* § 57b-1(e); and the court is
18 authorized “to hear and determine the matter so presented, and to enter such order or
19 orders as may be required to carry into effect the provisions of this section.” *Id.*

20
21 § 57b-1(h).

22
23 The Commission may seek enforcement of CIDs by filing a petition asking for
24 issuance of an order to show cause in any judicial district where the CID recipient

25
26 367-68 (7th Cir. 1983) (Posner, J.) (describing FTC’s Section 20 CID as “a type of
subpoena”).

1 “resides, is found, or transacts business.” 15 U.S.C. § 57b-1(e). Here, IT Media
2 “resides, is found, or transacts business” in this judicial district. *See* Pet. Exh. 1 at ¶ 4.
3

4 **STATEMENT OF FACTS**

5 On January 7, 2014, the Commission issued a Resolution Directing Use Of
6 Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers,
7 Lenders, Loan Servicers, and Other Marketers of Loans, File No.042 3135. This
8 Resolution authorized the use of compulsory process for the following purpose:
9

10 To determine whether unnamed persons, partnerships, corporations, or
11 others have engaged or are engaging in deceptive or unfair acts or
12 practices in or affecting commerce in the advertising, marketing, sale, or
13 servicing of loans and related products in violation of Section 5 of the
14 Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also
15 to determine whether various unnamed loan brokers, lenders, loan
16 servicers, and other marketers of loans have engaged or are engaging in
17 acts or practices in violation of the Consumer Credit Protection Act, 15
18 U.S.C. § 1601 *et seq.* The investigation is also to determine whether
19 Commission action to obtain redress for injury to consumers or others
20 would be in the public interest.

21 Pet. Exh. 2; Pet. Exh. 1 at ¶ 3.

22 On August 4, 2016, under the authority of this Resolution, the Commission
23 issued a CID to IT Media requiring it to produce specified documents and to respond to
24 written questions. The Commission issued its CID as part of an investigation of the
25 receipt, sale, transfer, and security of consumer lead information by online businesses
26 and services that market loans. Pet. Exh. 3; Pet. Exh. 1 at ¶¶ 5-7. The CID required IT
Media to comply by August 25, 2016. Pet. Exh. 3; Pet. Exh. 1 at ¶ 6.

1 The Commission served the CID via FedEx courier by delivering a copy to
2 Daniel Negari, who was listed with the California Secretary of State as the registered
3 agent for IT Media, at his personal residence on August 15, 2016. Pet. Exhs. 4, 6, 7;
4 Pet. Exh. 1 at ¶ 10. After FTC staff learned that IT Media had relocated and
5 designated a new agent for service of process, the FTC served IT Media via FedEx
6 courier by delivering a copy of the CID to the company's new address in Santa Monica
7 and also to its agent, Paracorp. Inc., in Sacramento, California. Pet. Exhs. 8, 9, 10, 11
8 Pet. Exh. 1 at ¶ 11. To date, IT Media has not responded in any way to the CID,
9 contacted FTC staff, or filed a motion to quash or limit the CID, as provided in the
10 FTC's Rules of Practice and Procedure. Pet. Exh. 1 at ¶ 12; *see* 15 U.S.C. § 57b-1(f);
11 16 C.F.R. § 2.10.
12

13 ARGUMENT

14 **THE CID SHOULD BE ENFORCED BECAUSE IT WAS DULY ISSUED** 15 **IN AN AUTHORIZED INVESTIGATION AND SEEKS INFORMATION AND** 16 **DOCUMENTS RELEVANT TO THAT INVESTIGATION**

17 **A. Legal standards for enforcement**

18 The FTC is authorized to issue a CID to any person to produce documents and
19 other materials, respond to written questions, or give sworn testimony relevant to an
20 authorized investigation into unfair or deceptive acts or practices. 15 U.S.C.
21 § 57b-1(c). If the CID recipient does not comply, the Commission may petition a court
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1 for an enforcement order, and the court has authority to issue such an order. *Id.*

2 §§ 57b-1(e); 57b-1(h).

3
4 The court's function in such proceedings is to determine: "(1) whether Congress
5 has granted the authority to investigate; (2) whether procedural requirements have been
6 followed; and (3) whether the evidence is relevant and material to the investigation."

7
8 *United States v. Golden Valley Elec. Ass'n*, 689 F.3d 1108, 1113 (9th Cir. 2012)

9 (citing *EEOC v. Children's Hosp. Med. Ctr. of N. Cal.*, 719 F.2d 1426, 1426 (9th Cir.

10 1983) (en banc)), *overruled on other grounds as recognized in Prudential Ins. Co. of*

11 *Am. v. Lai*, 42 F.3d 1299 (9th Cir. 1994)); *accord United States v. Morton Salt Co.*,

12 338 U.S. 632, 652 (1950) (enforcement is warranted as long as "the inquiry is within

13 the authority of the agency, the demand is not too indefinite, and the information

14 sought is reasonably relevant."). Actions to enforce administrative compulsory process

15 are "summary procedure[s] designed to allow 'speedy investigation of [agency]

16 charges'." *EEOC v. Karuk Tribe Hous. Auth.*, 260 F.3d 1071, 1078 (9th Cir. 2001)

17 (citation omitted).

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19
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21 When these requirements are met, courts "must enforce administrative
22 subpoenas unless the evidence sought by the subpoena is plainly incompetent or

23 irrelevant to any lawful purpose of the agency," *Golden Valley*, 689 F.3d at 1113-14

24 (quoting *Karuk Tribe Hous. Auth.*, 260 F.3d at 1076), or where the investigated party

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26

1 can show the inquiry “is unreasonable because it is overbroad or unduly burdensome.”
2 *Children’s Hosp. Med. Ctr.*, 719 F.2d at 1428 (citing *Okl. Press Publ’g Co. v. Walling*,
3 327 U.S. 186, 217 (1946)). The government’s burden to support enforcement is a
4 “slight one” and “may be satisfied by a declaration from an investigating agent.”
5 *United States v. Dynavac, Inc.*, 6 F.3d 1407, 1414 (9th Cir. 1993).
6

7
8 As shown by its supporting declaration, Pet. Exh. 1, the Commission easily
9 satisfies these requirements. The Commission is authorized to conduct the
10 investigation, it followed all applicable procedural requirements in issuing the CID,
11 and the documents and information sought are relevant to the agency’s investigation.
12 Accordingly, the CID should be enforced without delay.
13

14 **B. The Commission is authorized conduct the present investigation**

15
16 First, the Commission’s investigation and CID fall well within its statutory
17 authority. The FTC Act broadly authorizes the Commission to investigate whether
18 parties are engaged in “unfair or deceptive acts or practices in or affecting commerce,”
19 15 U.S.C. §§ 43, 45(a), 46(a), and to issue CIDs to any person who may have
20 documents or information relevant to such an FTC investigation. *Id.* § 57b-1(c)(1).
21 The FTC may “investigate merely on suspicion that the law is being violated, or even
22 just because it wants assurance that it is not.” *Morton Salt*, 338 U.S. at 642-43.
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1 The materials and information requested by the CID are needed in connection
2 with the FTC’s investigation into the lead generation practices of online businesses
3 marketing loans to consumers, including the companies’ practices for obtaining,
4 selling, transferring, and securing consumer leads. Pet. Exh. 1 at ¶¶ 5-7; Pet. Exh 2.
5 IT Media’s business practices may involve unfair or deceptive acts or practices. Thus,
6 the investigation to which the CID pertains falls well within the scope of the FTC Act’s
7 authority to prohibit “unfair or deceptive acts or practices in or affecting commerce.”
8
9
10 15 U.S.C. § 45(a).

11
12 **C. The FTC followed applicable procedural requirements in issuing the**
13 **CID**

14 Second, the CID fully comports with the applicable procedural requirements of
15 the FTC Act and its implementing rules. 15 U.S.C. § 57b-1; 16 C.F.R. § 2.7; *see also*
16 Pet. Exh. 3; Pet. Exh. 1 at ¶ 6. The CID satisfies the FTC Act’s requirements of
17 “definiteness and certainty,” 15 U.S.C. §§ 57b-1(c)(3)(A), (c)(5)(A), by specifying the
18 kinds of documents and information to be produced. It gave IT Media a “reasonable
19 period of time” to respond to the CID’s requests, 15 U.S.C. §§ 57b-1(c)(3)(B),
20 (c)(5)(B), by providing a return date three weeks after issuance. The CID also
21 identified the custodians (Joseph Weber, Jr., and Michael Tankersley) to whom the
22 responses were to be sent. 15 U.S.C. §§ 57b-1(c)(3)(C), (c)(5)(C).
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1 Further, the CID was validly “signed by a Commissioner” (in this instance,
2 Commissioner Maureen K. Ohlhausen) “acting pursuant to a Commission
3 resolution,” 15 U.S.C. 57b-1(i), and was served properly three times. *See* 15 U.S.C.
4 §§ 57b-1(c)(9)(A), (c)(10); Pet. Exh. 1 at ¶¶ 6, 10-11; Pet. Exhs. 3, 6-11. The CID also
5 included the Resolution advising IT Media of the nature of the conduct being
6 investigated and the applicable legal provisions. 15 U.S.C. § 57b-1(c)(2); 16 C.F.R. §
7 2.6; *see FTC v. O’Connell Assocs., Inc.*, 828 F. Supp. 165, 170-71 (E.D.N.Y. 1993)
8 (notice requirement is met by “cit[ing] to a resolution giving the FTC authority to use
9 compulsory process.”).

13 **D. The evidence sought is relevant and material to the investigation**

14 Third, the information sought is relevant and material to the FTC’s investigation.
15 In assessing the relevance of inquiries in administrative investigations, courts give
16 wide latitude to an administrative agency’s choice of the materials that it needs in
17 conducting the investigation. They uphold those choices so long as they are “not
18 plainly incompetent or irrelevant” to the investigation. *Golden Valley*, 689 F.3d at
19 1113-14 (citations omitted).

22 Here, the CID required IT Media to provide documents and information
23 relating to its practices for obtaining, selling, transferring, and securing consumer leads
24 generated by online services and businesses marketing loans, and its relationship with
25
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1 other companies engaged in these practices. Pet. Exh. 3. This information is directly
2 relevant and material to the subjects specified in the Resolution and with the
3 Commission's inquiry into IT Media's practices and compliance with the FTC Act, 15
4 U.S.C. § 45, and the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.* Pet.
5 Exh. 2; Pet Exh. 1 at ¶¶ 3, 5. Finally, the CID is neither overly broad nor unduly
6 burdensome as its requests are narrowly tailored to solicit only information that is
7 directly relevant to the FTC's investigation. Moreover, despite having been served
8 three times, IT Media never contacted staff to limit the scope of the CID or petitioned
9 the Commission to quash or limit the CID pursuant to 15 U.S.C. § 57b-1(f).
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13 **CONCLUSION**

14 The Commission respectfully requests that the Court grant its petition, order IT
15 Media to show cause as to why it has not complied with the CID, and, subsequently,
16 order IT Media to comply fully with the CID within ten days of the entry of such order.
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20 Dated: December 22, 2016

Respectfully submitted,

21 /s/ Thomas J. Syta
22 Thomas J. Syta (CA Bar No. 116286)
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PROOF OF SERVICE

I hereby certify that on December 22, 2016, I caused a true and correct copy of the foregoing Memorandum in Support of Petition to Enforce Civil Investigative Demand to be served by FedEx overnight delivery service on Respondent IT Media, Inc. to the following addresses:

IT Media, Inc.
2800 Olympic Blvd. #1
Santa Monica, CA 90404

IT Media, Inc.
c/o Paracorp, Inc. (registered agent)
2804 Gateway Oaks Drive
Sacramento, CA 95833

/s/ Thomas J. Syta
Thomas J. Syta (CA Bar No. 116286)

Pet. Exh. 1

1 THOMAS J. SYTA (CA Bar No. 116286)
2 E-mail: tsyta@ftc.gov
3 MICHAEL D. BERGMAN (*pro hac vice* pending)
4 Email: mbergman@ftc.gov
5 FEDERAL TRADE COMMISSION
6 10877 Wilshire Boulevard, Suite 700
7 Los Angeles, CA 90024
8 Telephone: (310) 824-4324
9 Facsimile: (310) 824-4380

10 *Attorneys for Petitioner Federal Trade Commission*

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 FEDERAL TRADE COMMISSION,
15 Petitioner,
16 v.
17 IT MEDIA, INC.,
18 Respondent.

Case No.

**DECLARATION OF JOSEPH
WEBER, JR. IN SUPPORT OF
PETITION TO ENFORCE
CIVIL INVESTIGATIVE
DEMAND**

19 Pursuant to 28 U.S.C. § 1746, I declare as follows:

20
21 1. I am an investigator employed by the Federal Trade Commission (FTC or
22 Commission). I am over 18 years of age. I am presently employed by the Division of
23 Financial Practices in the FTC’s Bureau of Consumer Protection, where I am assigned to
24 an investigation of online loan marketers and their lead generation practices.
25
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1 2. I am authorized to execute this declaration to verify the facts set forth in the
2 Commission's Petition to Enforce Civil Investigative Demand. I have read the Petition and
3 exhibits thereto (hereinafter referred to as Pet. Exh.), and verify that Pet. Exh. 2 through
4 Pet. Exh. 11 are true and correct copies of the original documents, or have been prepared
5 from true and correct copies. The facts set forth herein are based on my personal
6 knowledge or information made known to me in the course of my official duties.
7
8

9 3. On January 7, 2014, the Commission issued a Resolution Directing Use of
10 Compulsory Process in Non-Public Investigations of Various Unnamed Loan Brokers,
11 Lenders, Loan Servicers, and Other Marketers of Loans, File No. 042 3135 (Resolution).
12 The Resolution states that it authorizes the use of compulsory process for the following
13 purpose:
14

15
16 To determine whether unnamed persons, partnerships, corporations, or
17 others have engaged or are engaging in deceptive or unfair acts or
18 practices in or affecting commerce in the advertising, marketing, sale, or
19 servicing of loans and related products in violation of Section 5 of the
20 Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also
21 to determine whether various unnamed loan brokers, lenders, loan
22 servicers, and other marketers of loans have engaged or are engaging in
23 acts or practices in violation of the Consumer Credit Protection Act, 15
24 U.S.C. § 1601 et seq. The investigation is also to determine whether
25 Commission action to obtain redress for injury to consumers or others
26 would be in the public interest.

Pet. Exh. 2.

1 4. Respondent, IT Media, Inc. (IT Media), is incorporated in California and
2 maintains its principal place of business and transacts business in Santa Monica,
3 California. Pet. Exh. 8. IT Media is represented by a registered agent, Paracorp, Inc.
4 (Paracorp), which is located at 2804 Gateway Oaks Drive, Suite 200, Sacramento,
5 California. Pet. Exhs. 8, 9.
6

7 5. The FTC is currently investigating the practices of certain online businesses
8 and services that market loans to consumers, including the receipt, sale, transfer, security,
9 and storage of private consumer information (or “leads”). In the course of this
10 investigation, FTC staff obtained information that IT Media provides services to several
11 online loan marketers and is investigating IT Media’s role in providing those services.
12 FTC staff also learned that Daniel Negari is the President, Chief Financial Officer, and a
13 director of IT Media. See Pet. Exhs. 4, 8.
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17 6. On August 4, 2016, under the authority of the Resolution, the FTC issued a
18 civil investigative demand (CID) to IT Media. Pet. Exh. 3. The CID was signed by
19 Commissioner Maureen K. Ohlhausen and required IT Media to respond to interrogatories
20 and document requests by August 25, 2016. *Id.*
21

22 7. Among other subjects, the CID seeks information and materials relating to the
23 sale, transfer, security, and storage of consumer leads generated by online businesses and
24 services that market loans. *Id.* The CID also seeks information concerning IT Media’s
25
26

1 relationships with Media LLC and General LLC, including services provided by IT Media
2 to those two companies, and consumer leads obtained from Blue Global Media. *Id.*

3
4 8. The CID directed IT Media to meet and confer with FTC staff within 14 days
5 of service to discuss and resolve any potential issues relating to compliance. *Id.*

6
7 9. The FTC attempted to serve the CID on IT Media four times using a FedEx
8 courier. First, on August 4, 2016, the FTC sent the CID by FedEx to a business address in
9 Beverly Hills, California, that was registered with the California Secretary of State. Pet.
10 Exh. 4. FedEx reported, however, that the listed address was vacant when it attempted
11 delivery on August 8, 2016. FedEx returned the CID to the FTC. Pet. Exh. 5.

12
13 10. On August 15, 2016, FedEx delivered the CID to Mr. Negari at his residence
14 in Las Vegas, Nevada. Pet. Exhs. 6, 7. Mr. Negari was then listed by the California
15 Secretary of State as the registered agent of IT Media. Pet. Exh. 4. Neither Mr. Negari
16 nor IT Media responded to the CID or contacted the FTC.

17
18 11. Subsequently, FTC staff learned that IT Media had relocated to Santa
19 Monica, California, and had designated Paracorp as its new agent to receive service of
20 process. Pet. Exhs. 8, 9. On October 26, 2016, the FTC used a FedEx courier to serve the
21 CID on IT Media two additional times by delivering it to IT Media's registered address in
22 Santa Monica, California, and to its agent, Paracorp, at its registered address in
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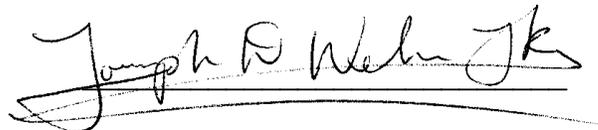
1 Sacramento, California. Pet. Exhs. 10, 11. IT Media did not respond to the CID either by
2 contacting the FTC or by providing the requested materials.

3
4 12. To date, IT Media has not contacted the FTC regarding the CID or filed a
5 petition seeking to limit or quash it, as provided in 16 C.F.R. § 2.10.

6
7 13. IT Media's failure to respond and comply with the CID is impeding the
8 Commission's investigation into whether loan marketers may have engaged in unfair or
9 deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, or the
10 Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*

11
12 I declare under penalty of perjury that the foregoing is true and correct.

13
14 Executed this 22nd day of December 2016.

A handwritten signature in black ink that reads "Joseph D. Weber, Jr." The signature is written in a cursive style and is positioned above a horizontal line.

15
16 Joseph Weber, Jr.

PROOF OF SERVICE

I hereby certify that on December 22, 2016, I caused a true and correct copy of the foregoing Declaration of Joseph Weber, Jr. in Support of Petition to Enforce Civil Investigative Demand to be served by FedEx overnight delivery service on Respondent IT Media, Inc. to the following addresses:

IT Media, Inc.
2800 Olympic Blvd. #1
Santa Monica, CA 90404

IT Media, Inc.
c/o Paracorp, Inc. (registered agent)
2804 Gateway Oaks Drive
Sacramento, CA 95833

/s/ Thomas J. Syta
Thomas J. Syta (CA Bar No. 116286)

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Pet. Exh. 2

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

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NON-PUBLIC
INVESTIGATIONS OF VARIOUS UNNAMED LOAN BROKERS, LENDERS, LOAN
SERVICERS, AND OTHER MARKETERS OF LOANS**

File No. 042 3135

Nature and Scope of Investigation:

To determine whether unnamed persons, partnerships, corporations, or others have engaged or are engaging in deceptive or unfair acts or practices in or affecting commerce in the advertising, marketing, sale, or servicing of loans and related products in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The investigation is also to determine whether various unnamed loan brokers, lenders, loan servicers, and other marketers of loans have engaged or are engaging in acts or practices in violation of the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*. The investigation is also to determine whether Commission action to obtain redress for injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

Authority to Conduct Investigation:

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1; the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*; and FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.*, and supplements thereto.

By direction of the Commission.


April Tabor
Acting Secretary

Issued: January 7, 2014

Pet. Exh. 3



United States of America
Federal Trade Commission

CIVIL INVESTIGATIVE DEMAND

1. TO

IT Media, Inc.
c/o Daniel Negari
8900 W Olympic Blvd Ste 100
Beverly Hills, CA 90211

This demand is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, in the course of an investigation to determine whether there is, has been, or may be a violation of any laws administered by the Federal Trade Commission by conduct, activities or proposed action as described in Item 3.

2. ACTION REQUIRED

You are required to appear and testify.

LOCATION OF HEARING

YOUR APPEARANCE WILL BE BEFORE

DATE AND TIME OF HEARING OR DEPOSITION

You are required to produce all documents described in the attached schedule that are in your possession, custody, or control, and to make them available at your address indicated above for inspection and copying or reproduction at the date and time specified below.

You are required to answer the interrogatories or provide the written report described on the attached schedule. Answer each interrogatory or report separately and fully in writing. Submit your answers or report to the Records Custodian named in Item 4 on or before the date specified below.

DATE AND TIME THE DOCUMENTS MUST BE AVAILABLE

AUG 25 2016

3. SUBJECT OF INVESTIGATION

See Attached Resolution

4. RECORDS CUSTODIAN/DEPUTY RECORDS CUSTODIAN

Joseph Weber/Michael Tankersley
Federal Trade Commission
600 Pennsylvania Ave., NW
Mail Stop: CC-10232
Washington, DC 20580
(202) 326-2533

5. COMMISSION COUNSEL

Michael Tankersley
Federal Trade Commission
600 Pennsylvania Ave., NW
Mail Stop: CC-10232
Washington, DC 20580
(202) 326-2991

DATE ISSUED

8/9/16

COMMISSIONER'S SIGNATURE

INSTRUCTIONS AND NOTICES

The delivery of this demand to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply. The production of documents or the submission of answers and report in response to this demand must be made under a sworn certificate, in the form printed on the second page of this demand, by the person to whom this demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances of such production or responsible for answering each interrogatory or report question. This demand does not require approval by OMB under the Paperwork Reduction Act of 1980.

PETITION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any petition to limit or quash this demand be filed within 20 days after service, or, if the return date is less than 20 days after service, prior to the return date. The original and twelve copies of the petition must be filed with the Secretary of the Federal Trade Commission, and one copy should be sent to the Commission Counsel named in Item 5.

YOUR RIGHTS TO REGULATORY ENFORCEMENT FAIRNESS

The FTC has a longstanding commitment to a fair regulatory enforcement environment. If you are a small business (under Small Business Administration standards), you have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR (1-888-734-3247) or www.sba.gov/ombudsman regarding the fairness of the compliance and enforcement activities of the agency. You should understand, however, that the National Ombudsman cannot change, stop, or delay a federal agency enforcement action.

The FTC strictly forbids retaliatory acts by its employees, and you will not be penalized for expressing a concern about these activities.

TRAVEL EXPENSES

Use the enclosed travel voucher to claim compensation to which you are entitled as a witness for the Commission. The completed travel voucher and this demand should be presented to Commission Counsel for payment. If you are permanently or temporarily living somewhere other than the address on this demand and it would require excessive travel for you to appear, you must get prior approval from Commission Counsel.

A copy of the Commission's Rules of Practice is available online at <http://bit.ly/FTCRulesofPractice>. Paper copies are available upon request.

Form of Certificate of Compliance*

I/We do certify that all of the documents and information required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein.

If a document responsive to this Civil Investigative Demand has not been submitted, the objections to its submission and the reasons for the objection have been stated.

If an interrogatory or a portion of the request has not been fully answered or a portion of the report has not been completed, the objections to such interrogatory or uncompleted portion and the reasons for the objections have been stated.

Signature _____

Title _____

Sworn to before me this day

Notary Public

*In the event that more than one person is responsible for complying with this demand, the certificate shall identify the documents for which each certifying individual was responsible. In place of a sworn statement, the above certificate of compliance may be supported by an unsworn declaration as provided for by 28 U.S.C. § 1746.

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

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NON-PUBLIC
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The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation for a period not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

Authority to Conduct Investigation:

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1; the Consumer Credit Protection Act, 15 U.S.C. § 1601 *et seq.*; and FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.*, and supplements thereto.

By direction of the Commission.


April Tabor
Acting Secretary

Issued: January 7, 2014

**CIVIL INVESTIGATIVE DEMAND
SCHEDULE FOR PRODUCTION OF DOCUMENTS AND ANSWERS
TO WRITTEN INTERROGATORIES**

I. DEFINITIONS

As used in this Civil Investigative Demand, the following definitions shall apply:

- A. **“And,”** as well as **“or,”** shall be construed both conjunctively and disjunctively, as necessary, in order to bring within the scope of any specification in this Schedule all information that otherwise might be construed to be outside the scope of the specification.
- B. **“Any”** shall be construed to include **“all,”** and **“all”** shall be construed to include the word **“any.”**
- C. **“Blue Global Media”** shall mean Blue Global, LLC, Acquisition Media, LLC, and wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- D. **“CID”** shall mean the Civil Investigative Demand, including the attached Resolution and this Schedule, and including the Definitions, Instructions, and Specifications.
- E. **“Company”** shall mean **IT Media, Inc.**, its wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, members, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- F. **“Document”** shall mean the complete original and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any written, typed, printed, transcribed, filmed, punched, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated or made, including but not limited to any advertisement, book, pamphlet, periodical, contract, correspondence, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, code book or label. **“Document” shall also include all documents, materials, and information, including Electronically Stored Information, within the meaning of the Federal Rules of Civil Procedure.**
- G. **“Each”** shall be construed to include **“every,”** and **“every”** shall be construed to include **“each.”**
- H. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after

translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, PDAs, computer tablets, or other mobile devices; or other storage media.

I. **“FTC” or “Commission”** shall mean the Federal Trade Commission.

J. **“General LLC”** shall mean General LLC, and wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.

K. **“Identify” or “the identity of”** shall be construed to require identification of (a) natural persons by name, title, present business affiliation, present business address and telephone number, or if a present business affiliation or present business address is not known, the last known business and home addresses; and (b) businesses or other organizations by name, address, websites, identities of natural persons who are officers, directors or managers of the business or organization, and contact persons, where applicable.

L. **“Lead”** shall mean any set of information about a consumer that (i) identifies a consumer seeking, inquiring about, expressing an interest in, applying or attempting to apply for a credit report or loan, including, but not limited to, a payday loan, installment loan or cash advance; or (ii) includes the consumer’s social security number or financial account number, such as a bank account, credit card, or debit card number.

M. **“Lead Sales Agreement”** shall mean an agreement, contract, or understanding, formal or informal, between two or more entities to sell, purchase or exchange Leads and includes (i) a communication that supplements or amends the price, conditions or other terms of such an agreement; (ii) an agreement to make Leads available for examination, inspection or evaluation; and (iii) an agreement to share rights to use, market or re-market Leads.

N. **“Lender”** shall mean a person who engages in the business of lending money to consumers.

O. **“Lead-Qualification Criteria”** shall mean income, residence, employment, loan amount or other criteria that a Lead buyer specifies as necessary for a Lead to be eligible for purchase.

P. **“Media LLC”** shall mean Media LLC, and wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and all directors, officers, employees, agents, consultants, and other persons working for or on behalf of the foregoing.

Q. **“Person”** shall mean any individual, group, unincorporated association, limited or general partnership, corporation or other business entity.

R. “Referring to” or “relating to” shall mean discussing, describing, reflecting, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.

S. “Received” shall mean obtaining access to all or part of the information in a Lead by any means of transmission for any purpose, including evaluation, marketing, offering goods or services, or sale or distribution of the Leads as part of an affiliate or advertising relationship.

T. “You” and “Your” shall mean the Person to whom this CID is issued and includes the Company.

II. INSTRUCTIONS

A. **Sharing of Information:** The Commission often makes its files available to other civil and criminal federal, state, local, or foreign law enforcement agencies. The Commission may make information supplied by you available to such agencies where appropriate pursuant to the Federal Trade Commission Act and 16 C.F.R. § 4.11 (c) and (j). Information you provide may be used in any federal, state, or foreign civil or criminal proceeding by the Commission or other agencies.

B. **Meet and Confer:** You must contact **Michael Tankersley** at (202) 326-2991 as soon as possible to schedule a meeting (telephonic or in person) to be held within fourteen (14) days after receipt of this CID, or before the deadline for filing a petition to quash, whichever is first, in order to discuss compliance and to address and attempt to resolve all issues, including issues relating to protected status and the form and manner in which claims of protected status will be asserted, and the submission of ESI and other electronic productions as described in these Instructions. Pursuant to 16 C.F.R. § 2.7(k), you must make available personnel with the knowledge necessary for resolution of the issues relevant to compliance with this CID, including but not limited to personnel with knowledge about your information or records management systems, relevant materials such as organizational charts, and samples of material required to be produced. If any issues relate to ESI, you must make available a person familiar with your ESI systems and methods of retrieval.

C. **Claims of Privilege:** If any material called for by this CID is withheld based on a claim of privilege, work product protection, or statutory exemption, or any similar claim (*see* 16 C.F.R. § 2.7(a)(4)), the claim must be asserted no later than the return date of this CID. In addition, pursuant to 16 C.F.R. § 2.11(a)(1), submit, together with the claim, a detailed log of the items withheld. The information in the log shall be of sufficient detail to enable the Commission staff to assess the validity of the claim for each document, including attachments, without disclosing the protected information. Submit the log in a searchable electronic format, and, for each document, including attachments, provide:

1. Document control number(s);
2. The full title (if the withheld material is a document) and the full file name (if the withheld material is in electronic form);

3. A description of the material withheld (for example, a letter, memorandum, or email), including any attachments;
4. The date the material was created;
5. The date the material was sent to each recipient (if different from the date the material was created);
6. The email addresses, if any, or other electronic contact information to the extent used in the document, from which and to which each document was sent;
7. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all authors;
8. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all recipients of the material;
9. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all persons copied on the material;
10. The factual basis supporting the claim that the material is protected; and
11. Any other pertinent information necessary to support the assertion of protected status by operation of law.

16 C.F.R. § 2.11(a)(1)(i)-(xi).

In the log, identify by an asterisk each attorney who is an author, recipient, or person copied on the material. The titles, business addresses, email addresses, and relevant affiliations of all authors, recipients, and persons copied on the material may be provided in a legend appended to the log. However, provide in the log the information required by Instruction C.6. 16 C.F.R. § 2.11(a)(2). The lead attorney or attorney responsible for supervising the review of the material and who made the determination to assert the claim of protected status must attest to the log. 16 C.F.R. § 2.11(a)(1).

If only some portion of any responsive material is privileged, all non-privileged portions of the material must be submitted. Otherwise, produce all responsive information and material without redaction. 16 C.F.R. § 2.11(c). The failure to provide information sufficient to support a claim of protected status may result in denial of the claim. 16 C.F.R. § 2.11(a)(1).

D. Document Retention: You shall retain all documentary materials used in the preparation of responses to the specifications of this CID. The Commission may require the submission of additional documents at a later time during this investigation. **Accordingly, you should suspend any routine procedures for document destruction and take other measures to prevent the destruction of documents** that are in any way relevant to this investigation during its pendency, irrespective of whether you believe such documents are protected from discovery by privilege or otherwise. *See* 15 U.S.C. § 50; *see also* 18 U.S.C. §§ 1505, 1519.

E. **Petitions to Limit or Quash:** Any petition to limit or quash this CID must be filed with the Secretary of the Commission no later than twenty (20) days after service of the CID, or, if the return date is less than twenty (20) days after service, prior to the return date. Such petition shall set forth all assertions of protected status or other factual and legal objections to the CID, including all appropriate arguments, affidavits, and other supporting documentation. 16 C.F.R. § 2.10(a)(1). Such petition shall not exceed 5,000 words as set forth in 16 C.F.R. § 2.10(a)(1) and must include the signed separate statement of counsel required by 16 C.F.R. § 2.10(a)(2). **The Commission will not consider petitions to quash or limit absent a pre-filing meet and confer session with Commission staff and, absent extraordinary circumstances, will consider only issues raised during the meet and confer process. 16 C.F.R. § 2.7(k); see also § 2.11(b).**

F. **Modification of Specifications:** If you believe that the scope of the required search or response for any specification can be narrowed consistent with the Commission's need for documents or information, you are encouraged to discuss such possible modifications, including any modifications of definitions and instructions, with **Michael Tankersley** at (202) 326-2991. All such modifications must be agreed to in writing by the Bureau Director, or a Deputy Bureau Director, Associate Director, Regional Director, or Assistant Regional Director. 16 C.F.R. § 2.7(l).

G. **Certification:** You, a responsible corporate officer, or a duly authorized manager of the Company shall certify that the response to this CID is complete. This certification shall be made in the form set out on the back of the CID form, or by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746.

H. **Scope of Search:** This CID covers documents and information in your possession or under your actual or constructive custody or control including, but not limited to, documents and information in the possession, custody, or control of your attorneys, accountants, directors, officers, employees, and other agents and consultants, whether or not such documents and information were received from or disseminated to any person or entity.

I. **Document Production:** You shall produce the documentary material by making all responsive documents available for inspection and copying at your principal place of business. Alternatively, you may elect to send all responsive documents to **Joseph Weber**, Federal Trade Commission, 600 Pennsylvania Avenue, NW CC-10232, Washington, DC 20850. Because postal delivery to the Commission is subject to delay due to heightened security precautions, please use a courier service such as Federal Express or UPS. Notice of your intended method of production shall be given by email or telephone to **Joseph Weber**, (202) 326-2533, jweber@ftc.gov at least five days prior to the return date.

J. **Document Identification:** Documents that may be responsive to more than one specification of this CID need not be submitted more than once; however, your response should indicate, for each document submitted, each specification to which the document is responsive. If any documents responsive to this CID have been previously supplied to the Commission, you may comply with this CID by identifying the document(s) previously provided and the date of submission. Documents should be produced in the order in which they appear in your files or as electronically stored and without being manipulated or otherwise rearranged; if documents are

removed from their original folders, binders, covers, containers, or electronic source in order to be produced, then the documents shall be identified in a manner so as to clearly specify the folder, binder, cover, container, or electronic media or file paths from which such documents came. In addition, number all documents in your submission with a unique identifier, and indicate the total number of documents in your submission.

K. Production of Copies: Unless otherwise stated, legible photocopies (or electronically rendered images or digital copies of native electronic files) may be submitted in lieu of original documents, provided that the originals are retained in their state at the time of receipt of this CID. Further, copies of originals may be submitted in lieu of originals only if they are true, correct, and complete copies of the original documents; provided, however, that submission of a copy shall constitute a waiver of any claim as to the authenticity of the copy should it be necessary to introduce such copy into evidence in any Commission proceeding or court of law; and provided further that you shall retain the original documents and produce them to Commission staff upon request. Copies of marketing materials and advertisements shall be produced in color, and copies of other materials shall be produced in color if necessary to interpret them or render them intelligible.

L. Electronic Submission of Documents: See the attached “Federal Trade Commission, Bureau of Consumer Protection ZyLab Production Requirements,” which details all requirements for submission of information, generally requiring that files be produced in native form and specifying the metadata to be produced. As noted in the attachment, some items require discussion with the FTC counsel **prior to** production, which can be part of the general “Meet and Confer” described above. If you would like to arrange a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval, make those arrangements with FTC counsel when scheduling the general meet and confer discussion.

M. Sensitive Personally Identifiable Information: If any material called for by these requests contains sensitive personally identifiable information or sensitive health information of any individual, please contact us before sending those materials to discuss ways to protect such information during production. If that information will not be redacted, contact us to discuss encrypting any electronic copies of such material with encryption software such as SecureZip and provide the encryption key in a separate communication.

For purposes of these requests, sensitive personally identifiable information includes: an individual’s Social Security number alone; or an individual’s name or address or phone number in combination with one or more of the following: date of birth; Social Security number; driver’s license number or other state identification number or a foreign country equivalent; passport number; financial account number; credit card number; or debit card number. Sensitive health information includes medical records and other individually identifiable health information relating to the past, present, or future physical or mental health or conditions of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

N. **Information Identification:** Each specification and subspecification of this CID shall be answered separately and fully in writing under oath. All information submitted shall be clearly and precisely identified as to the specification(s) or subspecification(s) to which it is responsive.

O. **Certification of Records of Regularly Conducted Activity:** Attached is a Certification of Records of Regularly Conducted Activity, which may reduce the need to subpoena the Company to testify at future proceedings in order to establish the admissibility of documents produced in response to this CID. You are asked to execute this Certification and provide it with your response.

III. INTERROGATORIES

Provide answers to each specification and subspecification below, separately and fully in writing and under oath. Unless otherwise specified, these interrogatories request responses for activities during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. Provide the following information about the Company:
 - a. the date it was formed, incorporated, or organized;
 - b. its name at the time it was formed, incorporated, or organized;
 - c. all changes to its name or its place of incorporation since it was formed, incorporated or organized;
 - d. its place(s) of business;
 - e. each business or trade name that the Company has used;
 - f. each Internet domain that the Company has operated;
 - g. describe the goods and services offered by the Company since August 1, 2012, and specify when any changes occurred in the Company's offerings during this period;
 - h. identify any subsidiaries or parent business entities; and
 - i. identify all owners of the Company and for each owner state the portion(s) of ownership interest held by each owner and the period during which this interest was held.
2. Describe the Company's relationship with Media LLC, including the following information:
 - a. describe the services, if any, provided by the Company and the compensation paid for those services;

- b. the dates or period during which the Company had a relationship with Media LLC;
 - c. each business or trade name used in connection with this relationship;
 - d. each Internet domain used in connection with this relationship; and
 - e. identify the officers or agents of the Company and Media LLC that were principally involved in negotiating and/or managing this relationship.
3. Describe the Company's relationship with General LLC, including the following information:
 - a. describe the services, if any, provided by the Company and the compensation paid for those services;
 - b. the dates or period during which the Company had a relationship with General LLC;
 - c. each business or trade name used in connection with this relationship;
 - d. each Internet domain used in connection with this relationship; and
 - e. identify the officers or agents of the Company and General LLC that were principally involved in negotiating and/or managing this relationship.
4. Identify the officers or managers responsible for the following and the period during which each individual was responsible for these matters:
 - a. negotiating or approving agreements with General LLC;
 - b. negotiating or approving agreements with Media LLC;
 - c. negotiating or approving agreements with Blue Global Media;
 - d. conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
 - e. ascertaining whether potential Lead buyers make and are qualified to make loans;
 - f. matching Leads with potential Lead buyers;
 - g. Your policies, practices, or procedures for data security; and
 - h. evaluating and monitoring the use of Leads, including policies, practices, or procedures for data security and consumer opt-out requests.

5. For any calendar year in which you obtained Leads from Blue Global Media on your own behalf or on behalf of any other entity, including General LLC and Media, LLC, provide the following information for each entity separately for calendar years 2012, 2013, 2014, and 2015:
 - a. the name of the entity on behalf of which Leads were obtained;
 - b. the first and last dates that Leads were obtained in each year;
 - c. the number of Leads obtained;
 - d. the amount paid for the Leads obtained;
 - e. the price(s) paid for each Lead; and
 - f. if Leads were assigned to different price tiers, describe each price tier.

6. Identify each Person that may have received the Leads described in Interrogatory 5 (or, if the Persons that may have received the Leads are not otherwise identifiable, identify each Person that received Leads from any set of Leads that included Leads obtained from Blue Global Media on your own behalf or on behalf of any other entity, including General LLC and Media, LLC) and for each Person state:
 - a. the period during which the Person may have received the leads;
 - b. the identity of any entity that had entered into an agreement to provide Leads to this Person;
 - c. whether the Person is or was a Lender or an agent or representative of a Lender, and, if an agent or representative, identify the Lender;
 - d. if the Person is not a Lender or Lender's agent, state whether the Person markets other goods or services and describe the goods or services;
 - e. how leads were transmitted to the Person;
 - f. how the Person used the Leads;
 - g. the categories of information provided to this Person in each Lead;
 - h. the Person's practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers;
 - i. the Bates range of all Lead Sales Agreements related to the Person (*see* Request for Production 7);

- j. the Bates range of documents that show any Lead-Qualification Criteria for this Person, and the period(s) during which the Lead-Qualification Criteria applied (*see* Request for Production 7); and
 - k. the Bates range of documents that show the goods or services provided by the Person (*see* Request for Production 8).
7. For each Person identified in Interrogatory 6, provide the following information separately for calendar years 2012, 2013, 2014, and 2015:
- a. the number of Leads the Person received;
 - b. the amount of any payment made by the Person for the Leads;
 - c. the price(s) that the Person agreed to pay for each Lead; and
 - d. the number of consumers that received a loan from the Person as a result of a Lead You transferred to the Person.
8. Describe each of Your methods, practices, policies, or procedures for securing, storing, transmitting and disposing of Leads, including social security numbers and account numbers, and include in your response:
- a. when the method, practice, policy, or procedure was in effect;
 - b. any changes to the particular method, practice, policy, or procedure;
 - c. the identity of individuals responsible for implementing or conducting the method, practice, policy, or procedure;
 - d. the identity of any Person that provides services to the Company for these purposes;
 - e. an account of any breach or failure of the Company's security measures; and
 - f. the Bates numbers of any documents relating to the method, practice, policy or procedure described (*see* Request for Production 11.h).
9. Describe any federal, state, or local law enforcement or governmental actions, inquiries, investigations, proceedings, or subpoenas (collectively "actions") relating to the use of Leads by You or by Persons to whom you transferred Leads. For each action, describe:
- a. the nature of the action;
 - b. the parties involved;
 - c. the case number, jurisdiction, and any other identifying information about the case;

- d. the date it was filed; and
 - e. the status of the action, including the date and resolution of the action, if applicable.
10. Describe any private suit that was filed by or against You, including arbitration, relating to any actual, alleged, or potential violation of any consumer protection laws, rules, or regulations in the storage, handling or transfer of Leads. For each lawsuit, describe:
- a. the nature of the suit;
 - b. the parties involved;
 - c. the case number, jurisdiction, and any other identifying information about the case;
 - d. the date it was filed; and
 - e. the status of the suit, including the date and resolution of the suit, if applicable.
11. Describe each instance in which You formally or informally have complained to any Lead buyer, or limited or terminated Your business with a Lead buyer, because You concluded or someone reported that the Lead buyer violated formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security. In addition to identifying the Lead buyer involved in the complaint or action, Your response should state:
- a. the reason(s) for the actions taken;
 - b. when the You took action;
 - c. the nature of the action You took;
 - d. the individuals who participated in the action; and
 - e. the Bates range of any documents relevant to this Interrogatory produced in response to any Request for Production.
12. Identify the individuals that provided information for Your responses to each of the Interrogatories above.

IV. REQUESTS FOR PRODUCTION OF DOCUMENTS

Produce the documents described below, including in your production all documents that were created, in use or in effect during any part of the period from **August 1, 2012**, until the date of full and complete compliance with this CID.

1. All contracts with Blue Global, General LLC, and Media LLC, including services agreements, sales agreements, insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
2. Documents relating to communications about modifying, amending or adding addenda to any agreement responsive to Request 1.
3. Documents that offer to sell Leads that were or may have been obtained from Blue Global Media, including offers made on behalf of, or to sell Leads acquired by, General LLC, or Media LLC.
4. Documents that describe Leads offered by Blue Global Media or describe the process used by Blue Global Media to offer, market, transmit or sell Leads.
5. Documents relating to the monitoring or evaluation of Blue Global Media's advertising or methods of securing Leads.
6. Documents showing the advertising, representations or terms presented by Blue Global Media to secure Leads.
7. All Lead Sales Agreements that relate to the transfer of Leads to Persons identified in response to Interrogatory 6, including insertion orders, pricing documents, Lead-Qualification Criteria and agreements concerning data security and confidentiality of Leads.
8. Documents showing what goods or services are provided by Persons identified in Interrogatory 6.
9. If you acted or act as agent for any Lender in connection with Leads that were or may have been obtained from Blue Global Media, produce the agreement(s) that set forth Your business arrangement(s) with such Lender(s).
10. Any summaries or analyses of the characteristics, pricing or sales of Leads received by Persons identified in Interrogatory 6, including any summaries for a buyer or group of buyers, specific Websites, or categories of consumers.
11. Documents (including policies, manuals or training material) that describe the Company's method(s) for
 - a. the marketing, sale or transfer of Leads;

- b. evaluating the characteristics of Leads;
 - c. determining the sequence or order in which Leads are offered to potential buyers, and for selecting between competing buyers for a Lead.
 - d. matching Leads with Lenders;
 - e. matching Leads with Lead buyers that are not Lenders;
 - f. evaluating current or potential Lead buyers, including conducting background checks, onboarding inquiries, or other investigations of potential Lead buyers;
 - g. monitoring Lead buyers; and
 - h. restricting disclosure of Leads, including any restrictions that specifically address financial account numbers and consumer opt-out requests.
12. Documents that describe the practices, policies, or procedures of Persons identified in Interrogatory 6 use to secure, store, transmit and dispose of Leads, including any practices, policies or procedures that specifically address financial account numbers and consumer opt-out requests.
13. All agreements relating to encryption or other security measures used to maintain the security of social security or financial account numbers in Leads.
14. Documents reporting or describing any breach of security related to Leads that You received, transferred or sold.
15. All documents relating to any complaint concerning the security, handling, or use of Leads (i) by You; (ii) by General LLC; (iii) by Media LLC; or (iv) by any Persons identified in Interrogatory 6.
16. All documents relating to any report that You or any Person to whom You transferred Leads violated Your formal or informal policies, or any federal laws, rules, or regulations relating to consumer protection or data security.
17. Organizational charts for the Company, or that describe the Company's relationship to other business entities.
18. Documents sufficient to show Your document retention or destruction policies.

Federal Trade Commission, Bureau of Consumer Protection
ZyLab Production Requirements

Submit all documents according to the instructions, below. Some instructions require **discussion with FTC counsel prior to production**, which can be part of a general “Meet and Confer” between the parties or a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval.

Types of Files

1. Native or Near-Native Files
 - a. Whenever possible, produce responsive ESI in its native form; that is, in the form in which the information was customarily created, used and stored by the native application employed by the producing party in the ordinary course of business (i.e., .doc, .xls, .ppt, .pdf).
 - b. If production of an ESI item in its native form is infeasible, it may be produced in a near-native form (i.e., there is not a material loss of content, structure or functionality as compared to the native form) that the FTC agrees to prior to production.
 - c. Native files containing embedded files must have those files extracted, produced in their native form in accordance with #1.a., and have the parent/child relationship identified in the accompanying production metadata.
2. Databases
 - a. Microsoft Access databases may be produced in either .mdb or .accdb format.
 - b. Discuss all other database formats with the FTC prior to production.
3. Multimedia
 - a. Multimedia files (i.e., audio, video) may be produced in .mp3 or .mp4 formats.
 - b. Discuss production of multimedia (i.e., audio, video) in other file formats with the FTC prior to production.
4. Discuss production of instant messages, CRM, proprietary applications, and any other type of ESI not specifically referenced in #1, 2, or 3 with the FTC prior to production.
5. Hard Copy Documents
 - a. Scan in an electronic format documents stored in hard copy in the ordinary course of business.
 - b. Produce scanned documents as 300 DPI individual multi-page PDFs per document. For marketing materials and where necessary to interpret documents or render them intelligible, submit documents in color.
 - c. Produce scanned documents with embedded searchable text.
 - d. Produce hard copy documents in the order in which they appear in your files and without being manipulated or otherwise rearranged.

- e. Treat documents kept in folders or binders as family members. Scan the cover of a binder or folder separately and have it serve as the parent document. Scan each document within a folder or binder as an individual document and have it serve as a child to the parent folder or binder.

6. Redacted Documents

- a. Produce ESI requiring redaction in a near native searchable PDF format.
- b. Produce redacted documents as individual multi-page PDFs per document.
- c. Produce redacted documents with embedded searchable text.
- d. If hard copy documents require redaction, follow all requirements laid out in #5.

De-duplication, Email Threading, and Passwords

7. De-duplication

- a. De-duplication based on MD5 or SHA-1 hash value may be conducted within a custodian's set of files without FTC approval so long as the FTC is notified of the intent to de-duplicate prior to production.
- b. Discuss de-duplication of any other scope or means with the FTC prior to production.

8. Use of email threading software must be discussed with the FTC prior to production.

9. For password protected files, remove their passwords prior to production. If password removal is not possible, provide a cross reference file including original filename, production filename, and the respective password.

Production Metadata

10. Family Relationships: Regardless of form of production, preserve the parent/child relationship in all files as follows:

- a. Produce attachments as separate documents and number them consecutively to the parent file.
- b. Complete the ParentID metadata field for each attachment.

11. Document Numbering and File Naming

- a. Each document must have a unique document identifier ("DOCID") consisting of a prefix and 7-digit number (e.g., ABC0000001) as follows:
 - i. The prefix of the filename must reflect a unique alphanumeric designation, not to exceed seven (7) characters identifying the producing party. This prefix must remain consistent across all productions.
 - ii. The next seven (7) digits must be a unique, consecutive numeric value assigned to the item by the producing party. Pad this value with leading zeroes as needed to preserve its 7-digit length.
 - iii. Do not use a space to separate the prefix from numbers.
- b. Name each native or near native file with its corresponding DOCID number and appropriate file extension (e.g., ABC0000001.doc).

12. Load File Format

- a. Produce metadata in a delimited text file (.DAT) for each item included in the production. The first line of the delimited text file must contain the field names. Each subsequent line must contain the metadata for each produced document.
- b. Use these delimiters in the delimited data load file:

Description	Symbol	ASCII Code
Field Separator	¶	020
Quote Character	␣	254
New Line	®	174
Multiple Field Entries	;	059

13. The following chart describes the required metadata for native, scanned, and redacted documents. If you want to submit additional metadata, discuss with the FTC prior to production.

Production Metadata				
Field Name	Native	Scanned	Redacted	Format
DOCID	Y	Y	Y	Alphanumeric (<i>see #11 above</i>)
PARENTID	Y	Y	Y	Alphanumeric
NATIVELINK	Y	Y	Y	Alphanumeric
CUSTODIAN	Y	Y	Y	Alphanumeric
RESPSPEC	Y	Y	Y	Alphanumeric (question # record responds to)
ORIGFILENAME	Y	Y	Y	Alphanumeric
SOURCE	Y	Y	Y	Alphanumeric
SOURCEFILEPATH	Y	Y	Y	Alphanumeric
ORIGPATH	Y	Y	Y	Alphanumeric
CONFIDENTIAL	Y	Y	Y	Boolean - Y/N
HASH	Y	Y	Y	Alphanumeric
From	Y	Y	Y	Alphanumeric
To	Y	Y	Y	Alphanumeric
CC	Y	Y	Y	Alphanumeric
BCC	Y	Y	Y	Alphanumeric
EmailSubject	Y	Y	Y	Alphanumeric
DateSent	Y	Y	Y	MM/DD/YYYY HH:MM:SS AM/PM
DateRcvd	Y	Y	Y	MM/DD/YYYY HH:MM:SS AM/PM
Author	Y	Y	Y	Alphanumeric
Subject	Y	Y	Y	Alphanumeric
DateCreated	Y	Y	Y	MM/DD/YYYY HH:MM:SS AM/PM
DateLastMod	Y	Y	Y	MM/DD/YYYY HH:MM:SS AM/PM

Production Media

14. Prior to production, scan all media and data contained therein for viruses and confirm the media and data is virus free.
15. For productions smaller than 50 GB, the FTC can accept electronic file transfer via FTC-hosted secure file transfer protocol. Contact the FTC to request this option. The FTC cannot accept files via Dropbox, Google Drive, or other third-party file transfer sites.
16. Use the least amount of media necessary for productions. Acceptable media formats are optical discs (CD, DVD), flash drives, and hard drives. Format all media for use with Windows 7.
17. Data encryption tools may be employed to protect privileged or other personal or private information. Discuss encryption formats with the FTC prior to production. Provide encryption passwords in advance of delivery, under separate cover.
18. Mark the exterior of all packages containing electronic media sent through the U.S. Postal Service or other delivery services as follows:

**MAGNETIC MEDIA – DO NOT X-RAY
MAY BE OPENED FOR POSTAL INSPECTION.**

19. Provide a production transmittal letter with all productions which includes:
 - a. A unique production number (e.g., Volume I).
 - b. Date of production.
 - c. The numeric range of documents included in the production.
 - d. The number of documents included in the production.

CERTIFICATION OF RECORDS OF REGULARLY CONDUCTED ACTIVITY

Pursuant to 28 U.S.C. § 1746

1. I, _____, have personal knowledge of the facts set forth below and am competent to testify as follows:
2. I have authority to certify the authenticity of the records produced by **IT Media, Inc.**, and attached hereto.
3. The documents produced and attached hereto by **IT Media, Inc.**, are originals or true copies of records of regularly conducted activity that:
 - a) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
 - b) Were kept in the course of the regularly conducted activity of **IT Media, Inc.**, and
 - c) Were made by the regularly conducted activity as a regular practice of **IT Media, Inc.**

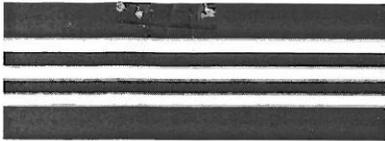
I certify under penalty of perjury that the foregoing is true and correct.

Executed on _____

Signature

Certification

Pet. Exh. 4



**State of California
Secretary of State**



**E-720439
FILED**

**STATEMENT OF INFORMATION
(Domestic Stock and Agricultural Cooperative Corporations)**

In the office of the Secretary of State of the State of California

FEES (Filing and Disclosure): \$25.00. If amendment, see instructions.

Mar - 16 2009

IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

This Space For Filing Use Only

1. **CORPORATE NAME** (Please do not alter if name is preprinted.)

C3139843
IT MEDIA, INC.

S

DUE DATE:

COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate the name of the city. Items 2 and 3 cannot be P.O. Boxes.)

2. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS CA 90211			
3. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS CA 90211			
4. MAILING ADDRESS OF THE CORPORATION, IF DIFFERENT THAN ITEM 2	CITY	STATE	ZIP CODE

NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS (The corporation must have these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

5. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
DANIEL NEGARI	8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS, CA 90211			
6. SECRETARY/	ADDRESS	CITY	STATE	ZIP CODE
MICHAEL AMBROSE	77 DEACON DR MERCERVILLE, NJ 08619			
7. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
DANIEL NEGARI	8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS CA 90211			

NAMES AND COMPLETE ADDRESSES OF ALL DIRECTORS, INCLUDING DIRECTORS WHO ARE ALSO OFFICERS (The corporation must have at least one director. Attach additional pages, if necessary.)

8. NAME	ADDRESS	CITY	STATE	ZIP CODE
DANIEL NEGARI	8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS, CA 90211			
9. NAME	ADDRESS	CITY	STATE	ZIP CODE
MICHAEL AMBROSE	77 DEACON DR MERCERVILLE, NJ 08619			
10. NAME	ADDRESS	CITY	STATE	ZIP CODE

11. NUMBER OF VACANCIES ON THE BOARD OF DIRECTIONS, IF ANY:

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California street address (a P.O.Box address is not acceptable). If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 13 must be left blank.)

12. NAME OF AGENT FOR SERVICE OF PROCESS

DANIEL NEGARI

13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE
8900 W OLYMPIC BLVD STE 100 BEVERLY HILLS, CA 90211

TYPE OF BUSINESS

14. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

NEW MEDIA

15. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

03/16/2009

DANIEL NEGARI

PRESIDENT

DATE

TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM

TITLE

SIGNATURE



**State of California
Secretary of State**

S

Statement of Information

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

EU68126

FILED

In the office of the Secretary of State
of the State of California

OCT-19 2013

1. CORPORATE NAME

IT MEDIA, INC.

2. CALIFORNIA CORPORATE NUMBER

C3139843

This Space for Filing Use Only

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME	ADDRESS	CITY	STATE	ZIP CODE
11. NAME	ADDRESS	CITY	STATE	ZIP CODE
12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY:

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

10/19/2013 DANIEL NEGARI CEO

DATE TYPE/PRINT NAME OF PERSON COMPLETING FORM TITLE SIGNATURE



I hereby certify that the foregoing transcript of 2 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

AUG - 4 2016

Date: _____

Alex Padilla

ALEX PADILLA, Secretary of State

Am

Pet. Exh. 5



VIA EMAIL

mbergman@ftc.gov

December 12, 2016

Michael Bergman
600 Pennsylvania Ave. NW
Washington, DC 20580

RE: Package Tracking Number 776922804743

Dear Mr. Bergman:

I am writing in regard to the problem encountered with an August 4, 2016 shipment to IT Media, Inc., in Beverly Hills, CA.

Our records indicate this shipment was sent via FedEx 2Day Envelope, for delivery by 4:30 p.m. on August 8. However, the recipient address of 8900 West Olympic Boulevard, Suite 100 was found to be vacant at 3:46 p.m. on August 8. The shipment was returned to you on package tracking number 776922804743, and was delivered at 9:12 a.m. on August 11.

We regret the difficulties caused when delivery failed to occur as anticipated. If you would like to inquire further regarding this shipment, please contact our customer service at 1-800-Go-FedEx (463-3339), in reference to control number 1208654662.

I hope this letter serves to establish your on-time delivery efforts, and that we will have an opportunity in the future to serve you more satisfactorily.

Respectfully,

A handwritten signature in black ink, appearing to read "Clay Smith".

Clay Smith
Customer Relations Department

cs/650199

Pet. Exh. 6

GENERAL INFORMATION	
PARCEL NO.	162-16-115-388
OWNER AND MAILING ADDRESS	NEGARI DANIEL 2000 FASHION SHOW DR #2922 LAS VEGAS NV 89109-1997
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	2000 FASHION SHOW DR 2922 PARADISE
ASSESSOR DESCRIPTION	TRUMP INTL HOTEL & TOWER- LAS VEGAS PLAT BOOK 139 PAGE 56 UNIT 2922 FLOOR 29
RECORDED DOCUMENT NO.	* 20120309:02099
RECORDED DATE	Mar 9 2012
VESTING	NS
COMMENTS	C-20120504:1982

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE	
TAX DISTRICT	470
APPRAISAL YEAR	2015
FISCAL YEAR	2016-17
SUPPLEMENTAL IMPROVEMENT VALUE	0
SUPPLEMENTAL IMPROVEMENT ACCOUNT NUMBER	N/A

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2015-16	2016-17
LAND	54635	54635
IMPROVEMENTS	82126	82222
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	136761	136857

TAXABLE LAND+IMP (SUBTOTAL)	390746	391020
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	136761	136857
TOTAL TAXABLE VALUE	390746	391020

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.00 Acres
ORIGINAL CONST. YEAR	2006
LAST SALE PRICE MONTH/YEAR	263500 3/2012
LAND USE	170 - Condominium
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
1ST FLOOR SQ. FT.	974	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	NO
3RD FLOOR SQ. FT.	0	STYLE	Condo/1 Story Multi-Family	SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	1	TYPE OF CONSTRUCTION	
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	2 FULL	ROOF TYPE	Built-Up
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

Pet. Exh. 7

My Profile | Support | Locations | English Search or tracking number Subr



Shipping | Tracking | Manage | Learn | FedEx Office®

Linda Hall

IMPORTANT!

Flooding is causing hazardous conditions in Louisiana. Learn More

FedEx® Tracking

776970893471

Ship date:
Thu 8/11/2016

Actual delivery:
Mon 8/15/2016 9:37 am

Delivered
Signed for by: G. ATILANO

Federal Trade Commission
Linda Hall
400 7th Street SW
Washington, DC US 20024
202 326-3450

c/o agent Daniel Negari
IT Media, Inc.
Unit 2922
2000 North Fashion Show Dr.
LAS VEGAS, NV US 89109
202 326-3450

Travel History

Date/Time	Activity	Location
8/15/2016 - Monday		
9:37 am	Delivered	LAS VEGAS, NV
8:34 am	On FedEx vehicle for delivery	LAS VEGAS, NV
7:35 am	At local FedEx facility	LAS VEGAS, NV
8/13/2016 - Saturday		
8:06 am	At local FedEx facility	LAS VEGAS, NV
8:06 am	At local FedEx facility	LAS VEGAS, NV
	Package not due for delivery	
5:47 am	At destination sort facility	LAS VEGAS, NV
4:39 am	Departed FedEx location	MEMPHIS, TN
8/12/2016 - Friday		
7:49 am	Arrived at FedEx location	MEMPHIS, TN
8/11/2016 - Thursday		
7:07 pm	Picked up	WASHINGTON, DC
10:18 am	Shipment information sent to FedEx	

Shipment Facts

Tracking number	776970893471	Service	FedEx 2Day
Weight	0.5 lbs / 0.23 kgs	Signature services	Direct signature required
Delivery attempts	1	Delivered To	Shipping/Receiving
Total pieces	1	Total shipment weight	0.5 lbs / 0.23 kgs
Terms	Not Available	Purchase order number	0612
Shipper reference	583538/1523225	Packaging	FedEx Envelope
Special handling section	Deliver Weekday, Direct Signature Required	Standard transit	8/15/2016 by 4:30 pm



Search or tracking number Subr

Customer Focus

New Customer Center
 Small Business Center
 Service Guide
 Customer Support

Company Information

About FedEx
 Careers
 Investor Relations
 Subscribe to FedEx email

Featured Services

FedEx Delivery Manager
 FedEx SameDay
 FedEx Home Delivery
 FedEx TechConnect
 Healthcare Solutions
 Online Retail Solutions
 Packaging Services
 Ancillary Clearance Services

Other Resources

FedEx Compatible
 Developer Resource Center
 FedEx Ship Manager Software
 FedEx Mobile

Companies

FedEx Express
 FedEx Ground
 FedEx Office
 FedEx Freight
 FedEx Custom Critical
 FedEx Trade Networks
 FedEx CrossBorder
 FedEx SupplyChain

Follow FedEx

United States - English

Pet. Exh. 8

16-630141

State of California
Secretary of State

Statement of Information
(Domestic Stock and Agricultural Cooperative Corporations)
FEES (Filing and Disclosure): \$25.00.
If this is an amendment, see instructions.

IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

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A

FILED
Secretary of State
State of California
SEP 15 2016

1. CORPORATE NAME
IT Media, Inc.

2. CALIFORNIA CORPORATE NUMBER
C 3139843

26/28/PC

This Space for Filing Use Only

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.
 If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

	CITY	STATE	ZIP CODE
4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 2800 OLYMPIC BLVD, #1	Santa Monica	CA	90404
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY 2800 OLYMPIC BLVD, #1	Santa Monica	CA	90404
6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

	ADDRESS	CITY	STATE	ZIP CODE
7. CHIEF EXECUTIVE OFFICER/ DANIEL NEGARI	2800 OLYMPIC BLVD, #1	Santa Monica	CA	90404
8. SECRETARY DANIEL NEGARI	2800 OLYMPIC BLVD, #1	Santa Monica	CA	90404
9. CHIEF FINANCIAL OFFICER/ DANIEL NEGARI	2800 OLYMPIC BLVD, #1	Santa Monica	CA	

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

	ADDRESS	CITY	STATE	ZIP CODE
10. NAME DANIEL NEGARI	2800 OLYMPIC BLVD, #1	Santa Monica	CA	90404
11. NAME	ADDRESS	CITY	STATE	ZIP CODE
12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY: 0

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS
PARACORP INCORPORATED C1082536

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE
CA

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION
Internet consulting

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

9/15/2016 GRANT CARPENTER GENERAL COUNSEL
DATE TYPE/PRINT NAME OF PERSON COMPLETING FORM TITLE SIGNATURE

SI-200 (REV 01/2013)

APPROVED BY SECRETARY OF STATE

Pet. Exh. 9



Secretary of State Main Website

Business Programs

Notary & Authentications

Elections

Campaign & Lobbying

Business Entities (BE)

Online Services

- **E-File Statements of Information for Corporations**
- **Business Search**
- **Processing Times**
- **Disclosure Search**

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(annual/biennial reports)

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Resources

- **Business Resources**
- **Tax Information**
- **Starting A Business**

Customer Alerts

- **Business Identity Theft**
- **Misleading Business Solicitations**

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, October 14, 2016. Please refer to Processing Times for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	IT MEDIA, INC.
Entity Number:	C3139843
Date Filed:	02/19/2009
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	2800 OLYMPIC BLVD #1
Entity City, State, Zip:	SANTA MONICA CA 90404
Agent for Service of Process:	PARACORP INCORPORATED
Agent Address:	2804 GATEWAY OAKS DR #200
Agent City, State, Zip:	SACRAMENTO CA 95833

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code section 2114 for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Field Descriptions and Status Definitions.

[Modify Search](#) [New Search](#) [Printer Friendly](#) [Back to Search Results](#)

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Josepi

777552479554

Ship date: **Tue 10/25/2016**

Actual delivery: **Wed 10/26/2016 10:08 am**

Federal Trade Commission
Joseph Weber Jr
Mail Stop - CC 10232
600 Pennsylvania Ave. NW
WASHINGTON, DC US 20580
202 326-2533

Delivered
Signed for by: L. KILLEY



C/O PARACORP INCORPORATED
IT MEDIA, INC.
#200
2804 GATEWAY OAKS DR
SACRAMENTO, CA US 95833
202 326-2991

Travel History

Date/Time	Activity	Location
10/26/2016 - Wednesday		
10:08 am	Delivered	SACRAMENTO, CA
7:58 am	On FedEx vehicle for delivery	SACRAMENTO, CA
7:39 am	At local FedEx facility	SACRAMENTO, CA
5:14 am	At destination sort facility	SACRAMENTO, CA
3:16 am	Departed FedEx location	MEMPHIS, TN
10/25/2016 - Tuesday		
11:48 pm	Arrived at FedEx location	MEMPHIS, TN
9:20 pm	Left FedEx origin facility	WASHINGTON, DC
7:00 pm	Picked up	WASHINGTON, DC
1:21 pm	Shipment information sent to FedEx	

Shipment Facts

Tracking number	777552479554	Service	FedEx Standard Overnight
Reference	1523225	Weight	0.5 lbs / 0.23 kgs
Signature services	Adult signature required	Delivery attempts	1
Delivered To	Receptionist/Front Desk	Total pieces	1
Total shipment weight	0.5 lbs / 0.23 kgs	Terms	Not Available
Shipper reference	1523225	Packaging	FedEx Envelope
Special handling section	Deliver Weekday, Adult Signature Required	Standard transit	10/26/2016 by 3:00 pm



Search or tracking number

Customer Focus
New Customer Center
Small Business Center
Service Guide
Customer Support

Company Information
About FedEx
Careers
Investor Relations
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FedEx Delivery Manager
FedEx SameDay
FedEx Home Delivery
FedEx TechConnect
Healthcare Solutions
Online Retail Solutions
Packaging Services
Ancillary Clearance Services

Other Resources
FedEx Compatible
Developer Resource Center
FedEx Ship Manager Software
FedEx Mobile

Companies
FedEx Express
FedEx Ground
FedEx Office
FedEx Freight
FedEx Custom Critical
FedEx Trade Networks
FedEx Cross Border
FedEx SupplyChain

Follow FedEx

United S

Ask FedEx

Pet. Exh. 11

777552479429

Ship date: **Tue 10/25/2016**

Actual delivery: **Wed 10/26/2016 10:03 am**

Federal Trade Commission
Joseph Weber Jr
Mail Stop - CC 10232
600 Pennsylvania Ave. NW
WASHINGTON, DC US 20580
202 326-2533

Delivered
Signed for by: F.FOXWORTH



IT MEDIA, INC.
2800 OLYMPIC BLVD, #1
SANTA MONICA, CA US 90404
202 326-2991

Travel History

Date/Time	Activity	Location
10/26/2016 - Wednesday		
10:03 am	Delivered	SANTA MONICA, CA
7:51 am	On FedEx vehicle for delivery	MARINA DEL REY, CA
7:16 am	At local FedEx facility	MARINA DEL REY, CA
4:18 am	At destination sort facility	LOS ANGELES, CA
2:49 am	Departed FedEx location	MEMPHIS, TN
10/25/2016 - Tuesday		
11:48 pm	Arrived at FedEx location	MEMPHIS, TN
9:20 pm	Left FedEx origin facility	WASHINGTON, DC
7:00 pm	Picked up	WASHINGTON, DC
1:24 pm	Shipment information sent to FedEx	

Shipment Facts

Tracking number	777552479429	Service	FedEx Standard Overnight
Reference	1523225	Weight	0.5 lbs / 0.23 kgs
Signature services	Adult signature required	Delivery attempts	1
Delivered To	Receptionist/Front Desk	Total pieces	1
Total shipment weight	0.5 lbs / 0.23 kgs	Terms	Not Available
Shipper reference	1523225	Packaging	FedEx Envelope
Special handling section	Deliver Weekday, Adult Signature Required	Standard transit	10/26/2016 by 3:00 pm



Search or tracking number

<p>Customer Focus</p> <ul style="list-style-type: none"> New Customer Center Small Business Center Service Guide Customer Support <p>Company Information</p> <ul style="list-style-type: none"> About FedEx Careers Investor Relations Subscribe to FedEx email 	<p>Featured Services</p> <ul style="list-style-type: none"> FedEx Delivery Manager FedEx SameDay FedEx Home Delivery FedEx TechConnect Healthcare Solutions Online Retail Solutions Packaging Services Ancillary Clearance Services <p>Other Resources</p> <ul style="list-style-type: none"> FedEx Compatible Developer Resource Center FedEx Ship Manager Software FedEx Mobile 	<p>Companies</p> <ul style="list-style-type: none"> FedEx Express FedEx Ground FedEx Office FedEx Freight FedEx Custom Critical FedEx Trade Networks FedEx Cross Border FedEx SupplyChain 	<p>Follow FedEx</p> <p> United S</p>
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Ask FedEx

THOMAS J. SYTA (CA Bar No. 116286)
E-mail: tsyta@ftc.gov
MICHAEL D. BERGMAN (*pro hac vice* pending)
E-mail: mbergman@ftc.gov
FEDERAL TRADE COMMISSION
10877 Wilshire Boulevard, Suite 700
Los Angeles, CA 90024
Telephone: (310) 824-4324
Facsimile: (310) 824-4380

Attorneys for Petitioner the Federal Trade Commission

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

FEDERAL TRADE COMMISSION,
Petitioner,

v.

IT MEDIA, INC.
Respondent.

Case No.

**[PROPOSED]
ORDER TO SHOW CAUSE**

Petitioner, the Federal Trade Commission (Commission), having filed a Petition to Enforce Civil Investigative Demand against Respondent IT Media, Inc., the Court having considered the Petition and documents filed in support thereof, and good cause having been shown, the Court being fully advised of this matter, and there being no just cause for delay;

IT IS HEREBY ORDERED that on _____, _____, at _____, or as soon thereafter as the parties can be heard, the Respondent shall appear before the

Honorable _____, United States District Judge, in Courtroom ____, located at _____, to show cause if there be any, why an Order Compelling Compliance with Civil Investigative Demand should not be granted in accordance with the Petition filed by the Commission.

IT IS FURTHER ORDERED that Respondent be served with a copy of this Order on or before _____ ____, ____.

IT IS FURTHER ORDERED that Respondent file and serve any papers in opposition to the Commission's Petition on or before _____ ____, ____, and that the Commission file and serve any reply papers on or before _____ ____, ____.

Dated: _____

U.S. DISTRICT JUDGE

PROOF OF SERVICE

I hereby certify that on December 22, 2016, I caused a true and correct copy of the foregoing [Proposed] Order to Show Cause to be served by FedEx overnight delivery service on Respondent IT Media, Inc. to the following addresses:

IT Media, Inc.
2800 Olympic Blvd. #1
Santa Monica, CA 90404

IT Media, Inc.
c/o Paracorp, Inc. (registered agent)
2804 Gateway Oaks Drive
Sacramento, CA 95833

/s/ Thomas J. Syta
Thomas J. Syta (CA Bar No. 116286)

THOMAS J. SYTA (CA Bar No. 116286)
E-mail: tsyta@ftc.gov
MICHAEL D. BERGMAN (*pro hac vice* pending)
E-mail: mbergman@ftc.gov
FEDERAL TRADE COMMISSION
10877 Wilshire Boulevard, Suite 700
Los Angeles, CA 90024
Telephone: (310) 824-4324
Facsimile: (310) 824-4380

Attorneys for Petitioner the Federal Trade Commission

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

FEDERAL TRADE COMMISSION,
Petitioner,

v.

IT MEDIA, INC.,
Respondent.

Case No.

**[PROPOSED] ORDER
COMPELLING COMPLIANCE
WITH CIVIL INVESTIGATIVE
DEMAND**

Petitioner, the Federal Trade Commission (Commission) having filed a
Petition to Enforce Civil Investigative Demand (CID) on Respondent IT Media,
Inc., the Court having considered the Memorandum in Support of the
Commission's Petition and all other papers and arguments in support thereof and
in opposition thereto in this proceeding, and the Court having jurisdiction over the

parties and the subject matter, being fully advised in this matter, and good cause having been shown, therefore:

IT IS HEREBY ORDERED that the Commission's Petition to Enforce Civil Investigative Demand is GRANTED; and

IT IS FURTHER ORDERED that Respondent IT Media shall comply in full with the Commission's CID by producing all responsive documents and information within ten days of this Order or at a later date as may be designated by the Commission.

Dated: _____

U.S. DISTRICT JUDGE

PROOF OF SERVICE

I hereby certify that on December 22, 2016, I caused a true and correct copy of the foregoing [Proposed] Order Compelling Compliance with Civil Investigative Demand to be served by FedEx overnight delivery service on Respondent IT Media, Inc. to the following addresses:

IT Media, Inc.
2800 Olympic Blvd. #1
Santa Monica, CA 90404

IT Media, Inc.
c/o Paracorp, Inc. (registered agent)
2804 Gateway Oaks Drive
Sacramento, CA 95833

/s/ Thomas J. Syta
Thomas J. Syta (CA Bar No. 116286)