

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

<hr/>		)	
		)	
FEDERAL TRADE COMMISSION,		)	
		)	
	Petitioner,	)	
		)	
	v.	)	Misc. No. 1:13-mc-00131-AKH
		)	
THE WESTERN UNION COMPANY,		)	(Nature of Case M 18-304:
		)	Administrative Subpoena Proceedings)
and		)	
		)	
LONNIE KEENE, MONITOR, STATE OF		)	
ARIZONA v. WESTERN UNION		)	
FINANCIAL SERVICES, INC., KEENE		)	
CONSULTING ARIZONA, LLC,		)	
		)	
	Respondents.	)	
<hr/>		)	

**NOTICE OF APPEAL**

Notice is hereby given that the Federal Trade Commission (“FTC” or “Commission”), petitioner in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from an Order entered in this action on the 7th day of June, 2013 (“June 7 Order”). Dkt. 47. On June 21, 2013, the Court denied respondent The Western Union Company’s Motion for Clarification and/or Reconsideration. *See* Dkts. 44-46, 50.

The FTC appeals from paragraph 5 of the June 7 Order, which states in part:

With respect to the “Complaint Documents,” the Court finds that Western Union need not produce any documents arising from or relating to wholly foreign transactions – *i.e.*, wire transfers transmitted by senders in foreign countries to recipients in foreign countries – because the record does not support the FTC getting these documents under the U.S. SAFE WEB Act. 15 U.S.C. § 45(a)(4).

Dkt. 47 at 2-3.

Respectfully submitted,

JONATHAN E. NUECHTERLEIN  
General Counsel

JOHN F. DALY  
Deputy General Counsel

LESLIE RICE MELMAN  
Assistant General Counsel for Litigation

s/ Burke W. Kappler  
BURKE W. KAPPLER  
OFFICE OF THE GENERAL COUNSEL  
600 Pennsylvania Ave., N.W.  
Washington, D.C. 20580  
(202) 326-2043  
(202) 326-2477 (fax)  
bkappler@ftc.gov

*Attorneys for Petitioner  
Federal Trade Commission*

Dated: August 14, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2013, I served a copy of the Federal Trade Commission's Notice of Appeal upon counsel for respondents The Western Union Company by filing these documents through the Electronic Case Filing (ECF) system for the United States District Court for the Southern District of New York.

I further certify that on August 14, 2013, I served the same documents upon counsel for Lonnie Keene, Keene Consulting Arizona, LLC, by e-mail to Michael Ledley, Esq. (mledley@wmd.law.com) and Fred Kessler, Esq. (fkessler@wmd-law.com).

Dated: August 14, 2013

s/ Burke W. Kappler  
BURKE W. KAPPLER  
Attorney

FEDERAL TRADE COMMISSION  
600 Pennsylvania Ave., N.W.  
Washington, D.C. 20580  
(202) 326-2043  
(202) 326-2477 (fax)  
bkappler@ftc.gov