1	COURTNEY A. ESTEP (pro hac vice)		
	cestep@ftc.gov; (202) 326-2788		
2	SHIRA D. MODELL (pro hac vice)		
3	smodell@ftc.gov; (202) 725-2162		
4	Federal Trade Commission		
5	600 Pennsylvania Ave., NW Washington, DC 20580		
6	Fax: (202) 326-3259		
7	Aaron Schue (Local Counsel) (Bar No. 3)	38760)	
8	aschue@ftc.gov; (310) 824-4306		
9	Federal Trade Commission		
	10990 Wilshire Blvd., Suite 400		
10	Los Angeles, CA 90024 Fax: (310) 824-4380		
11	ATTORNEYS FOR PLAINTIFF		
12			
13			
14	UNITED STATES DISTRICT COURT		
15	CENTRAL DISTRIC	CT OF CALIFORNIA	
16			
17	FEDERAL TRADE COMMISSION, Plaintiff,	Case No. 8:23-cv-1286	
18	V.	<b>COMPLAINT FOR</b>	
19	<b>REJUVICA LLC</b> , a California limited liability company, also d/b/a Rejuvica	PERMANENT INJUNCTION, MONETARY RELIEF, AND	
20	Health;	OTHER RELIEF	
21	,		
22	<b>KYLE ARMSTRONG</b> , individually and as an owner, officer, or member of		
23	Rejuvica LLC; and		
24	KYLE DILGER, individually and as		
25	an owner, officer, or member of		
26	Rejuvica LLC,		
27	-		
28	Defendants.		

- Plaintiff, the Federal Trade Commission ("FTC"), for its Complaint alleges:
- 2 | 1. The FTC brings this action under Sections 5(a)(1), 12, 13(b), and 19 of the
- 3 | FTC Act, 15 U.S.C. §§ 45(a)(1) 52, 53(b), and 57(b), and Section 8023 of the
- 4 | Opioid Addiction Recovery Fraud Prevention Act of 2018 ("OARFPA"), P.L. 115-
- 5 | 271, 15 U.S.C § 45d, to obtain permanent injunctive relief, monetary relief, and
- 6 other relief for Defendants' acts or practices in violation of Sections 5(a) and 12 of
- 7 | the FTC Act and Section 8023 of OARFPA. Defendants' OARFPA violations are
- 8 | in connection with the marketing of Sobrenix Advanced Alcohol Support
- 9 ("Sobrenix").

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#### **JURISDICTION AND VENUE**

- 11 | 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331,
- 12 | 1337(a), and 1345.
- 13 | 3. Venue is proper in this District under 28 U.S.C. § 1391(b)(2) and (d) and 15
- 14 U.S.C. § 53(b).

### **PLAINTIFF**

- 16 4. The FTC is an independent agency of the United States Government created
- 17 | by the FTC Act, which authorizes the FTC to commence this district court civil
- 18 action by its own attorneys. 15 U.S.C. §§ 41–58. The FTC enforces Section 5(a)
- 19 of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or
- 20 practices in or affecting commerce. The FTC also enforces Section 12 of the FTC
- 21 Act, 15 U.S.C. § 52, which prohibits false advertisements for food, drugs, devices,
- 22 services, or cosmetics in or affecting commerce. The FTC also enforces OARFPA,
- 23 which prohibits unfair or deceptive acts or practices in connection with substance
- 24 | use disorder treatment products and services.

## **DEFENDANTS**

- 26 | 5. Corporate Defendant Rejuvica LLC ("Rejuvica"), also d/b/a Rejuvica
- 27 | Health, is a California limited liability company with its principal place of business
- 28 at 17791 Mitchel North, Ste C., Irvine, California 92614. Rejuvica transacts or has

transacted business in this District and throughout the United States. At times relevant to this Complaint, acting alone or in concert with others, Rejuvica has advertised, marketed, distributed, or sold numerous products, most of which are liquid tinctures, to consumers throughout the United States.

6. Defendant Kyle Armstrong ("Armstrong") owns 50 percent of Rejuvica and

is the company's Chief Executive Officer. At all times material to this Complaint, acting alone or in concert with others, Defendant Armstrong has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Rejuvica, including the acts and practices set forth in this Complaint. Defendant Armstrong is actively involved in directing the company's business affairs and formulating corporate policy and strategic decisions. He manages and is responsible for approving the company's website design and copy, managing Rejuvica's advertising staff, and approving the company's advertising copy. Defendant Armstrong resides in this District and, in connection with the matters

alleged herein, transacts or has transacted business in this District and throughout

7. Defendant Kyle Dilger ("Dilger") owns 50 percent of Rejuvica and is the company's Chief Operating Officer. At all times material to this Complaint, acting alone or in concert with others, Defendant Dilger has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Rejuvica, including the acts and practices set forth in this Complaint. Defendant Dilger is actively involved in directing the company's business affairs and formulating corporate policy and strategic decisions. He manages and is responsible for approving advertising copy and design and manages Rejuvica's advertising, purchasing, and placement decisions. In connection with the matters alleged herein, Defendant Dilger transacts or has transacted business in this District and throughout the United States.

the United States.

COMMERCE

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8. At all times relevant to this Complaint, Defendants have maintained a substantial course of trade in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

### **DEFENDANTS' BUSINESS ACTIVITIES**

- 9. Defendants manufacture, label, advertise, offer for sale, and sell herbal tinctures, including products marketed to provide various health benefits.
- 10. Since at least 2017, Defendants manufactured, labeled, advertised, offered for sale, and sold Sobrenix to consumers. Defendants claimed that Sobrenix was designed to reduce or eliminate alcohol cravings and manage alcohol consumption.
- Defendants ceased selling the product in 2021 after the FTC notified the company it was investigating advertising claims for Sobrenix.
- 13 11. Sobrenix contained a blend of kudzu root, milk thistle seed, angelica root, chanca piedra herb, artichoke leaf, and dandelion root, and also contained Vitamins
- 15 B6 and B12, Thiamin, and Folic Acid. The Sobrenix label advised users to "take
- 16 | [Sobrenix] once daily in the morning and then 30 minutes before drinking, or any
- 17 time you have cravings." Exhibit A.
- 18 | 12. Defendants sold Sobrenix through their own website, Amazon.com, and Walmart, and charged \$34.00 for a 2-ounce bottle of Sobrenix.
- 20 13. Defendants advertised Sobrenix through various means, including through
- 21 Internet advertising on Amazon.com, the Sobrenix website, the Rejuvica website,
- 22 | and a website designed to appear to be an independent review website, which was
- 23 | in fact owned and operated by Rejuvica; and through television appearances by
- 24 paid spokespersons disguised as news content. The core message of the
- 25 advertising was that Sobrenix eliminated cravings for alcohol and enabled users to
- 26 reduce or eliminate their consumption of alcohol, thereby controlling unwanted
- 27 drinking and treating alcohol use disorder or the symptoms of alcohol use disorder.

14. Defendants disseminated or caused to be disseminated advertisements for Sobrenix, including, but not limited to, the attached Exhibits B through K. Those advertising materials contained the following statements and depictions, among others:

#### A. Amazon.com (Exhibit B):

- "STRUGGLING TO CONTROL YOUR ALCOHOL CONSUMPTION? Sobrenix is designed to reduce alcohol cravings and help you detoxify your body so you can successfully manage alcohol consumption. Even better, taken before drinking, Sobrenix's ingredients help you stop before you've had too much."
- B. Amazon.com (Exhibit C):
  - o "After a week and a half or so, I no longer have the 4 pm cravings and the car doesn't automatically drive to the liquor store after work anymore."
- C. Sobrenix Website (Exhibit D):
  - o "Are You Ready To Stop Cravings Once And For All?"
  - "Imagine A Solution To STOP Cravings In Their Tracks"





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- o "Get The Life You Deserve With Sobrenix"
- O Voiceover from embedded video (Exhibit E):

Does alcohol negatively affect your life? Do you find yourself drinking more than you want to? Waking up with regrets from the night before? Has alcohol affected relationships with friends and family or hurt your job performance?....Almost 30% of Americans admit to having trouble with controlling alcohol consumption at some point in their lives....Whether it's a big problem or a small problem, there's no shame in admitting alcohol has more control on your life than you want it to. There's a huge genetic component to alcoholism, as well, so on some level it's not your fault....Here's the good news: there's a natural, inexpensive way to help you take back control of your alcohol use. It's not a time-consuming 12step program, it's not hypnosis, and it's not an expensive rehab center, either. It's the safe, healthy, all-natural option that thousands of those in the know successfully use to help get a handle on their alcohol consumption or quit altogether without turning their lives upside down.... Formulated by top health experts and researchers, with a half-million dollar budget.... This formula has shocked thousands who now, for the first time in years, find themselves able to stop drinking when they want to. The most common feedback from Sobrenix users is "When I take Sobrenix, I just don't feel like drinking."....

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Here's how Sobrenix's three-step process works... The third step is Sobrenix's secret weapon....Step three: craving killer kudzu makes moderation easy.... Imagine cutting your alcohol consumption in half and imagine how much better you'd feel and how much more you could accomplish! Best of all [in the Harvard study] kudzu cut drinking in half for a group that wasn't even trying to moderate their drinking; imagine how much it would help someone like you, who is focusing on it.... So, to put it all together, Sobrenix is the premier alcohol management formula, with three goals in mind....most importantly, help reduce your desire to drink. Getting your alcohol use under control by using Sobrenix, you can start to live life to the fullest again....Give Sobrenix a shot today, and break free from the ball and chain of alcohol once and for all."

#### D. AlcoholSupportSupplements.com (Exhibit F)

- o "If you're looking for a better craving support supplement, look no further!"
- o "If you've had trouble with drinking, you're certainly not alone. Almost 30% of Americans admit to having trouble with their alcohol consumption at some point in their lives, and 14% said they had two or more symptoms of alcohol use disorder.

The point at which alcohol becomes a serious problem is different for each individual. For some, they simply want to cut back. For others, they want to curb their alcohol

cravings. And lastly, some want to give up alcohol 1 2 together." "How Do I know if I Need to Control My Drinking?" 3 0 4 "Does alcohol negatively affect your life?" 0 5 "Are There Any Natural Supplements that Help with 0 Alcohol Control?" 6 The website purported to review five alcohol support 7 0 8 supplements. Sobrenix received the highest rating of the 9 five products reviewed, 94% out of 100%, and was 10 described as the "clear winner." Sobrenix Advertising Masquerading as Objective News Content 11 Defendants also advertised Sobrenix through appearances on local television 12 15. news stations in the United States and Canada by paid spokespersons. 13 14 16. In April 2019, Rejuvica entered into an Agreement for Services ("AFS") 15 with Media Relations, Inc., also d/b/a Media Relations Agency (collectively, "MRI"), to produce a publicity campaign for Sobrenix. The AFS called for MRI to 16 secure media placements for Sobrenix on various mediums, including television. 17 These media placements are often referred to as "earned media," which is publicity 18 19 gained from methods other than traditionally paid advertising. 20 MRI prepared a Campaign Communications Overview for Sobrenix. The 21 Overview set forth the "Top 3 Primary Value Points or Key Messaging Themes," the first of which was "Sobrenix is an herbal tincture designed to help those who 22 23 want to regain control of their alcohol consumption but struggle with alcohol cravings." 24 Defendants Armstrong and Dilger were MRI's main contacts at Rejuvica 25 18. during the course of the Sobrenix publicity campaign. Defendant Armstrong 26 27 worked with MRI on product messaging, while Defendant Dilger analyzed the 28

1 impact of the MRI publicity campaign on Sobrenix sales, and authorized payment
2 of all MRI invoices.

- 19. MRI engaged Bryce Wylde ("Wylde"), a Canadian alternative health "expert," and Jonny Bowden ("Bowden"), a board-certified nutritionist, as the spokespersons for the Sobrenix campaign. MRI secured television appearances on various networks in markets in the United States and Canada pursuant to the AFS, designed to appear to be general interest segments, but that were in reality appearances of Rejuvica's paid spokespersons promoting Sobrenix.
- 20. MRI billed Rejuvica for Wylde's and Bowden's travel and hotel accommodations, as well as "honoraria" for their appearances. MRI also billed Rejuvica for each television "placement" it secured for Wylde and Bowden, which served as MRI's compensation for securing the placement. Defendant Dilger approved and paid each MRI invoice.
- 21. Wylde appeared on at least seven television news programs. At no time during any of his television appearances did Wylde state that he was being paid to promote Sobrenix. During these segments, in which a bottle of Sobrenix was clearly shown on camera, Wylde touted the ability of Sobrenix to reduce alcohol consumption. In some of those appearances, he also stated that Sobrenix reduced cravings for alcohol; in others, he said Sobrenix had been proven to reduce alcohol consumption. Illustrative efficacy claims made in various TV markets include:
  - A. San Antonio (Exhibit G):

"Studies show – a Harvard study actually showed – that when these college students were allowed to drink as much beer as they wanted but half of them took this kudzu, this Sobrenix, before drinking, the other half took a placebo. It turned out that the group that took the kudzu plant extract Sobrenix, before drinking, drank half. They drank 50% as much when allowed to drink as much as they wanted. So effortless. [describes

1		putting a couple of drops of Sobrenix in water and drinking it	
2		all day, and advising his patients to do the same You'll notice	
3		your cravings for alcohol just go right down."	
4	В.	Toronto (Exhibit H):	
5	2.	"Sobrenixdid a double-blinded, placebo-controlled Harvard	
6		trial, so this is legit stuff, two pools, students, college students	
7			
8		One group got water, the other group got this stuff [pointing to	
		Sobrenix bottle.] The group that was active, that got this kudzu	
9		ingredient, they drank half as much at free will, half as much.	
10		.it cuts cravings."	
11	C.	Houston (Exhibit I):	
12		"[Taking Sobrenix a half hour before drinking] is going to	
13		reduce your cravings for alcohol and have you drinking less"	
14	D.	Denver (Exhibit J):	
15		"Harvard study – they double-blind, placebo controlled, two	
16		groups, college students – they said 'go and drink as much as	
17		you want'one was given Sobrenix. They didn't drink nearly	
18		as much alcoholwonderful stuff."	
19	22. Rejuvica's	Director of Marketing emailed that Wylde's Toronto appearance	
20	was "basically a Sobrenix commercial." Defendant Armstrong directed employees		
21	to post the video on the Sobrenix landing page, which they did, without disclosing		
22	that Wylde was a paid spokesperson for the company.		
23	23. Rejuvica also embedded an excerpt of several of Wylde's video appearances		
24	on Amazon.com without disclosing that Wylde was a paid spokesperson for the		
25	company.		
26	24. MRI advise	ed Defendants to promote a Wylde TV appearance by treating it	

as if it were a surprise. In an email from MRI to Defendants, MRI said, "now we

want to make sure that when we amplify [a Wylde TV appearance promoting

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Sobrenix] we keep it true to being earned media[,] not advertising. We will 1 2 accomplish by treating like it was a pleasant surprise to be included in a segment on the power of plants and cravings[.]" Defendants implemented the suggested 3 4 strategy by posting a video of one of Wylde's television appearances on the company's Facebook page, along with the statement: 5 "I wanted to share a recent (dated November 2020) local news 6 7 segment from WOAI San Antonio featuring Bryce Wylde 8 talking about dopamine levels, cravings, Kudzu, and sobrenix 9 (sic) itself! Give it a watch!" 10 Defendants did not disclose anywhere in the post that Wylde was a paid 11 12 company spokesperson. Pursuant to Rejuvica's agreement with MRI, Bowden appeared on at least 13 25. two television programs promoting Sobrenix. At no time during any of his 14 15 television appearances did Bowden state that he was being paid to promote Sobrenix. During at least one of these segments, in which a bottle of Sobrenix was 16 clearly shown on camera, Bowden touted the ability of Sobrenix to reduce the 17 desire to drink alcohol. Bowden also referred to Sobrenix being tested in the 18 19 Harvard study. (Exhibit K) 20 26. Rejuvica embedded excerpts of video appearances by Wylde and Bowden on the Sobrenix website without disclosing that Wylde and Bowden were paid 21 spokespersons for the company. For example, Rejuvica stated: 22 23 "Sobrenix was recently featured on KATU & CITY TV Our product was recognized by health experts Jonny Bowden & 24 Bryce Wylde as a product to help reduce and control cravings. We 25 are so excited to share this video with you!" (Exhibit D). 26 27

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#### **Fake Review Websites For Sobrenix and Other Products**

- 27. In 2016, Defendants Armstrong and Dilger jointly decided to create and launch dozens of websites that falsely purported to provide objective reviews of health-related products, including Sobrenix and other health-related tinctures. Defendant Armstrong drafted the content of these websites (hereafter "product comparison websites"), and none of the products was reviewed by anyone with expertise in the relevant medical field or anyone unconnected with Rejuvica. The websites included "AlcoholSupportSupplements.com," "LiverSupportReviews.com," "MaleVitalityReport.com," "ThyroidRemedy.com," and "NerveRemedyReviews.com," among others. (Examples of such websites are attached as Exhibits F and L-O.) These fake review websites shared a number of common features including the following:
  - A. A badge at the top of the website stating that the content was an "expert review," despite the fact that no expert reviewed any of the content Rejuvica posted to any of the product comparison websites;
  - B. A statement that the review had been posted by "Paul Grudnitsky" (a fictional pen name used by a member of Rejuvica's marketing staff), or had been "Written by the Editors," or "By Editors at [the name of the website]" or "Posted by the Senior Editor at [the name of the website]" (emphasis in original), rather than a truthful statement that Rejuvica owned the website and wrote its content;
  - C. Ratings for five products purportedly reviewed on each site, which included identical descending percentages or star ratings for the reviewed products, and always listed the Rejuvica product as obtaining the highest score: a 94% score (or 5/5 stars) for the first place product; 82% (or 4/5 stars) for the

second place product; 63% (or 3/5 stars) for the third place product; 41% (or 2/5 stars) for the fourth place product; and 31% (or 1/5 stars) for the fifth place product;

- D. Nearly identical criteria against which the products in question were purportedly evaluated (including liquid formulation, 24-hour customer support, and a 100% return policy), all of which the Rejuvica product always met;
- E. First place and the "Gold Award" always going to the Rejuvica product.

#### Defendants Marketed Sobrenix as a Substance Use Disorder Product

- 28. The Diagnostic and Statistical Manual of Mental Disorders (Fifth Edition) ("DSM-5<sup>TM</sup>"), identifies alcohol-related disorders as substance-related disorders. According to the DSM-5<sup>TM</sup>, "alcohol use disorder" is "a problematic pattern of alcohol use leading to clinically significant impairment or distress, as manifested by at least two of [eleven identified criteria], occurring within a 12-month period." Those criteria include: drinking more or over a longer period than intended; a persistent desire or unsuccessful efforts to cut down or control alcohol use; and craving or a strong desire to use alcohol.
- 29. Throughout the course of the Sobrenix marketing campaign discussed *supra*, with repeated references to cravings, reduced consumption (or quitting altogether), and regaining control over one's life, Defendants consistently marketed Sobrenix as an alcohol use disorder treatment product. For example, on the Sobrenix website, Defendants asked,

"Does alcohol negatively affect your life? Do you find yourself drinking more than you want to? Waking up with regrets from the night before? Has alcohol affected relationships with friends and family or hurt your job performance?...Whether it's a big problem or a small problem, there's no shame in admitting alcohol has more

control on your life than you want it to. There's a huge genetic 1 2 component to alcoholism, as well, so on some level it's not your fault..." (Exhibit E) 3 4 30. Based on the facts and violations of law alleged in this Complaint, the FTC 5 has reason to believe that Defendants are violating or are about to violate laws 6 enforced by the Commission because, among other things: Defendants stopped advertising and selling Sobrenix only after they learned that the FTC was 7 investigating the claims being made for the product; and Defendants' deceptive 8 product comparison website practices continued for their other products. Those 9 practices continued for approximately eight months after Defendants learned of the 10 FTC's initial investigation; those review practices only ceased after the FTC 11 notified them in December 2021 that it was broadening its investigation to include 12 those practices. 13 VIOLATIONS OF THE FTC ACT 14 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits "unfair or 15 31. deceptive acts or practices in or affecting commerce." 16 Misrepresentations or deceptive omissions of material fact constitute 17 32. 18 deceptive acts or practices prohibited by Section 5(a) of the FTC Act. 19 Section 12 of the FTC Act, 15 U.S.C. § 52, prohibits the dissemination of 33. 20 any false advertisement in or affecting commerce for the purpose of inducing, or 21 which is likely to induce, the purchase of food, drugs, devices, services, or cosmetics. For the purposes of Section 12 of the FTC Act, 15 U.S.C. § 52, 22 Sobrenix is a "drug" as defined in Section 15(c) of the FTC Act, 15 U.S.C. § 55(c). 23 24 COUNT ONE—DECEPTIVE ALCOHOL CRAVINGS 25 AND CONSUMPTION CLAIMS In numerous instances in connection with the advertising, marketing, 26 34. 27 promotion, offering for sale, or sale of Sobrenix, including through the means 28

described in Paragraphs 10-29 of this Complaint, Defendants have represented, 1 directly or indirectly, expressly or by implication, that Sobrenix: 2 3 A. Reduces or eliminates cravings for alcohol; 4 В. Enables users to substantially reduce or eliminate their consumption of alcohol; 5 Assists users to regain control of their problematic drinking; 6 C. 7 and Treats alcohol use disorder or the symptoms of alcohol use 8 D. 9 disorder. The representations set forth in Paragraph 34 were false or misleading or 35. 10 were not substantiated at the time the representations were made. 11 12 Therefore, the making of the representations as set forth in Paragraph 34 36. constitutes a deceptive act or practice in violation of Sections 5(a) and 12 of the 13 FTC Act, 15 U.S.C. §§ 45(a) and 52. 14 15 In numerous instances in connection with the advertising, marketing, 16 37.

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### **COUNT TWO – FALSE PROOF CLAIMS**

- promotion, offering for sale, or sale of Sobrenix, including through the means described in Paragraphs 10-29, Defendants represented, directly or indirectly, expressly or by implication, that Sobrenix was proven to reduce alcohol cravings and consumption.
- 38. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 37, Sobrenix was not proven to reduce alcohol cravings and consumption.
- Therefore, the making of the representations set forth in Paragraph 37 39. constitutes a deceptive act or practice and the making of false advertisements in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

**COUNT THREE –DECEPTIVELY FORMATTED ADVERTISING** 1 2 40. In numerous instances in connection with the advertising, marketing, 3 promotion, offering for sale, or sale of Sobrenix, including through the means 4 described in Paragraphs 10-29, Defendants represented, directly or indirectly, 5 expressly or by implication, that the statements about Sobrenix made by Bryce Wylde and Jonny Bowden during their television appearances were independent 6 opinions by impartial experts. 7 8 In truth and in fact, the statements about Sobrenix made by Bryce Wylde 9 and Jonny Bowden during their television appearances were not independent opinions by impartial experts; they were paid commercial advertising. 10 Therefore, the making of the representations set forth in Paragraph 40 11 42. 12 constitutes a deceptive act or practice and the making of false advertisements in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52. 13 **COUNT FOUR – DECEPTIVE ENDORSEMENTS** 14 15 43. In numerous instances in connection with the advertising, marketing, promotion, offering for sale, or sale of Rejuvica products, including through the 16 means described in Paragraphs 10-29, Defendants represented, directly or 17 indirectly, expressly or by implication, that: 18 19 The reviewing entities, including but not limited to A. "AlcoholSupportSupplements.com," 20 "LiverSupportReviews.com," "MaleVitalityReport.com," 21 "ThyroidRemedy.com," and "NerveRemedyReviews.com," 22 were independent organizations providing objective 23 information about the products they reviewed; and 24 The product reviews on those websites reflected the opinion of 25 В. 26 experts in the medical fields at issue. 27 44. In truth and in fact, the reviewing entities were not independent 28 organizations providing objective information and the product reviews on their

- 1 | websites did not reflect the opinion of experts in the medical fields at issue.
- 2 | Instead, it was disguised advertising for Rejuvica products.
- 3 | 45. Therefore, the making of the representations set forth in Paragraph 43
- 4 | constitutes a deceptive act or practice and the making of false advertisements in
- 5 | violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

## VIOLATIONS OF THE OPIOID ADDICTION RECOVERY FRAUD PREVENTION ACT OF 2018

- 8 | 46. The Opioid Addiction Recovery Fraud Prevention Act of 2018
- 9 ("OARFPA"), P.L. 115-271, 15 U.S.C § 45d, was enacted on October 24, 2018.
- 10 | OARFPA prohibits unfair or deceptive acts or practices with respect to any
- 11 substance use disorder treatment service or substance use disorder treatment
- 12 product. 15 U.S.C. § 45d(a). OARFPA defines "substance use disorder treatment
- 13 product" to mean "a product for use or marketed for use in treatment, cure, or
- 14 prevention of a substance use disorder, including an opioid use disorder." P.L.
- 15 | 115-271 § 802, 15 U.S.C § 45d.

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- 16 | 47. As described in paragraphs 10-29 above, Defendants have marketed
- 17 | Sobrenix as a substance use disorder treatment product.
- 18 | 48. Pursuant to 15 U.S.C. § 45d(b)(1), a violation of 15 U.S.C. § 45d(a) is
- 19 | treated as a violation of a rule under Section 18(a) of the FTC Act, 15 U.S.C. §
- 20 | 57a(a), regarding unfair or deceptive acts or practices.
- 21 | 49. Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b), and Section 8023(b) of
- 22 | the OARFPA, 15 U.S.C. § 45d(b), authorize this Court to grant such relief as the
- 23 Court finds necessary to redress injury to consumers resulting from Defendants'
- 24 | violations of OARFPA.

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- 25 | 50. Defendants made deceptive substance use disorder treatment claims for
- 26 Sobrenix from 2017 until approximately March 8, 2021.

#### <u>COUNT FIVE – DECEPTIVE ALCOHOL CRAVINGS AND</u> 1 2 **CONSUMPTION CLAIMS (OARFPA)** 3 51. In numerous instances in connection with the advertising, marketing, 4 promotion, offering for sale, or sale of Sobrenix, including through the means 5 described in Paragraphs 10-29 of this Complaint, Defendants have represented, directly or indirectly, expressly or by implication, that Sobrenix: 6 7 Reduces or eliminates cravings for alcohol; A. 8 В. Enables users to substantially reduce or even eliminate their 9 consumption of alcohol; Assists users to regain control of their problematic drinking; C. 10 11 and 12 Treats alcohol use disorder or the symptoms of alcohol use D. disorder. 13 The representations set forth in Paragraph 51 were false or misleading or 14 52.

were not substantiated at the time the representations were made.

Therefore, the making of the representations as set forth in Paragraph 51

treatment product in violation of Section 8023(a) of OARFPA, 15 U.S.C. § 45d(a).

**COUNT SIX – FALSE PROOF CLAIMS (OARFPA)** 

In numerous instances in connection with the advertising, marketing,

promotion, offering for sale, or sale of Sobrenix, including through the means

described in Paragraphs 10-29, Defendants represented, directly or indirectly,

expressly or by implication, that Sobrenix was proven to reduce alcohol cravings

In truth and in fact, Sobrenix was not proven to reduce alcohol cravings and

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constitutes a deceptive act or practice with respect to a substance use disorder

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56. Therefore, the making of the representations set forth in Paragraph 54 constitutes a deceptive act or practice with respect to a substance use disorder treatment product in violation of Section 8023(a) of OARFPA, 15 U.S.C. § 45d(a).

### **COUNT SEVEN – DECEPTIVE ENDORSEMENTS (OARFPA)**

- 57. In numerous instances in connection with the advertising, marketing, promotion, offering for sale, or sale of Sobrenix, including through the means described in Paragraphs 10-29, Defendants represented, directly or indirectly, expressly or by implication, that:
  - A. The reviewing entity AlcoholSupportSupplements.com was an independent organization providing objective information about the products it reviewed; and
  - B. The product reviews on that website reflected the opinion of experts in the field of alcohol use disorder.
- 58. In truth and in fact, AlcoholSupportSupplements.com was not an independent organization providing objective information and the product reviews on that website did not reflect the opinion of experts in the field of alcohol use disorder. Instead, it was disguised advertising for Sobrenix.
- 59. Therefore, the making of the representations set forth in Paragraph 57 constitutes a deceptive act or practice with respect to a substance use disorder treatment product in violation of Section 8023(a) of OARFPA, 15 U.S.C. § 45d(a).

## COUNT EIGHT –DECEPTIVELY FORMATTED ADVERTISING (OARFPA)

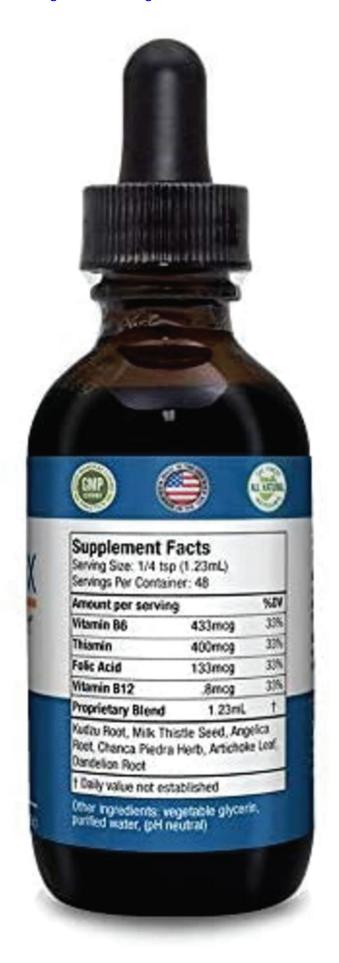
60. In numerous instances in connection with the advertising, marketing, promotion, offering for sale, or sale of Sobrenix, including through the means described in Paragraphs 10-29, Defendants represented, directly or indirectly, expressly or by implication, that the statements about Sobrenix made by Bryce Wylde and Jonny Bowden during their television appearances were independent opinions by impartial experts.

1	61. In truth and in fact, the statements about Sobrenix made by Bryce Wylde		
2	and Jonny Bowden during their television appearances were not independent		
3	opinions by impartial experts; they were paid commercial advertising.		
4	62. Therefore, the making of the representations set forth in Paragraph 60		
5	constitutes a deceptive act or practice with respect to a substance use disorder		
6	treatment product in violation of Section 8023(a) of OARFPA, 15 U.S.C. § 45d(a).		
7	CONSUMER INJURY		
8	63. Consumers have suffered and will continue to suffer substantial injury as a		
9	result of Defendants' violations of the FTC Act and OARFPA. Absent injunctive		
10	relief by this Court, Defendants are likely to continue to injure consumers and		
11	harm the public interest.		
12	PRAYER FOR RELIEF		
13	Wherefore, Plaintiff requests that the Court:		
14	A. Enter a permanent injunction to prevent future violations of the		
15	FTC Act and the OARFPA by Defendants;		
16	B. Award monetary and other relief within the Court's power to		
17	grant; and		
18	C. Award any additional relief as the Court determines to be just		
19	and proper.		
20			
21	Respectfully submitted,		
22	D. 1. 1. 10 2002		
23	Dated: July 18, 2023  FOR THE FEDERAL TRADE		
24	COMMISSION		
25	COURTNEY A. ESTEP cestep@ftc.gov; (202) 326-2788		
26	SHIRA D. MODELL		
27	smodell@ftc.gov; (202) 326-3116 Federal Trade Commission		
28	redetal frade Collinission		

600 Pennsylvania Ave., NW Washington, DC 20580 Fax: (202) 326-3259 AARON SCHUE (Local Counsel) (Bar No. 338760) aschue@ftc.gov; (310) 824-4306 Federal Trade Commission 10990 Wilshire Blvd., Suite 400 Los Angeles, CA 90024 Fax: (310) 824-4380 ATTORNEYS FOR PLAINTIFF 

## EXHIBIT A

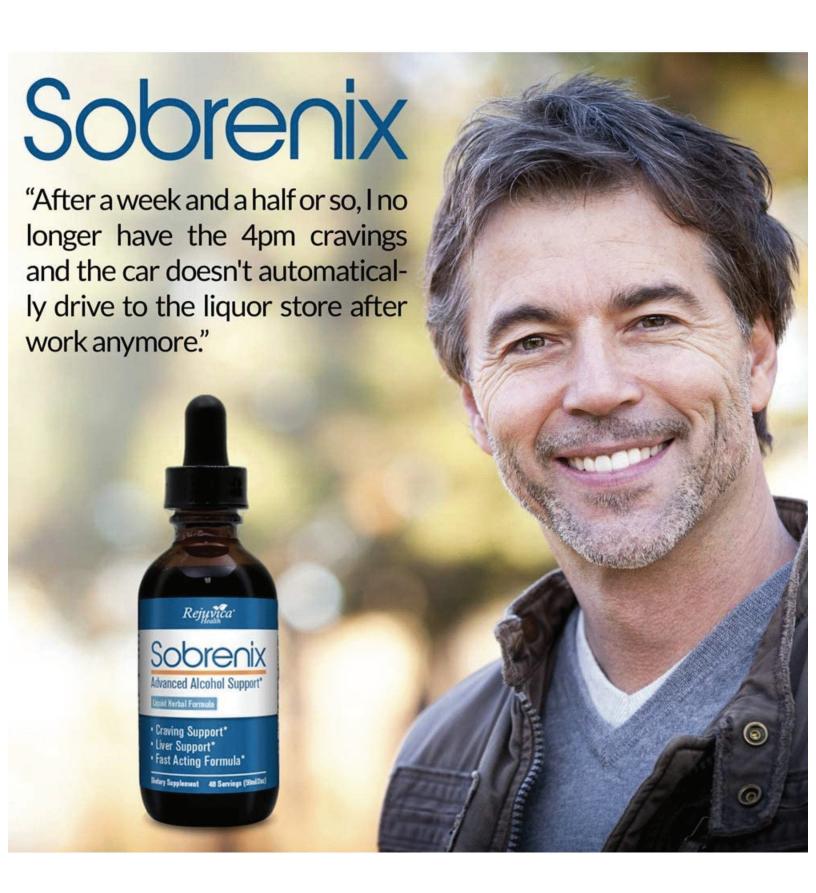




## **EXHIBIT B**



## EXHIBIT C



## EXHIBIT D



## **EXHIBIT E**

Exhibit E -26-

## EXHIBIT F

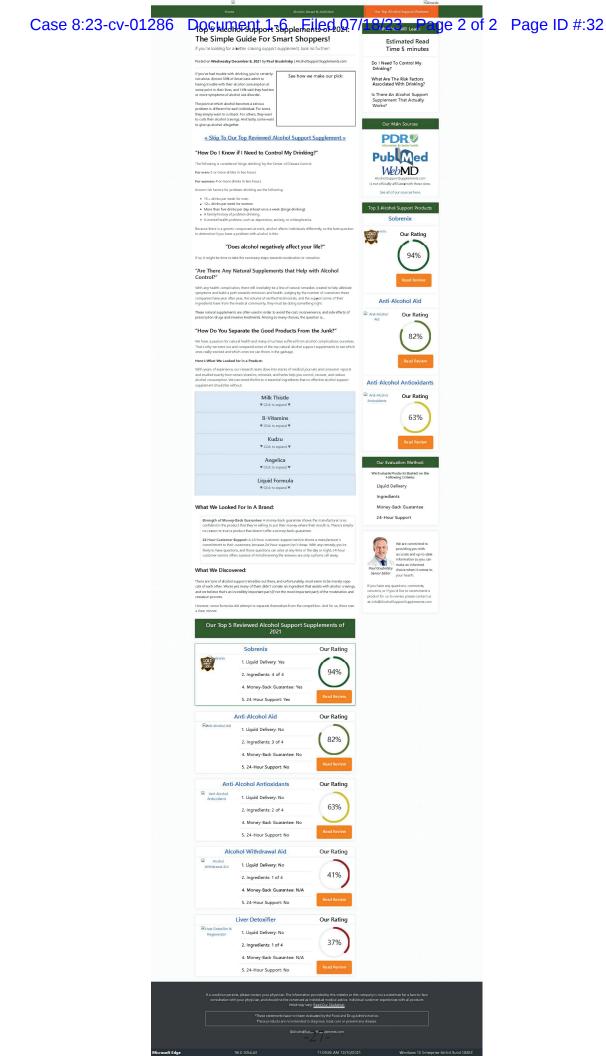


EXHIBIT G

Exhibit G -28-

## EXHIBIT H

Exhibit H -29-

## EXHIBIT I

Exhibit I -30-

EXHIBIT J

Exhibit J -31-

# PLACEHOLDER FOR ELECTRONIC MEDIA

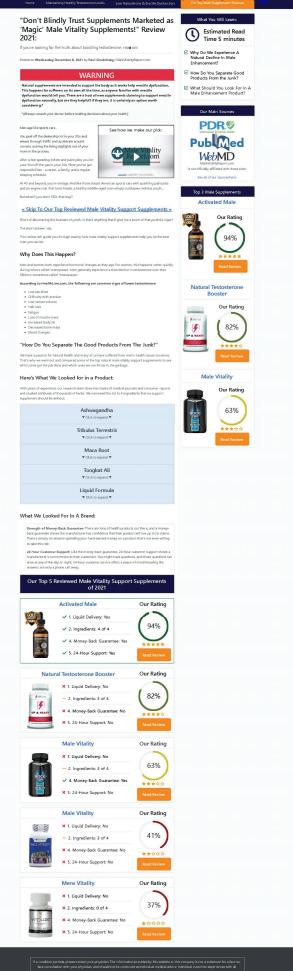
## EXHIBIT K

Exhibit K -32-

# EXHIBIT L



# EXHIBIT M



# **EXHIBIT N**











# Top 5 Thyroid Support Supplements of 2021: Which Brands Think You're Stupid?

If you found this page, you're probably searching for an easier way to speed up and maintain a fast and healthy thyroid. See what our research team found out when they dove into the data.

Posted by the Senior Editor at ThyroidRemedy.com

Nearly 20 million Americans suffer from some sort of officially diagnosed thyroid disorder (called hypothyroidism or hashimoto's disease) while millions more live with a slow and sluggish thyroid:



- You gain weight even though you're eating less and exercising.
- You feel tired all day even though you're getting plenty of sleep.
- · You feel depressed for no apparent reason.
- · You have 'brain fog' and don't feel as sharp as you usually do.
- · You feel colder even in room temperature.

The good news is: natural remedies can and do help thousands regain speedy thyroid function every year, but before anyone can get results they have to ask:

## "How Do You Separate The Good Products From The Junk?"

This is the billion dollar question, and that's why we went out and compared some of the top natural thyroid support remedies to see which ones really worked and which ones we can throw in the garbage.

#### Here's What We Looked for in a Product:

The 'BIG FIVE' Ingredients: Our research team, with its years of experience, dove into stacks of medical journals, positive consumer reports, and studied exactly how certain vitamins and herbs can bring a sluggish thyroid back online. We narrowed the list 5 ESSENTIAL ingredients that no effective prostate remedy would ever be without:

We gave heavy favoritism to liquid extracts, and it was for good reason. Pills and capsules have to be digested, liquids do not. Liquids are formulated for optimal bioavailability, and their ingredients can get to work fast. Liquids are also portable, require no water, they're easy to digest, and they're easy on the stomach.



#### What You Will Learn:



- ☑ How The Thyroid ACTUALLY Works!
- ☑ The Most Effective Ingredients For The BEST Results!
- How to Choose a Supplement That Delivers!

#### Our Main Sources



#### Top 3 Thyroid Remedies:

#### **Thyrobin**







#### **Thyroid Support**



#### **Thyroid Support**

3.3

#### What We Looked For In A Brand:

Strength of Money-Back Guarantee: A money-back guarantee shows the manufacturer is so confident in the product that they're willing to put their money where their mouth is. There's simply no reason to trust a product that doesn't offer a money-back-guarantee.

24 Hour Customer Support: A 24-hour customer-support service shows a manufacturer's commitment to their customers, because 24-hour support isn't cheap. With any remedy, you're likely to have questions, and those questions can arise at any time of the day or night; 24-hour customer service offers a peace-of-mind knowing the answers are only a phone call away.

#### What We Discovered:

We were shocked to find out that some products used the exact same formula, as if they're all getting these pills from a big supplier, slapping a new label on them, and pricing them at completely different rates...

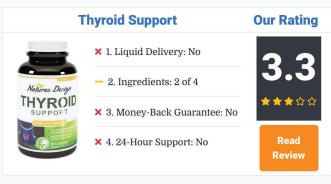
...This was a bit of a red flag for us. It shows the company didn't want to take the time to do the research themselves and look for new ways to improve their product and help their customers.

That's why, for us, there was a clear winner that stood out amongst the imitators:

#### Our Top 5 Reviewed Thyroid Support Supplements of 2021

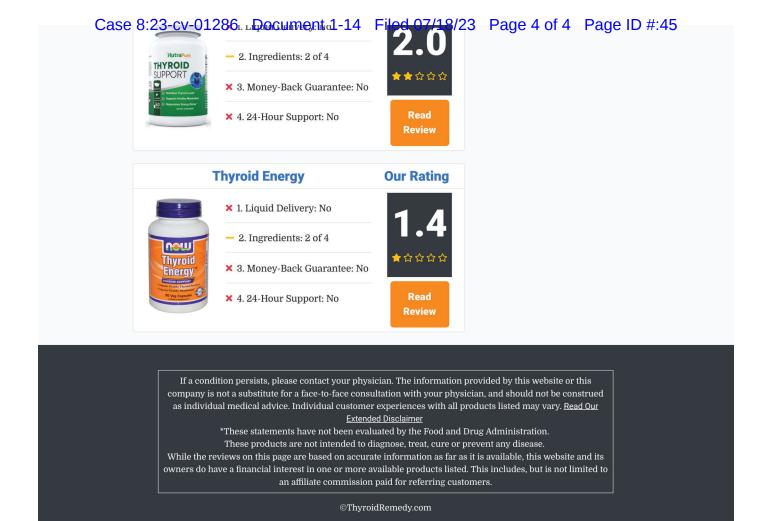






Thyroid Support Our Rating





# **EXHIBIT O**











# Top 5 Nerve Support Supplements of 2021: Which Brands Think You're Stupid?

If you're looking for a better nerve support supplement, look no further!

Posted by the Senior Editor at NerveRemedyReviews.com



Can you really unclog your nerves and get back on your feet like before?

Solving nerve-related discomfort is like trying to solve a rubicks cube - there's such a tangled web of contributing factors that science can't really offer any crystal-clear answers, but with the right twists and turns, you might be surprised.



Let's reverse-engineer this problem from the discomfort all the way to the nerve itself and see how:

#### « Skip To Our Top Reviewed Nerve Support Supplement »

#### "What Causes Neuropathy?"

According to the MayoClinic, neuropathy forms because high blood sugar interferes with the nerves ability to transmit signals. Additionally, it weakens the walls of the small blood vessels that carry oxygen and nutrients to the nerves, and without those nutrients and oxygen the nerve cannot properly maintain healthy function.

Other factors that can contribute to neuropathy are:

**Inflammation of Nerves:** Inflammation of Nerves: In simple terms, neuropathy is inflammation of the nerves. Inflammation is the characterized by swelling, redness, heat, and pain.<sup>1</sup>

Vitamin Deficiencies: Vitamin B12 deficiency causes a wide range of hematological, gastrointestinal, psychiatric and neurological disorders.<sup>2</sup>

Alcohol abuse: Drinking too much – on a single occasion or over time – can take a serious toll on your health. Drinking too much can weaken your immune system, making your body a much easier target for disease.<sup>3</sup>

Now that we know what's happening to the nerves, it's easy to speculate as to why neuropathy causes tingling, numbness, and pain:

The tingling sensation is the undernourished nerves misfiring, the numbness is a starved group of nerves without enough blood flow to function at all, and the pain is the body alarm system signaling that something is going wrong.\*

Given what we know about the cause of neuropathy, what are the mainstream solutions?

#### What You Will Learn:



- ☑ What Causes Neuropathy
- ☑ How Nerve Health Is Supported
- ☑ Is There A Nerve Support Supplement Delivers?

#### Our Main Sources



#### Top 3 Reviewed Nerve Supplements:

#### **Nerve Factor**



#### **Nerve Shield**



#### **Healthy Feet & Nerves**



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#### "How is Neuropathy Supported?"

The current medical treatments focus almost entirely on reducing the symptom of neuropathy: chronic pain. But they tend to focus on making the symptoms more bearable without treating nerve health at all, and unfortunately, they're expensive and come at the cost of some nasty side effects:

Antidepressants: Antidepressants are commonly used in the treatment of neuropathy, with meta-analyses supporting the use of tricyclic antidepressants and selective norepinephrine serotonin reuptake inhibitors.<sup>4</sup>

Anticonvulsants: Antiepileptic drugs are widely used in pain clinics to treat neuropathic pain. They have a long track record in this regard, phenytoin having first been used in the early 1940s for the treatment of trigeminal neuralgia. This has led to their use in other neuropathic pain conditions such as post-stroke pain, phantom limb pain and pain following spinal injury although the published evidence for their use in these conditions is less robust. 5

Painkillers: prescription painkillers are used to treat and manage neuropathic pain. These painkillers are generally regarded as terrible for long-term pain management because users quickly develop a tolerance - meaning higher doses are required to achieve the same effect. This makes prescription painkillers extremely addictive and even life threatening. <sup>6</sup>

What do all of these options have in common?

- · They're unnatural, pharmaceutical drugs\*
- · They're expensive\*
- · They don't address nerve health\*
- · They all come with serious side effects\*

So, the real question is:

### "How Do You Separate The Good Products From The Junk?"

We have a passion for natural health and many of us have suffered from nerverelated discomfort ourselves. That's why we went out and compared some natural nerve support supplements to see which ones delivered and which ones we can throw in the garbage.

#### Here's What We Looked for in a Product

With years of experience, our research team dove into stacks of medical journals and consumer reports and studied exactly how certain vitamins and herbs can help sooth nerve discomfort and rebuild healthy nerves. We narrowed the list to 4 ESSENTIAL ingredients that no effective nerve support supplement would be without:\*

# Alpha Lipoic Acid ▼ Click to expand ▼ B-Vitamins ▼ Click to expand ▼ Omega-3 Fatty Acids ▼ Click to expand ▼ Turmeric ▼ Click to expand ▼ Liquid Formula ▼ Click to expand ▼

#### What We Looked For In A Brand:

Strength of Money-Back Guarantee: A money-back guarantee shows the manufacturer is so confident in the product that they're willing to put their money where their mouth is. There's simply no reason to trust a product



#### Our Evaluation Method:

We Evaluate Products Basted on the Following Criteria:

- ☑ Liquid Delivery
- ✓ Ingredients
- Money-Back Guarantee
- ✓ 24-Hour Support



Senior Editor at Nerve Remedy Reviews

We are committed to providing you with accurate and up-todate information so you can make an informed choice when it comes to your health.

If you have any questions, comments, concerns, or if you'd like to recommend a product for us to review, please contact us at:

info@NerveRemedyReviews.co

24 Hour Customer Support: A 24-hour customer-support service shows a manufacturer's commitment to their customers, because 24-hour support isn't cheap. With any remedy, you're likely to have questions, and those

questions can arise at any time of the day or night; 24-hour customer service offers a peace-of-mind knowing the answers are only a phone call away.

#### What We Discovered:

What we found is that there are a number of good choices for natural nerve support, but some were certainly better than others. For us, there was a clear winner...

#### Top 5 Nerve Support Supplements of 2021











If a condition persists, please contact your physician. The information provided by this website or this company is not a substitute for a face-to-face consultation with your physician, and should not be construed as individual medical advice. Individual customer experiences with all products listed may vary. Read Our

Extended Disclaimer

\*These statements have not been evaluated by the Food and Drug Administration.

These products are not intended to diagnose, treat, cure or prevent any disease.

While the reviews on this page are based on accurate information as far as it is available, this website and its owners do have a financial interest in one or more available products listed. This includes, but is not limited to an affiliate commission paid for referring customers.

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