

**SEMIANNUAL FEDERAL COURT  
LITIGATION STATUS REPORT**

Office of the General Counsel  
Bureau of Competition  
Bureau of Consumer Protection  
Regional Offices

June 30, 2020

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**SUMMARY OF CASES**

	<b>Dist. Ct.</b>	<b>Ct. App.*</b>	<b>S. Ct.</b>	<b>Total</b>
PETITIONS FOR REVIEW	0	3	0	3
INJUNCTION AND CONSUMER REDRESS CASES	62	16	5	83
CIVIL PENALTY AND ENFORCEMENT CASES	8	2	0	10
SUBPOENA AND CID ENFORCEMENTS	2	0	0	2
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	7	3	1	11
AMICUS CURIAE BRIEFS	1	2	1	4 <sup>†</sup>
TOTALS	80	26	7	113

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\* Includes all cases in which appellate proceedings have taken place during the reporting period or are pending; these cases are not counted in the District Court column, even if such proceedings are occurring simultaneously.

<sup>†</sup> Includes one state court case (*In re Paplauskas, Jr.*, see p. 84 herein).

**PETITIONS FOR REVIEW**

**(A) Orders to Cease and Desist**

***1-800 CONTACTS v. FTC***, No. 18-3848 (2d Cir.)

Parties: 1-800 Contacts, Inc.

Assigned Attorneys: Imad Dean Abyad (OGC)  
Mariel Goetz

Nature of Action: Petition for review of final Commission order.

Status: Petition for review filed 12/30/18.  
Petitioner's opening brief filed 6/7/19.  
Commission's answering brief filed 9/6/19.  
Petitioner's reply brief filed 10/4/19.  
Oral arguments held on 3/5/20.

***IMPAX LABORATORIES, INC. v. FTC***, No. 19-60394 (5th Cir.)

Parties: Impax Laboratories, Inc.

Assigned Attorneys: Bradley Grossman (OGC)

Nature of Action: Petition for review of Commission's opinion and order against Impax Laboratories, Inc.

Status: Petition for review filed 6/6/19.  
Petitioner's brief filed 10/3/19; Commission's brief filed 12/9/19;  
petitioner's reply brief filed 12/30/19.  
Oral argument held 6/9/20.

***OTTO BOCK HEALTHCARE NORTH AMERICA v. FTC***, No. 19-1265 (D.C. Cir.)

Parties: Otto Bock HealthCare North America, Inc.

Assigned Attorneys: Imad Dean Abyad (OGC)  
Joel Marcus

Nature of Action: Petition for review of final Commission order.

Status: Petition for review filed 12/30/19.

**(B) Rulemakings**

(None Pending)

**INJUNCTION AND CONSUMER REDRESS CASES**

**(A) Preliminary Injunctions (Mergers/Acquisitions)**

***FTC v. EDGEWELL PERSONAL CARE CO.***, No. 1:20-cv-00292 (D.D.C.)

Parties: Edgewell Personal Care Company  
Harry's Inc.

Assigned Attorneys: Jonathan Herman Lasken (BC)  
Helder Agostinho  
Kelly Fabian  
Nicholas Alan Bush  
Shane Bryan  
Terry M. Thomas

Nature of Action: Action to enjoin Edgewell Personal Care Company's proposed \$1.37 billion acquisition of its key competitor, Harry's, Inc.

Status: Complaint filed 2/3/20.  
Commission's notice of voluntary dismissal filed 2/18/20.  
Order dismissing case entered 2/18/20.

***FTC v. PEABODY ENERGY CORPORATION***, No. 4:20-cv-00317 (E.D. Mo.)

Parties: OGE Energy Corp.  
Peabody Energy Corporation

Assigned Attorneys: Amy E. Dobrzynski (BC/Mergers II)  
Daniel Matheson  
Alicia Burns-Wright  
Cecelia Waldeck  
Christopher Caputo  
Elizabeth Arens  
Ernest Eric Elmore  
Jeanine Balbach  
Jonathan Lasken  
Joshua Goodman  
Maria Cirincione  
Michael Anthony Franchak  
Phillip Kehl  
Sean Hughto  
Stephen Santulli  
Taylor Alexander

Nature of Action: Action for preliminary injunction against a joint venture between Peabody Energy Corporation and Arch Coal related to their coal mining operations.

Status: Complaint filed 2/26/20.  
Commission's motion for preliminary injunction filed 5/29/20.  
Preliminary injunction hearing scheduled to begin 7/13/20.

***FTC v. POST HOLDINGS, INC.***, No. 1:19-cv-03836 (D.D.C.)

Parties: Post Holdings, Inc.  
Treehouse Foods, Inc.

Assigned Attorneys: Amy Ritchie (BC/Mergers IV)  
Anthony Saunders  
Henry J. Hauser  
Jennifer Milici  
Jonathan Herman Lasken  
Karen Horvitz Hunt  
Melissa C. Hill  
Rohan Pai  
Ryan Quillian

Nature of Action: Action for preliminary injunction of Post Holdings' proposed acquisition of assets relating to ready-to-eat cereal from TreeHouse Foods.

Status: Complaint filed 12/27/19.  
TRO entered 12/27/19.  
Joint motion to dismiss complaint filed 1/13/20.  
Complaint dismissed without prejudice 1/14/20.

***FTC v. RAG-STIFTUNG***, No. 1:19-cv-02337 (D.D.C.)

Parties: RAG-Stiftung  
Evonik Industries AG  
Evonik Corporation  
Evonik International Holdings B.V.  
One Equity Partners Secondary Fund, L.P.  
One Equity Partners V, L.P.  
Lexington Capital Partners VII (AIV I), L.P.  
Peroxychem Holding Company LLC  
Peroxychem Holdings, L.P.  
Peroxychem Holdings LLC  
Peroxychem LLC  
Peroxychem Cooperatief U.A.

Assigned Attorneys: James Edward Rhilinger III

Nature of Action: Action for preliminary injunction of Evonik's acquisition of PetroChem pending administrative proceedings to determine legality of acquisition.

Status: Complaint filed 8/2/19.  
TRO entered 8/5/19.  
Evidentiary hearing held 11/12-21/19.  
Commission's motion for preliminary injunction denied 1/24/20.

***FTC v. THOMAS JEFFERSON UNIVERSITY***, No. 2:20-cv-01113 (E.D. Pa.)

Parties: Thomas Jefferson University  
Albert Einstein Healthcare Network  
Commonwealth of Pennsylvania (co-plaintiff)

Assigned Attorneys: Charles E. Dickinson (BC/Mergers IV)  
Mark D. Seidman  
Tracy W. Wertz  
Albert Teng  
Christopher D. Harris  
Guia Dixon  
Gustav Peter Chiarello, III  
James H. Weingarten  
Jamie E. France  
Jonathan R. Wright  
Ryan T. Andrews

Nature of Action: Action for preliminary injunction to block the proposed merger of Jefferson Health and Albert Einstein Healthcare Network.

Status: Complaint filed 2/27/20.  
TRO granted 2/28/20.

**(B) Preliminary Injunctions (Other)**

***FTC v. MARC CHING***, No. 2:20-cv-03775 (C.D. Cal.)

Parties: Marc Ching d/b/a Whole Leaf Organics

Assigned Attorneys: John Jacobs (WRLA)  
Tawana E. Davis

Nature of Action: Action for preliminary injunction barring Marc Chang from selling CBD-based products marketed as effective cancer treatments, pending resolution of a parallel administrative case.



Status: Complaint filed 4/24/20.  
Stipulation for preliminary injunction filed 4/27/20.  
Matter withdrawn from adjudication to consider a proposed consent agreement 5/28/20.

**(C) Permanent Injunctions/Consumer Redress\***

***FTC v. 8 FIGURE DREAM LIFESTYLE LLC***, No. 8:19-cv-01165 (C.D. Cal.)

Parties: 8 Figure Dream Lifestyle, LLC  
JL Net Bargains, Inc.  
Kappy Enterprises, LLC  
Millionaire Mind Enterprises, LLC  
OEA, LLC d/b/a Online Entrepreneur Academy d/b/a 14 Day Champion Challenge d/b/a 14 Day Challenge, LLC  
Spirit Consulting Group, Inc.  
John Bain  
Alex Dee, f/k/a Alex S. Dowlatshahi  
Brian Kaplan  
Jerrold Maurer a/k/a Jerry Maurer

Assigned Attorneys: Dorothy Emily Wu (WRLA)  
P. Connell McNulty (BCP/MP)  
Thomas L. Harris

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the marketing and sale of fraudulent money-making opportunities to consumers.

Status: Complaint filed 6/12/19.  
TRO with asset freeze entered 6/13/19.  
Stipulated order extending TRO until preliminary injunction hearing entered 6/24/19.  
Motion for relief from order freezing assets filed 7/2/19; Commission's opposition to motion for relief filed 7/5/19; Order denying motion for relief entered 7/8/19.  
Preliminary injunction entered 7/19/19.  
Motion to modify order freezing assets filed 10/21/19; Commission's opposition filed 10/28/19; Reply in support of motion filed 11/4/19; order granting in part motion to modify asset freeze entered 12/9/19.  
Joint application for settlement approval of stipulated order for permanent injunction and monetary judgment as to defendant OEA, LLC filed

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\* Unless otherwise noted, cases involve suits for permanent injunction and other equitable relief. Post-judgment proceedings in district court are not generally reported.

2/28/20.

Order granting stipulation to stay case for 60 days to consider approval of settlement agreement entered 6/8/20.

*FTC v. ABBVIE, INC.*, Nos. 18-2621, 18-2748, 18-2758 (3d Cir.); No. 2:14-cv-05151 (E.D. Pa.)

Parties: AbbVie, Inc.  
Abbott Laboratories  
Unimed Pharmaceuticals, LLC  
Besins Healthcare, Inc.  
Teva Pharmaceuticals USA, Inc.

Assigned Attorneys: Markus Meier (BC)  
Patricia M. McDermott  
Kara Monahan  
Peter Taylor  
Matthew Hoffman (OGC)  
Mark Hegedus  
Joel Marcus

Alleged Conduct: Unfair methods of competition in violation of Section 5(a) of the FTC Act arising from baseless patent infringement lawsuits against potential generic competitors.

Status: Complaint filed 9/8/14.  
Defendants' motion to dismiss filed 11/12/14; Commission's brief in opposition filed 12/12/14; order granting motion to dismiss as to Count II of the complaint (thereby dismissing defendant Teva from the case) entered 5/6/15.  
Commission's motion for entry of judgment under Rule 54(b) filed 6/5/15; response in opposition by Abbott Laboratories, Abbvie, Inc. and Unimed Pharmaceuticals filed 6/25/15; Commission's reply filed 7/2/15; order holding pending Rule 54(b) motion in abeyance entered 7/8/15; motion to direct entry denied 8/26/15.  
Commission's motion for reconsideration of dismissal filed 7/20/15; defendant's response filed 7/31/15; reply filed 8/7/15; motion for reconsideration denied 8/25/15.  
Defendants' motion for summary judgment on Count 1 of complaint filed 6/5/17; Commission's response in opposition filed 7/11/17; reply filed 7/26/17; order denying motion entered 9/15/17.  
Commission's motion for partial summary judgment filed 6/5/17; defendants' response in opposition filed 7/10/17; reply filed 7/27/17; order granting motion entered 9/15/17.  
Trial held 2/7/18- 3/1/18.

Defendants' motion for reconsideration of 9/15/17 order filed 3/23/18;  
Commission's response filed 4/4/18; reply filed 4/8/18; order  
denying motion for reconsideration entered 6/27/18.  
Monetary judgment in favor of Commission entered 7/18/18.  
Commission's notice of appeal from dismissal of pay-for-delay count and  
declination of an injunction (Case No. 18-2621) filed 7/23/18.  
Defendants AbbVie, Inc, Abbott Laboratories, and Unimed  
Pharmaceuticals, LLC's notice of appeal from finding of sham  
litigation and monetary judgment (Case No. 18-2748) filed 8/8/18.  
Defendant Besins Healthcare, Inc's notice of appeal from finding of sham  
litigation and monetary judgment (Case No. 18-2758) filed  
8/13/18.  
Order granting joint motion to dismiss Teva Pharmaceuticals USA, Inc. as  
a party to the appeal entered 3/12/19.  
Commission's opening brief filed 3/28/19; Abbvie's response/opening  
brief in its cross-appeal filed 6/5/19; Commission's reply/response  
brief filed 7/19/19; reply briefs of Abbott Laboratories, AbbVie  
Inc, Unimed Pharmaceuticals LLC, and Besins Healthcare, Inc.  
filed 9/30/19.  
Oral argument held 1/15/20.  
Commission's supplemental brief filed 1/29/20; defendant's supplemental  
brief filed 1/29/20.  
Briefs on parties' positions in light of Supreme Court's grant of certiorari  
in *AMG Capital Mgmt., LLC v. FTC* due 7/24/20.

***FTC v. ADEPT MANAGEMENT, INC.***, Nos. 19-35668, 19-35669 (9th Cir.); No. 1:16-cv-  
00720 (D. Ore.)

Parties: Adept Management, Inc.  
Anchor Publishing Group, Inc.  
Associated Publishers Network, Inc.  
Atlas Business Consulting, LLC  
Clarity Group, LLC  
Consolidated Publishers Exchange, Inc. d/b/a Premier Subscription  
Services, Processing Express Solutions  
Crown Resource Management, LLC  
Customer Access Services, Inc.  
Express Publishers Service, Inc. d/b/a Associated Billing Service,  
Associated Periodical Network, Associated Publishers  
Readership, Billing Services of Circulation, Circulation  
Billing Marketplace, Circulation Network Services d/b/a Global Billing  
Service d/b/a Lakeshore Publishers Billing, Magazine Billing Network,  
Magazine Distribution Marketplace, Magazine Payment Processing,  
National Magazine Network, Publication Network Services, Publishers  
Billing Marketplace, Publishers Distribution Network, Publishers  
Magazine Services, Readers Magazine Services, Readers Payment

Network, Subscription Billing Agency, Subscription Billing Network,  
United Billing Service, United Publishers Agency

HCG, Inc.

Henry Cricket Group, LLC

Hoyal & Associates, Inc.

Liberty Publishers Service, Inc. d/b/a Allied Publishing Services, American  
Consumer Publishers Association, Associated Publishers Services,  
Billing Services of America, Bradford Publishing Service,  
Circulation Billing Services, Global Publishers Center, Lakeshore  
Publishers Service, Magazine Billing Services, Magazine Distribution  
Service, Magazine Payment Services, Magazine Subscriber Services,  
Magazine Subscriptions Center, National Magazine Services, Periodical  
Billing Services, Platinum Subscription Service, Publication Service  
Networks, Publishers Access Services, Publishers Billing Services,  
Publishers Consolidated Subscription Services, Publishers Distribution  
Center, Publishers Education Services, Publishers Magazine Billing,  
Publishers Magazine Payment, Publishers Marketplace Services,  
Publishers Network Exchange, Publishers Payment Services, Publishers  
Periodical Service, Publishers Processing Service, Publishers Services  
Exchange, Readers Billing Services, Readers Payment Service,  
Seascope Publishers Network, Slo Call Center, Subscription Billing  
Service, Subscription Payment Exchange, Subscription Payment  
Services, United Publishers Services

Magazine Clearing Exchange

Magazine Link, Inc.

Maximillian, Inc. d/b/a Maxmillian, Inc.

Northwest Data Services, LLC

PPP Magazines, Inc.

Publishers Payment Processing, Inc.

Reality Kats, LLC

Specialties, Inc.

Subscription House Agency, Inc.

United Publishers Exchange, Inc. d/b/a Associated Publishers Network,  
Circulation Billing Network, Magazine Billing Associates,  
Premier Subscription Network, Publishers Billing Network, Publishers  
Magazine Exchange

Wineoceros Wine Club, Inc.

Linda Babb

Shannon Bacon a/k/a Shannon Balero, Shannon Gordon

Jeffrey Hoyal

Lori Hoyal

Colleen Kaylor

Laura Lovrien a/k/a Laura Babb

Noel Parducci a/k/a Noel Littlefield, Noelle Littlefield

Lydia Pugsley a/k/a Lydia Babb

Dennis Simpson

William Strickler

Assigned Attorneys: Krista Bush (NWR)  
Laura Solis  
Richard McKewen  
Connor Shively  
Sophia Calderón  
Stephen Fairchild  
W. Stuart Hirschfield

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with a nationwide campaign relying on misrepresentations to solicit newspaper renewals and new subscriptions from consumers.

Status: Complaint filed 4/27/16.  
Motion to dismiss for failure to state a claim filed 6/27/16; Commission's opposition filed 7/11/16; order denying motion to dismiss entered 11/3/16.  
Motions for stay pending resolution of criminal proceedings filed 1/27/17; Commission's response filed 1/31/17; replies filed 2/17/17; motions denied 2/23/17.  
Motion for summary judgment filed 4/14/17; Commission's opposition filed 5/4/17; reply filed 5/26/17; motion deferred 6/13/17.  
Default judgment as to defendants Adept Management, Inc., Anchor Publishing Group, Inc., Associated Publishers Network, Inc., Atlas Business Consulting LLC, Clarity Group, Inc., Consolidated Publishers Exchange, Inc., Crown Resource Management LLC, Customer Access Services, Inc., Express Publishers Service, Inc., HCG, Inc., Henry Cricket Group, LLC, Liberty Publishers Service, Inc., Magazine Clearing Exchange, Inc., Magazine Link, Inc., Maximillian, Inc., North West Data Services LLC, PPP Magazines, Inc., Publishers Payment Processing, Inc., Publishers Payment Processing, Inc., Specialties, Inc., Subscription House Agency, Inc., United Publishers Exchange, Inc., and Wineoceros Wine Club, Inc. ("Defaulting Defendants") entered 8/7/17.  
Commission's motion for default judgment and permanent injunction order as to Defaulting Defendants filed 3/13/18; response in opposition to motion by defendants Jeffrey Hoyal, Lori Hoyal, Hoyal & Associates, Inc. filed 3/27/18; Commission's reply filed 3/30/18; response in opposition to motion by defendants Reality Kats, LLC, Dennis Simpson filed 4/6/18; Commission's reply filed 4/12/18.  
Motions for summary judgement by defendants Linda Babb, Colleen Kaylor, William Strickler, Noel Parducci, Reality Kats, LLC, Dennis Simpson, Shannon Bacon, Jeffrey Hoyal, Lori Hoyal, Hoyal & Associates, Inc, Laura Lovrien, Lydia Pugsley filed

8/17/18; Commission's response in opposition filed 8/31/18; defendants' reply filed 9/7/18.

Commission's motion for summary judgment filed 8/17/18; response in opposition by defendants Colleen Kaylor, Jeffrey Hoyal, Hoyal & Associates, Inc, Noel Parducci, Lori Hoyal, Linda Babb, Shannon Bacon, William Strickler, Reality Kats, LLC, Dennis Simpson, Publishers Payment Processing, Inc, Lydia Pugsley, Laura Lovrien filed 8/31/18.

Order granting in part and denying in part Commission's motion for summary judgment and denying defendants' motion for summary judgment entered 9/25/18.

Trial held 11/6/18 through 12/5/18.

Order denying defendants Hoyal & Associates, Jeffrey Hoyal, and Lori Hoyal's motion for stay pending resolution of appeal in *FTC v. AMG* (Case. No. 16-17197, 9th Cir.) entered 2/19/19.

Order denying defendants Dennis Simpson and Reality Kats, LLC's motion for reconsideration of court's summary judgment in favor of the Commission entered 4/18/19.

Order for permanent injunction against all defendants and monetary judgment against defendants Dennis Simpson, Jeffrey Hoyal, and Lori Hoyal entered 6/10/19.

Defendant Noel Parducci's motion for reconsideration of court's order for permanent injunction and monetary judgment filed 6/24/19; defendant Bacon joined 6/25/19; Commission's response filed 7/8/19; order denying motion entered 7/10/19.

Notices of appeal by Reality Kats defendants and Hoyal defendants filed 8/7/19.

Reality Kats defendants' opening brief filed 11/15/19.

Commission's motion to consolidate appeals granted 12/11/19.

Hoyal defendants' opening and cross-appeal brief filed 2/10/20; Lennon third-party defendants' brief filed 2/10/20; Commission's consolidated answering brief filed 6/8/20; appellants' optional reply briefs due 7/29/20.

***FTC v. ADVOCARE INTERNATIONAL, L.P.***, No. 4:19-cv-00715 (E.D. Tex.)

Parties:                   Advocare International, L.P.  
                                Danny McDaniel  
                                Diane McDaniel  
                                Carlton Hardman  
                                Lisa Hardman  
                                Brian Connolly

Assigned Attorneys: M. Hasan Aijaz (SWR)  
                                Aaron J. Haberman (BCP/MP)

**Alleged Conduct:** Unfair and deceptive practices in violation of Section 5(a) of the FTC Act in connection with operation of a pyramid scheme.

**Status:** Complaint filed 10/2/19.  
Stipulated final order for permanent injunction and monetary judgment as to defendants AdvoCare International, L.P. and Connolly entered 10/9/19.  
Stipulated final order for permanent injunction and monetary judgement as to defendants Carlton Hardman and Lisa Hardman entered 10/9/19.  
Defendant's motion to dismiss for failure to state a claim filed 10/21/19; Commission's response filed 11/5/19; defendant's reply filed 11/11/19.

***FTC v. AGORA FINANCIAL, LLC***, No. 1:19-cv-03100 (D. Md.)

**Parties:** Agora Financial, LLC  
NewMarket Health, LLC  
NewMarket Health Publishing, LLC  
Health Sense Media, LLC  
Health Sense Publishing, LLC  
Zachary Scheidt  
Dr. Richard Gerhauser

**Assigned Attorneys:** Dillon J. Lappe (BCP/ENF)  
Gregory Madden  
Omolara Joseney  
Alejandro Rosenberg

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing and sale of financial and health-related newsletters, publications, and subscription services.

**Status:** Complaint filed 10/24/19.  
Motion to dismiss for failure to state a claim by defendants filed 1/30/20; Commission's response filed 2/13/20; Defendant's response filed 2/27/20.  
Preliminary injunction hearing held 2/7/20.  
Preliminary injunction entered 3/2/20.  
Order denying motion to dismiss entered 3/2/20.

***FTC v. AH MEDIA GROUP, LLC***, No. 3:19-cv-04022-JD (N.D. Cal.)

Parties: AH Media Group, LLC  
Zanelo, LLC  
Henry Block  
Alan Schill

Assigned Attorneys: Roberta Tonelli (WRSF)  
Emily Cope Burton  
Matthew Gold  
Nicholas Coates

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, the Restore Online Shoppers' Confidence Act, and the Electronic Fund Transfer Act in connection with the marketing of supposedly free "trial" offers for personal care products and dietary supplements online.

Status: Complaint filed 7/12/19.  
Ex parte TRO entered 7/18/19  
Stipulated preliminary injunction entered 8/28/19.  
Amended complaint converting Zanelo, LLC from a relief defendant to a defendant filed 10/23/19.  
Stipulated order for permanent injunction and monetary judgment as to defendants Zanelo and Schill entered 3/5/20.  
Stipulated order for permanent injunction and monetary judgment as to defendants AH Media and Henry Block entered 5/14/20.

***FTC v. AMERICAN FINANCIAL BENEFITS CENTER***, No. 4:18-cv-00806 (N.D. Cal.)

Parties: American Financial Benefits Center  
Ameritech Financial  
Financial Education Benefits Center  
Brandon Demond Frere

Assigned Attorneys: Sarah Schroeder (WRSF)  
Roberta Tonelli  
Evan Rose

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing of student loan debt relief.

Status: Complaint filed 2/7/18.  
Commission's motion for preliminary injunction filed 3/2/18; opposition filed 3/30/18; order granting preliminary injunction entered 11/29/18.



Defendants' motion to dismiss filed 4/23/18; Commission's opposition filed 5/16/18; defendant's reply filed 5/30/18; order denying defendants' motion entered 8/8/18.

Order granting joint stipulation for a nine-month stay as to defendant Brandon Frere entered 2/4/19.

Order granting joint stipulation for a nine-month stay as to all defendants entered 5/17/19.

Orders extending stay entered 2/3/20 and 6/30/20.

***FTC v. AMERICAN FINANCIAL SUPPORT SERVICES INC.***, No. 20-55092 (9th Cir.); No. 8:19-cv-02109 (C.D. Cal.)

Parties: American Financial Support Services Inc.  
Arete Financial Group  
Arete Financial Group LLC  
CBC Conglomerate LLC  
Diamond Choice Inc.  
J&L Enterprise LLC  
La Casa Bonita Investments, Inc.  
US Financial Freedom Center, Inc.  
Carey G. Howe  
Anna C. Howe  
Shunmin "Mike" Hsu  
Ruddy Palacios  
Oliver Pomazi  
Jay Singh  
MJ Wealth Solutions, LLC

Assigned Attorneys: Stephen Fairchild (NWR)  
Richard McKewen

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and FTC's Telemarketing Sales Rule in connection with the marketing and sale of student loan debt relief services.

Status: Complaint filed 11/4/19.  
Ex parte TRO with asset freeze, appointment of temporary receiver, and immediate access entered 11/4/19.  
Preliminary injunction hearing held 11/18/19; chambers order granting preliminary injunction entered 11/26/19.  
Preliminary injunction order entered 12/17/19.  
Notice of appeal by defendants Carey G. Howe, Shunmin Mike Hsu, Ruddy Palacios, and Oliver Pomaz filed 1/24/20.  
Trial scheduled for 3/16/21.

***FTC v. AMERICAN FUTURE SYSTEMS, INC.***, No. 2:20-cv-02266 (E.D. Pa.)

Parties: American Future Systems, Inc. d/b/a Progressive Business Publications  
d/b/a Progressive Business Publications, Inc. d/b/a Center for  
Education & Employment Law  
Progressive Business Publications of New Jersey, Inc. d/b/a Progressive  
Business Publications, Inc. d/b/a Center for Education and  
Employment Law  
International Credit Recovery, Inc. d/b/a ICR  
Edward M. Satell  
Richard Diorio, Jr.  
Cynthia Powell

Assigned Attorneys: Christian Capece (ECR)  
Derek Diaz  
Jonathan Kessler  
Amy Hocevar

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and  
the Unordered Merchandise Statute, in connection with Defendants'  
deceptive selling of and collection of payment for publication  
subscriptions.

Status: Complaint filed 5/13/20.

***FTC v. AMG SERVICES, INC.***, No. 19-508 (S. Ct.); Nos. 16-17197, 14-16468 (9th Cir.); No.  
2:12-cv-00536 (D. Nev.)

Parties: AMG Services, Inc.  
Red Cedar Services, Inc., d/b/a 500FastCash  
SFS, Inc., d/b/a OneClickCash  
Tribal Financial Services, Inc., d/b/a Ameriloan, d/b/a UnitedCashLoan,  
d/b/a USFastCash, d/b/a Miami Nation Enterprises.  
AMG Capital Management, LLC  
Level 5 Motorsports, LLC  
Lead Flash Consulting, LLC  
Black Creek Capital Corporation  
Broadmoor Capital Partners, LLC  
Muir Law Firm, LLC  
Scott A. Tucker  
Blaine A. Tucker  
Timothy J. Muir  
Don E. Brady  
Robert D. Campbell  
Troy L. LittleAxe  
Park 269 LLC

Kim C. Tucker

Assigned Attorneys: Nikhil Singhvi (BCP/FP)  
Iona Rusu  
Jason Schall  
Jack Metzler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Truth in Lending Act, and the Electronic Fund Transfer Act, in connection with offering and extending credit, payday loans, and the collection of those loans.

Status: Complaint filed 4/2/12.  
Motion to dismiss by all defendants filed 5/25/12; Commission's response filed 6/11/12.  
Partial withdrawals of motions to dismiss filed 10/15/12 and 10/16/12.  
Stipulated preliminary injunction entered 12/27/12.  
Commission's amended motion for partial summary judgment filed 3/7/13; defendants' responses filed 3/25/13.  
Motion for legal determination on tribal sovereign immunity by defendants AMG Services, Inc., Red Cedar Services, Inc., SFS, Inc., and Tribal Financial Services filed 4/8/13; cross-motion for legal determination by defendant Troy Little Axe filed 4/10/13; Commission's response filed 4/19/13.  
Commission's amended complaint filed 4/12/13.  
Report and recommendation by magistrate that Commission's motion for partial summary judgment and defendant's motion for legal determination on tribal sovereign immunity be granted in part and denied in part entered 7/16/13.  
Joint motion for permanent injunction and judgment as to defendants AMG Services, SFS, Inc., MNE Services, Inc., AMG Capital Management, LLC, Level 5 MotorSports, LLC, LeadFlash Consulting, LLC, Black Creek Capital Corp., Broadmoor Capital Partners, LLC, Scott A. Tucker, Blaine A. Tucker, Don E. Brady, Robert D. Campbell, and Troy L. Little Axe, Jr. filed 7/18/13.  
Motion for summary judgment by Commission filed 9/30/13; Muir defendants' opposition filed 11/29/13; remaining defendants' opposition filed 12/4/13; Commission's reply filed 12/20/13.  
Motions for summary judgment by defendants filed 9/30/13; Commission's opposition filed 12/4/13; defendants' reply filed 12/20/13.  
Order granting joint motion for permanent injunction and judgment as to defendants AMG Services, SFS, Inc., MNE Services, Inc., AMG Capital Management, LLC, Level 5 MotorSports, LLC, LeadFlash Consulting, LLC, Black Creek Capital Corp., Broadmoor Capital Partners, LLC, Scott A. Tucker, Blaine A. Tucker, Don E. Brady, Robert D. Campbell, and Troy L. Little Axe, Jr. entered 10/8/13.

Report and recommendation by magistrate that Commission's motion for summary judgment be granted in part and denied in part, and that defendant's motion for summary judgment be denied, entered 1/28/14; defendant's objections filed 2/14/14; Commission's response filed 3/2/14.

Order adopting magistrate's 7/16/13 report and recommendations entered 3/7/14.

Order adopting magistrate's 1/28/14 report and recommendations entered 5/29/14.

Stipulation and order to dismiss defendants Timothy J. Muir and the Muir Law Firm, LLC entered 9/8/14.

Order denying defendants' motion to enforce settlement entered 7/16/14; notice of appeal filed 7/30/14; Ninth Circuit order dismissing appeal for lack of jurisdiction entered 10/30/14.

Stipulated permanent injunction and monetary judgment as to defendants AMG Services and MNE Services, Inc. entered 1/23/15.

Stipulated permanent injunction and monetary judgment against defendants Troy Little Axe, Jr., Don Brady and Robert Campbell entered 3/17/15.

Motion for preliminary injunction by the Commission filed 5/8/15; responses filed 5/26/15.

Stipulated orders for permanent injunction and equitable monetary relief as to defendants Red Cedar Services, Inc. and SFS, Inc. entered 11/25/15.

Motion for summary judgment by Commission filed 1/20/16; defendants' opposition filed 2/26/16; Commission's reply filed 3/18/16.

Motion for summary judgment by defendants filed 1/20/16; Commission's opposition filed 2/26/16; defendants' reply filed 3/18/16.

Order granting Commission's motion for summary judgment, denying defendants' motion for summary judgment, and awarding permanent injunction and monetary relief of \$1.3 billion entered 9/30/16.

Notice of appeal filed 11/29/16.

Appellant's opening brief filed 7/21/17; Commission's answering brief filed 12/11/17; reply brief filed 1/16/18.

Oral argument held 8/15/18.

Panel opinion, affirming district court's summary judgment and relief order, entered 12/3/18.

Order denying appellant's motion for rehearing *en banc* entered 6/20/19.

Petition for writ of certiorari filed 10/18/19; brief of respondent FTC filed 12/13/19; reply brief of petitioners filed 12/20/19.

***FTC v. APEX CAPITAL GROUP, LLC***, No. 2:18-cv-09573 (C.D. Cal.)

Parties: Apex Capital Group, LLC  
Capstone Capital Solutions Limited  
Clik Trix Limited  
Empire Partners Limited  
Interzoom Capital Limited  
Lead Blast Limited  
Mountain Venture Solutions Limited  
Nutra Global Limited  
Omni Group Limited  
Rendezvous it Limited  
Sky Blue Media Limited  
Tactic Solutions Limited  
Phillip Peikos  
David Barnett  
SIA Transact Pro  
Mark Moskvins

Assigned Attorneys: Laura Zuckerwise (NER)  
Brian Lasky  
Darren H. Lubetzky

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, the Restore Online Shoppers' Confidence Act, and the Electronic Fund Transfer Act in connection with the marketing of supposedly "free trial" offers for personal care products and dietary supplements online.

Status: Complaint filed 11/14/18.  
Ex parte TRO entered 11/16/18.  
Stipulated preliminary injunctions entered 12/19/18.  
Amended complaint naming SIA Transact Pro and Mark Moskvins filed 5/30/19.  
Defendant's motion to dismiss filed 8/5/19; Commission's opposition to motion filed 8/19/19; defendant's reply filed 8/26/19; order denying motion to dismiss entered 9/16/19.  
Order granting permanent injunction and monetary judgment entered 9/11/19.  
Stipulated order for permanent injunction and monetary judgment as to defendants Sia Transact Pro and Mark Moskvins entered 1/15/20.

***FTC v. A.S. RESEARCH, LLC***, No. 1:19-cv-03423 (D. Colo.)

Parties: A.S. Research, LLC  
Michael K. Ledebor  
Stephen J. Young

Assigned Attorneys: Elizabeth Nach (BCP/AP)  
Janet Evans

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the advertising, labeling, promotion, offering for sale, sale, or distribution of Synovia and other health-related products.

Status: Complaint filed 12/5/19.  
Proposed stipulated order for permanent injunction and monetary judgment filed 12/5/19.

***FTC v. BLUEHIPPO FUNDING, LLC***, Nos. 11-374, 16-1599, 17-1587, 17-669 (2d Cir.); No. 1:08-cv-01819 (S.D.N.Y.); No. 9:19-cv-80001 (S.D. Fla.); 9:17-ap-01185 (S.D. Fla.)

Parties: BlueHippo Funding, LLC  
BlueHippo Capital LLC  
Joseph K. Rensin

Assigned Attorneys: Amanda C. Basta (BCP/ENF)  
Michael P. Mora  
Michele Arington (OGC)  
Jack Metzler  
Mariel Goetz

Alleged Conduct: Contempt proceeding for violations of a permanent injunction in connection with the sale of personal computers, televisions, and other consumer electronics.

Status: Complaint filed 2/22/08.  
Stipulated final judgment and order for permanent injunction entered 4/9/08.  
Motions for contempt and to modify permanent injunction against BlueHippo Funding, LLC, BlueHippo Capital LLC, and Joseph K. Rensin filed 11/17/09.  
Order to show cause why defendants should not be held in contempt entered 11/16/09; modified 11/18/09.  
Defendants' memoranda of law filed 12/7/09 and 12/11/09; Commission's reply memoranda of law filed 12/11/09 and 12/12/09.  
Trial held 2/9/10-2/11/10; closing argument held 2/19/10.  
Order granting motion for contempt entered 7/27/10; judgment entered 7/30/10.  
Commission's motion to amend/correct judgment and order filed 8/27/10; defendants' opposition filed 9/24/10; Commission's reply filed 10/8/10.  
Order denying Commission's motion to amend/correct judgment and order

entered 12/1/10.  
Commission's notice of appeal re contempt order filed 1/28/11.  
Notice of appeal filed 2/1/11.  
Commission's brief filed 5/16/11.  
Appellee's brief filed 8/15/11.  
Commission's reply brief filed 9/12/11.  
Argument held 2/23/12.  
Opinion vacating the district court's judgment and remanding the case to the district court entered 8/12/14.  
Appellee Joseph Rensin's petition for rehearing filed 9/25/14.  
Order denying Joseph Rensin's petition for rehearing entered 11/17/14.  
Oral argument before the district court concerning applicability of presumption of reliance held 6/4/15.  
Opinion and order ruling that Commission is entitled to presumption of consumer reliance entered 11/6/15.  
Final judgment imposing compensatory contempt sanctions entered 4/19/16.  
Notice of appeal by Rensin filed 5/18/16.  
Appellant's opening brief filed 8/29/16; Commission's answering brief filed 11/28/16; appellant's reply brief filed 12/9/16.  
Suggestion of bankruptcy and automatic stay by Rensin filed 2/15/17; Commission's opposition filed 2/16/17; reply filed 2/27/17.  
Order rejecting application of automatic bankruptcy stay entered 3/6/17.  
Notice of appeal filed 3/7/17.  
Motion to stay contempt proceeding pending appeal filed 3/10/17; Commission's opposition filed 3/23/17; reply filed 3/29/17; temporary stay entered 3/27/17; motion for stay granted 5/2/17.  
District court order finding defendant Rensin in contempt, but staying order due to appeals court's temporary stay order entered 3/28/17.  
Second Circuit opinion affirming district court judgment imposing compensatory contempt sanctions entered 4/12/17.  
Notice of appeal of 3/28/17 order filed by Joseph Rensin on 5/16/17; order holding appeal in abeyance entered 5/31/17.  
Appellant's opening brief (No. 17-669) filed 4/10/17; Commission's answering brief filed 6/9/17; reply brief filed 7/6/17.  
Oral argument heard on 2/15/18.  
Supplemental briefs filed 2/19/18.  
Order compelling appellant Joseph Rensin to respond to Commission's suggestion in its 2/15/18 brief that this case might be consolidated with Case No. 17-1587 entered 12/6/18; appellant's response filed 12/7/18.  
Order consolidating appeals 17-669 and No. 17-1587 entered 1/16/19.  
Rensin's notice of appeal of bankruptcy court's ruling that his compensatory contempt sanction debt to the FTC is not dischargeable filed 12/28/18.  
Appellant Joseph Rensin's brief in contempt appeal filed 2/14/19;

Commission's brief filed 3/18/19; appellant's reply brief filed 4/1/19.  
Appellant Rensin's opening brief in bankruptcy appeal filed 3/29/19; Commission's brief filed 5/13/19; Rensin's reply brief filed 5/31/19.  
Second Circuit decision in consolidated appeals vacating district court's judgment entered 6/26/19.  
District court order in bankruptcy appeal affirming bankruptcy court decision entered 7/25/19.  
Appellant Rensin's motion for costs filed in Second Circuit 7/11/19; Commission's opposition to motion filed 7/18/19; order denying motion entered 10/1/19.  
Status conference scheduled for 8/4/20.

***FTC v. BOOSTMYSCORE, LLC***, No. 1:20-cv-00641 (D. Colo.)

Parties: BoostMyScore LLC d/b/a BoostMyScore.net  
BMS, Inc. d/b/a BoostMyScore.net  
William O. Airy

Assigned Attorneys: Daniel Dean Dwyer (BCP/FP)

Nature of Action: Violations of Section 5 of the FTC Act, the Credit Repair Organizations Act, and the Telemarketing Sales Rule in connection with the advertising, marketing, and distribution of credit repair services.

Status: Complaint filed 3/6/20.  
Stipulated order for permanent injunction and monetary judgment entered 4/17/20.  
Final judgment entered 5/13/20.

***FTC v. BRANSFIELD***, No. 20-cv-00372 (M.D. Fla.)

Parties: Steven J. Bransfield  
SB & A Media, Inc.  
SB&A Group, LLC  
WeRunAds, LLC  
Gar Leong Chow  
TTZ Media, Inc.  
Scott A. Zuckman  
Alpha Quad Enterprises, Inc.

Assigned Attorneys: Sung W. Kim (BCP/MP)  
Benjamin Davidson

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC



Act in connection with the marketing and sale of an online business education program.

Status: Complaint filed 3/3/20.  
Stipulated final orders for permanent injunction and monetary judgment entered 4/13/20.

*FTC v. CARDIFF*, Nos. 20-55397, 20-55066, 19-56397 (9th Cir.); No. 5:18-cv-02104 (C.D. Cal.)

Parties: Jason Cardiff  
Eunjung Cardiff  
Danielle Cadiz  
Redwood Scientific Technologies, Inc. (California Corp.) d/b/a Rengalife  
Redwood Scientific Technologies, Inc. (Nevada Corp.)  
Redwood Scientific Technologies, Inc. (Delaware Corp.)  
Identify, LLC  
Advanced Mens Institute Prolongz LLC d/b/a AMI  
Runway Products, LLC  
Carols Place Limited Partnership  
Jacques Poujade (third party)  
True Pharmastrip, Inc. (proposed intervenor)

Assigned Attorneys: Stacy Rene Procter (WRLA)  
Edwin Rodriguez (BCP/DAP)  
Elizabeth Sanger  
James Prunty  
Shira Modell  
Mark Hegedus (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, the Restore Online Shoppers' Confidence Act, the Electronic Fund Transfer Act, and the FTC's Telemarketing Sales Rule in connection with the advertising and marketing of smoking cessation, weight-loss, and sexual-performance aids.

Status: Complaint filed 10/10/18.  
Preliminary injunction with asset freeze and other equitable relief as to defendants Redwood Scientific Technologies, Inc. (California), Redwood Scientific Technologies, Inc. (Nevada), Redwood Scientific Technologies, Inc. (Delaware), Indentify, LLC, Advanced Mens Institute Prolongz LLC, Runway Products, LLC, and Carols Place Limited Partnership entered 10/24/18.  
Stipulated preliminary injunction as to defendant Danielle Cadiz entered 11/2/18.  
Preliminary injunction with asset freeze and other equitable relief as to

defendants Jason Cardiff and Eunjung Cardiff entered 11/8/18.  
Clerk's entry of default as to defendants Redwood Scientific Technologies, Inc., a California corporation, Redwood Scientific Technologies, Inc., a Nevada corporation, and Redwood Scientific Technologies, Inc., a Delaware corporation, Advanced Mens Institute Prolongz, LLC, and Runaway Products, LLC, entered 3/5/19.  
Clerk's entry of default as to defendant Identify, LLC entered 3/7/19.  
Order granting joint stipulation for permanent injunction as to defendant Danielle Cadiz entered 5/16/19.  
Commission's application for contempt against defendants Eunjung Cardiff, Jason Cardiff, and third-party Jacques Poujade for violations of the TRO and preliminary injunction filed 6/17/19; opposition to contempt motion filed 7/8/19; reply in support of contempt motion filed 7/15/19.  
Order finding defendant James Cardiff in contempt entered 7/29/19; order finding defendant James Cardiff no longer in contempt entered 7/30/19.  
Motion to intervene by True Pharmastrip, Inc. filed 10/18/20.  
Order requiring turnover of funds entered 10/29/19.  
Application to modify or stay order requiring turnover of funds pending appeal filed 11/22/19; Commission's opposition to application filed 11/26/19; reply in support of application filed 11/27/19; order denying application entered 12/17/19.  
Notice of appeal by Jacques Poujade filed 11/27/19.  
Motion by Jaques Poujade in 9<sup>th</sup> Circuit to stay lower court action filed 12/23/19; motion denied 2/28/20.  
Notice of appeal by True Pharmastrip, Inc., filed 1/15/20.  
Motion to dissolve preliminary injunction by Eunjung Cardiff and Jason Cardiff filed 1/20/20; motion denied 3/30/20.  
Commission's motion for contempt against Eunjung Cardiff and Jason Cardiff for violation of preliminary injunction filed 3/2/20; order holding Cardiff Defendants in contempt entered 3/31/20.  
Notice of appeal by Eunjung Cardiff and Jason Cardiff filed 4/7/20; appeal dismissed for lack of jurisdiction on 6/26/20.  
Appellants Poujade and TPI's opening brief filed 4/6/20.  
Commission's motion for contempt against Jacques Poujade filed 5/29/20.  
Commission's motion for contempt sanctions against Jason Cardiff and Eunjung Cardiff for failure to comply with 3/31/20 contempt order filed 6/19/20.  
Temporary restraining order with asset freeze and other equitable relief and order to show cause why a preliminary injunction should not issue entered 6/24/20.  
Trial scheduled for 10/20/20.

**FTC v. CONSUMER DEFENSE, LLC**, Nos. 18-15462, 19-16000, 19-17326; 20-15143, 20-15144 (9th Cir.); No. 2:18-cv-00030 (D. Nev.)

Parties: Consumer Defense, LLC  
Consumer Link, Inc.  
Preferred Law, PLLC  
American Home Loan Counselors  
Consumer Defense Group, LLC (formerly known as Modification Review Board, LLC)  
Consumer Defense, LLC  
Brown Legal, Inc.  
AM Property Management, LLC  
Fmg Partners, LLC  
Zinly, LLC  
Jonathan P. Hanley  
Benjamin R. Horton  
Sandra X. Hanley  
American Home Loans, LLC

Assigned Attorneys: Gregory Ashe (BCP/FP)  
Jason Schall  
Imad Abyad (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Mortgage Assistance Relief Service Rule in connection with the marketing and sale of mortgage assistance relief.

Status: Complaint filed 1/8/18.  
TRO entered 1/10/18.  
FTC Motion for Preliminary injunction filed 1/8/18;  
Defendants' opposition filed 2/12/18; Commission reply filed 2/14/18;  
Preliminary Injunction entered 2/20/18.  
Defendant Benjamin R Horton's motion to dismiss filed 1/22/18;  
Commission's response to motion filed 2/5/18; reply filed 2/15/18; motion denied 6/7/18.  
Defendants AM Property Management, LLC, American Home Loan Counselors, American Home Loans, LLC, Brown Legal, Inc, Consumer Defense Group, LLC, Consumer Defense, LLC, FMG Partners, LLC, Jonathan P. Hanley, Sandra X. Hanley, Preferred Law, PLLC, Zinly, LLC's motions to dismiss filed 2/12/18;  
Commission's responses to motions filed 2/26/18; replies filed 3/5/18; motion denied 6/7/18.  
Notice of appeal to Ninth Circuit of preliminary injunction filed 03/21/18 (No. 18-15462). Appellants' opening brief filed 4/18/18;  
Commission's answering brief filed 5/16/18; reply brief filed 6/6/18; Oral argument held 9/14/18. Decision by 9<sup>th</sup> Circuit

affirming district court's entry of preliminary injunction entered 6/17/19.

Receiver Thomas McNamara motion for order to sell Receivership property filed 4/18/18; Commission concurrence filed 4/30/18; Defendants' opposition filed 5/1/18; Receiver reply filed 5/8/18; Order granting motion entered 1/18/19.

Stipulated final order for permanent injunction and monetary judgment as to defendant Benjamin Horton entered 6/5/18.

Commission's motion for entry of clerk's default as to defendants Consumer Defense, LLC (Nevada) and Consumer Link, Inc. filed 8/7/18. Clerk's entry of default as to Consumer Defense, LLC (Nevada) and Consumer Link Inc. entered 1/28/19. Default vacated on 6/14/19.

Defendant Hanley motion to vacate order granting Receiver's motion to sell property filed 1/28/19; Receiver opposition filed 1/31/19; Commission opposition filed 2/5/19; Order denying motion entered 4/30/19.

Defendant Hanley notice of appeal to Ninth Circuit of order denying motion to vacate order granting Receiver's motion to sell property filed 5/10/19 (No. 19-16000); Ninth Circuit order dismissing appeal for failure to file fees entered 7/17/19.

Commission's motion for default judgment against defendants Consumer Defense, LLC (Nevada) and Consumer Link, Inc. filed 5/7/19; Commission notice of withdrawal of motion filed 6/25/19.

Commission motion for summary judgment filed 7/15/19; defendants' opposition filed 10/2/19; defendant Hanley's opposition filed 10/5/19; Commission reply brief filed 11/5/19.

Order granting Commission motion for summary judgment entered 12/5/19.

Receiver Thomas McNamara motion to approve sale of Park City condo filed 8/30/19; Commission concurrence filed 9/13/19; defendants' opposition filed 9/13/19; receiver's reply filed 9/20/19; order granting motion entered 10/9/19.

Defendant Hanley's notice of appeal to Ninth Circuit of order granting receiver's motion for approval of sale of Park City condo filed 11/12/19 (No. 19-7326); Ninth Circuit order dismissing Hanley's appeal for failure to prosecute entered 3/20/20.

Defendant Sandra Hanley's notice of appeal to Ninth Circuit of order granting summary judgment filed 2/3/20 (No. 20-15143).

Defendant Jonathan Hanley's notice of appeal to Ninth Circuit of order granting summary judgment filed 2/3/20 (No. 20-15144).

Appellants Hanleys' opening briefs due 9/21/20.

***FTC v. CREDIT BUREAU CENTER, LLC***, No. 19-825 (S. Ct.); Nos. 18-3310, 18-2847 (7th Cir.); No. 1:17-cv-00194 (N.D. Ill.)

Parties: Credit Bureau Center, LLC, f/k/a MyScore, LLC d/b/a efreescore.com, creditupdates.com, and freecreditnation.com  
Michael Brown  
Danny Pierce  
Andrew Lloyd

Assigned Attorneys: Guy Ward (MWR)  
Douglas McKenney  
Michael Bergman (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Restore Online Shoppers' Confidence Act, and the Fair Credit Reporting Act in connection with the marketing of credit monitoring services.

Status: Complaint filed 1/10/17.  
Ex parte TRO entered 1/11/17.  
Stipulated preliminary injunction as to defendants Danny Pierce and Andrew Lloyd entered 2/8/17.  
Stipulated preliminary injunction as to defendants Michael Brown and Credit Bureau Center entered 2/21/17.  
Order finding defendant Michael Brown in civil contempt entered 6/28/17.  
Stipulated order for permanent injunction and monetary judgment as to defendants Danny Pierce and Andrew Lloyd entered 10/26/17.  
Commission's motion for summary judgment against remaining defendants Michael Brown and Credit Bureau Center, LLC filed 3/2/18; defendants' response filed 3/12/18; order granting motion for summary judgment entered 6/26/18.  
Notice of appeal by defendants Michael Brown and Credit Bureau Center, LLC filed 8/22/18.  
Motion by defendants Michael Brown, Credit Bureau Center, LLC to stay district court's final injunction pending appeal filed 8/31/18; response in opposition filed 9/17/18; district court order granting motion to stay in part, barring Commission from distributing funds recovered to consumers pending conclusion of appeal, but otherwise denying, entered 9/26/18.  
Amended notice of appeal of post-judgment order denying defendants' request to pay their attorneys from the receivership estate filed 10/26/18.  
Order consolidating appeals entered 11/16/18.  
Appellants' brief filed 12/5/18.  
Order denying defendants Michael Brown and Credit Bureau Center, LLC's motion for stay of judgment pending appeal entered 1/8/19.

Commission's brief filed 3/12/19; appellants' reply brief filed 4/1/19.  
Oral argument heard 4/17/19.  
Order vacating the restitution award and affirming the judgment in other respects entered by the Seventh Circuit 8/21/19.  
Commission's petition for writ of certiorari filed 12/19/19; Credit Bureau Center's brief in opposition filed 4/14/20; Commission's reply brief filed 4/28/20.

***FTC v. ECOLOGICAL FOX, LLC***, Nos. 19-1925, 19-2387, 19-2204, 19-2306, 19-2387, 20-1594 (4th Cir.); No. 1:18-cv-03309 (D. Md.)

Parties:

- Ecological Fox, LLC
- Luke Chadwick
- Andris Pukke a/k/a Marc Romeo a/k/a Andy Storm
- Peter Baker
- Global Property Alliance, Inc. d/b/a Sanctuary Bay, Sanctuary Belize, The Reserve, Kanantik, Laguna Palms, Bamboo Springs, Eco Futures, Eco Futures Development, Eco Futures Belize, Sittee River Wildlife Reserve, Buy Belize, Buy International
- Sittee River Wildlife Reserve d/b/a Sanctuary Bay d/b/a Sanctuary Belize d/b/a The Reserve
- Buy Belize, Llc d/b/a Sanctuary Bay d/b/a Sanctuary Belize d/b/a The Reserve d/b/a Kanantik d/b/a Laguna Palms d/b/a Bamboo Springs
- Buy International, Inc. d/b/a Sanctuary Bay d/b/a Sanctuary Belize d/b/a The Reserve d/b/a Kanantik d/b/a Laguna Palms d/b/a Bamboo Springs
- Foundation Development Management Inc.
- Eco-Futures Development d/b/a Sanctuary Bay d/b/a Sanctuary Belize d/b/a The Reserve
- Eco-Futures Belize Limited d/b/a Sanctuary Bay d/b/a Sanctuary Belize d/b/a The Reserve
- Power Haus Marketing
- Brandi Greenfield
- BG Marketing, LLC
- Prodigy Management Group, LLC
- John Usher
- Rod Kazazi
- Foundation Partners f/k/a Red Crane Advisors, Inc.
- Frank Costanzo a/k/a Frank Green a/k/a Frank Peerless Green a/k/a Frank Connelly a/k/a Frank Connelly-Costanzo
- Belize Real Estate Affiliates, LLC d/b/a Coldwell Banker Belize d/b/a Coldwell Banker Southern Belize
- Exotic Investor, LLC d/b/a Coldwell Banker Belize d/b/a Coldwell Banker Southern Belize
- Southern Blaze Realty, LLC d/b/a Coldwell Banker Belize d/b/a Coldwell Banker Southern Belize

Sanctuary Belize Property Owners' Association d/b/a The Reserve  
Property Owners' Association  
Atlantic International Bank, Ltd.  
Angela Chittenden  
Beach Bunny Holdings, LLC  
The Estate of John Pukke a/k/a The Estate of Janis Pukke a/k/a The Estate  
of John Andris Pukke  
John Vipulis  
Deborah Connelly  
Newport Land Group, LLC a/k/a Laguna Palms a/k/a Sanctuary Belize  
a/k/a Bamboo Springs a/k/a The Reserve  
Michael Santos

Assigned Attorneys: Jonathan Cohen (BCP/ENF)  
Amanda Kostner  
Benjamin Theisman  
Elizabeth Averill  
Khouryanna DiPrima  
Theodore (Jack) Metzler (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the marketing and sale of real estate investments and related services.

Status: Complaint filed 10/31/18.  
TRO entered 11/11/18.  
Motion for interim preliminary injunction filed 11/15/18; response in opposition filed 11/16/18; reply filed 11/18/18.  
Order extending TRO, to remain in effect as an interim preliminary injunction through the conclusion of a show cause hearing, entered 11/20/18.  
Defendant Atlantic International Bank, LTD's motion to dismiss filed 12/14/18; response in opposition filed 1/22/19; defendant's response filed 1/31/19.  
Defendant Andris Pukke's motion to transfer case to the Central District of California filed 12/14/18.  
Notice of appeal from 11/20/18 order by defendant Atlantic National Bank filed 12/19/18.  
Commission's amended complaint filed 1/15/19.  
Order denying defendant Atlantic International Bank's motion to dismiss entered 2/1/19.  
Order denying defendant Andris Pukke's motion to dismiss certain claims in the amended complaint entered 3/4/19.  
Commission's motion to hold defendants John Vipulis, Peter Baker, Andris Pukke, and John Usher in contempt filed 3/5/19; response in opposition filed by defendant Peter Baker 3/7/19.

Preliminary injunction hearing held 3/11/19-3/22/19.  
Motion to dismiss for failure to state a claim by defendant Michael Santos filed 3/18/19; Commission's response filed 4/1/19.  
Order modifying interim preliminary injunction entered 3/28/19.  
Order granting Commission's motion to stay proceedings as to defendants Frank Costanzo, Ecological Fox, LLC, and Deborah Connelly entered 4/4/19.  
Motion to dismiss for lack of jurisdiction by defendant Atlantic International Bank, LTD filed 4/4/19; Commission's response filed 6/7/19.  
Order denying defendant Anris Pukke's motion to dismiss entered 4/30/19.  
Appellant Atlantic International Bank, LTD's (No. 19-1925) opening brief filed 5/14/19; Commission's response brief filed 6/12/19;  
Commission's motion for stay of proceedings as to defendants Frank Costanzo, Ecological Fox LLC, and Deborah Connelly filed 7/23/19; order granting motion entered 7/26/19.  
Commission's proposed preliminary injunction filed 8/12/19; defendant Chadwick's opposition to proposed preliminary injunction filed 8/22/19; Commission's reply in support of preliminary injunction filed 9/3/19.  
Defendant Chadwick's motion to dismiss for lack of jurisdiction filed 8/22/19; Commission's response to motion filed 8/27/19; order denying motion to dismiss entered 9/5/19.  
Order extending stay of litigation against Atlantic International Bank entered 9/6/19.  
Joint motion to dismiss Atlantic International Bank's appeal (No. 19-1925) filed 9/10/19.  
Stipulated order for permanent injunction and monetary judgment against defendant Atlantic International Bank entered 9/25/19.  
Preliminary injunction as to defendants Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Certain Corporate Defendants, and the estate of John Pukke entered 10/3/19.  
Memorandum opinion and order addressing calculation of equitable monetary relief entered 10/17/19.  
Order that defendants are not entitled to jury trials on the contempt motions entered 10/22/19.  
Notice of appeal of preliminary injunction by defendant Peter Baker (No. 19-2306) filed 10/25/19.  
Notice of appeal of preliminary injunction by defendant Andris Pukke (No. 19-2204) filed 10/29/19.  
Notice of appeal of preliminary injunction by defendant Luke Chadwick (No. 19-2387) filed 12/2/19; order dismissing appeal for failure to prosecute entered 4/17/20.  
Baker's opening brief filed 12/27/19; Pukke's opening brief filed 12/30/19; Commission's answering brief to Baker and Pukke



appeals filed 2/3/20; opinion affirming preliminary injunction issued 2/24/20.  
Stipulated final orders for permanent injunction and monetary judgment against Brandi Greenfield, BG Marketing LLC, Rod Kazazi, and Foundation Partners entered 1/4/20.  
Stipulated final order against relief defendants Angela Chittenden and Beach Bunny Holdings LLC entered 1/10/20.  
Bench trial held 1/21/20 through 2/12/20.  
Order denying motion by Peter Baker to dismiss the case as sanction against FTC entered 4/22/20.  
Notice of appeal by Peter Baker (No. 20-1594) filed 5/26/20; Baker's opening brief filed 6/23/20.

***FTC v. EDUCARE CENTRE SERVICES, INC.***, No. 9506276 (5th Cir.); No. 3:19-cv-00196 (W.D. Tex.)

Parties: Educare Centre Services, Inc., d/b/a Credit Card Services, Card Services, Credit Card Financial Services, Care Net, Tripletel Inc., Revit Educ Srvc, L.L. Vision, Care Value Services, and Card Value Services

Globex Telecom, Inc.

Tripletel, Inc.

Prolink Vision, S.R.L.

Sam Madi

Mohammad Souheil, a/k/a Mohammed Souheil and Mike Souheil

Wissam Abedel Jalil, a/k/a Sam Jalil

Charles Kharouf

9506276 Canada, Inc.,

9896988 Canada Inc. (relief defendant)

State of Ohio (co-plaintiff)

Assigned Attorneys: Ronnie Brooke (BCP/MP)  
Christopher Brown

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule, and Ohio law in connection with the telemarketing and sale of credit interest rate reduction services.

Status: Complaint filed 7/18/19.  
TRO entered 7/19/19  
Preliminary injunction against Wissam Abedel Jalil, Tripletel, and Educare entered 7/30/19.  
Order denying motions to dismiss by Mohammad Souheil and 9896988 Canada entered 10/22/19.  
First amended complaint filed 12/3/19.  
TRO against Globex and 9506276 Canada entered 12/3/19.  
Preliminary injunction against remaining defendants entered 12/17/19.

Order denying motion to dissolve the TRO by defendants Souheil, Prolink Vision, 9896988 Canada, Globex Telecom, and 9506276 Canada entered 1/14/20.

Order granting FTC's motion for contempt against Globex Telecom and 9506276 entered 1/17/20.

Order denying motion for summary judgment by defendants Souheil, Prolink Vision, and 9896988 Canada entered 1/17/20.

Order holding Globex Telecom and 9506276 Canada in contempt of court entered 1/29/20.

Notice of appeal of preliminary injunction and asset freeze by Mohammad Souheil and relief defendant 9896988 Canada filed 2/18/20; motion for stay pending appeal in 5th Circuit filed 4/14/20; FTC opposition filed 4/24/20; appellants' opening brief filed 5/12/20; stay denied 6/4/20.

Order of civil contempt against defendant Charles Kharouf entered 3/17/20.

Order denying motions to dismiss by Mohammad Souheil and relief defendant 9896988 Canada entered 3/23/20.

Clerk's entry of default against Globex Telecom and 9506276 Canada entered 4/7/20.

Clerk's entry of default against Charles Kharouf entered 4/7/20.

Order granting motion to stay proceedings as to Souheil, 9896988 Canada, Prolink Vision, Globex Telecom, and 9506276 Canada pending agency review of proposed settlement entered 6/16/20.

Joint motion to suspend briefing in appeal filed 6/17/20; order dismissing appeal without prejudice entered 6/19/20.

***FTC v. ELECTRONIC PAYMENT SOLUTIONS OF AMERICA, INC.***, No. 2:17-cv-02535  
(D. Ariz.)

Parties:                    Electronic Payment Solutions of America, Inc.  
                                  Electronic Payment Services, Inc.  
                                  KMA Merchant Services, LLC  
                                  Dynasty Merchants, LLC  
                                  Jay Wigdore  
                                  Michael Abelmessseh aka Michael Stewart  
                                  Nikolas Mihilli  
                                  Electronic Payment Systems, LLC  
                                  Electronic Payment Transfer, LLC  
                                  John Dorsey  
                                  Thomas McCann  
                                  Michael Peterson

Assigned Attorneys: James Evans (BCP/MP)  
                                  Jody Goodman

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the FTC's Telemarketing Sales Rule in connection with telemarketing scheme that told consumers they could earn thousands of dollars by lending money to small businesses.

**Status:** Complaint filed 7/28/17.  
First amended complaint filed 3/9/18.  
Stipulated order for permanent injunction and monetary judgment against defendants KMA Merchant Services LLC and Michael Abdelmesseh entered 6/13/18.  
Stipulated order for permanent injunction and monetary judgment against Dynasty Merchants, LLC and Nikolas Mihilli entered 1/9/19.  
Motion to dismiss FTC's claim for monetary relief by Electronic Payment Systems, LLC, and Electronic Payment Transfer, LLC filed 4/24/19; Commission's opposition filed 5/8/19; defendants' reply filed 5/24/19; Motion denied 8/28/19.  
Stipulated order for permanent injunction and monetary judgment against Michael Peterson entered 8/28/19.  
Motion to amend answer by Electronic Payment Systems, LLC, and Electronic Payment Transfer, LLC filed 5/31/19; Commission's opposition filed 6/14/19; defendants' reply filed 7/5/19; motion denied 8/28/19.  
Motion for judgment on the pleadings by John Dorsey and Thomas McCann filed 6/11/19; Commission's opposition filed 6/25/19; defendants' reply filed 7/12/19; motion denied 8/28/19.  
Motion to reconsider or certify denial of motion to dismiss by Electronic Payment Systems, LLC, and Electronic Payment Transfer, LLC filed 9/10/19; Commission's opposition filed 9/24/19; defendants' reply filed 10/1/19; motion denied 10/23/19.  
Motion for summary judgment by Electronic Payment Systems, LLC and Electronic Payment Transfer filed 3/18/20; FTC's opposition filed 4/16/20; reply filed 4/22/20.

***FTC v. ELEGANT SOLUTIONS, INC.***, No. 8:19-cv-01333 (C.D. Cal.)

**Parties:** Elegant Solutions, Inc., d/b/a Federal Direct Group  
Trend Capital Ltd., d/b/a Mission Hills Federal  
Dark Island Industries, Inc., d/b/a Federal Direct Group, and f/k/a  
Cosmopolitan Funding Inc.  
Heritage Asset Management, Inc., d/b/a National Secure Processing  
Tribune Management, Inc., d/b/a The Student Loan Group  
Mazen Radwan  
Rima Radwan  
Labiba Velazquez  
Dean Robbins

**Assigned Attorneys:** Michelle Grajales (BCP/FP)

Samuel Jacobson

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with marketing and sale of student loan debt relief services.

**Status:** Complaint filed 7/8/19.  
Stipulated preliminary injunction entered 7/17/19.  
Amended Complaint filed 8/27/19.  
Cross-motions for summary judgment by FTC and defendants filed 3/9/20; FTC's opposition to defendants' motion filed 3/30/20; defendants' opposition to FTC's motion filed 3/31/20; replies filed 4/6/20.  
Order staying trial pending resolution of summary judgment motions entered 5/29/20.

***FTC v. ELITE IT PARTNERS***, No. 2:19-cv-00125 (D. Utah)

**Parties:** Elite IT Partners d/b/a Elite IT Home  
James Michael Martinos

**Assigned Attorneys:** Amanda R. Grier (BCP/MP)  
Colleen Robbins  
Elsie Kappler

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sale Rule, and Section 4 of the Restore Online Shoppers' Confidence Act in connection with computer technical support scheme.

**Status:** Complaint filed 2/25/19.  
TRO entered 2/26/19.  
Preliminary injunction entered 5/6/19.  
Stipulated order for permanent injunction and monetary judgment entered 12/9/19.  
Joint motion to amend permanent injunction entered 2/14/20.  
Order granting motion to amend permanent injunction entered 2/18/20.

***FTC v. F9 ADVERTISING LLC***, No. 3:19-cv-01174 (D.P.R.)

**Parties:** F9 Advertising LLC  
Gopalkrishna Pai  
Ace Initiative Group, LLC  
Connected AD Station LLC  
Fastlane Sales, LLC  
Hyper Marketing Solutions LLC  
Media Redefined LLC

Primed Marketing LLC  
Responsive Media LLC

Assigned Attorneys: Michael Schaefer (BCP/ENF)  
Gregory J. Madden

Alleged Conduct: Deceptive acts or practices in violation of the Restore Online Shoppers' Confidence Act in connection with "free trial" and negative option online marketing.

Status: Complaint filed 2/21/19.  
Order granting Commission's motion for entry of default against defendants Ace Initiative Group, LLC, Connected AD Station LLC, Fastlane Sales LLC, Hyper Marketing Solutions, LLC, Media Redefined, LLC, Primed Marketing, LLC, and Responsive Media, LLC entered 3/25/19.  
Order staying case pending the resolution of the ongoing criminal proceedings entered 5/16/19.

***FTC v. FASHION NOVA, INC.***, No. 2:20-cv-03641 (C.D. Cal.)

Parties: Fashion Nova, Inc.

Assigned Attorneys: Dorothy Emily Wu (WRLA)  
Stacy Rene Procter  
Kenneth H. Abbe

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the FTC's Trade Regulation Rule Concerning the Sale of Mail, Internet, or Telephone Order Merchandise ("MITOR") in connection with the advertising, marketing, and sale of clothing and related accessories.

Status: Complaint filed 4/20/20.  
Stipulated order for permanent injunction and monetary judgment against Fashion Nova entered 4/24/20.  
Corrected stipulated order for permanent injunction and monetary judgment entered 4/27/20.

***FTC v. FIRST CHOICE HORIZON LLC***, No. 6:19-cv-01028 (M.D. Fla.)

Parties: First Choice Horizon LLC  
First Southern Trust LLC  
First United Mutual LLC  
Premier Union Trust LLC d/b/a Second Choice Horizon  
South Premier Trust LLC  
Suncoast Mutual LLC

United Pride Plus LLC  
Southern Choice LLC  
Southern Pride LLC  
Sun Premier LLC  
Financial Service Trust LLC  
Raymond Gonzalez  
Carlos S. Guerrero d/b/a CSG Solutions  
Joshua Hernandez

Assigned Attorneys: Barbara Bolton (SER)  
Michael A. Boutros

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the marketing and sale of credit rate reduction services.

Status: Complaint filed 6/3/19.  
TRO entered 6/3/19.  
Stipulated preliminary injunction entered 6/27/19.  
First amended complaint filed 7/16/19.  
Amended stipulated preliminary injunction entered 12/17/19.  
Order granting joint motion to stay case for 60 days entered 5/27/20.

***FTC v. FIRST DATA MERCHANT SERVICES LLC***, No. 1:20-cv-03867 (S.D. N.Y.)

Parties: First Data Merchant Services LLC  
Chi W. Ko, a/k/a Vincent Ko

Assigned Attorneys: Anna Burns (SER)  
Nicholas May

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, and the Telemarketing Sales Rule in connection with payment processing and opening merchant accounts for a diverse array of scams and frauds.

Status: Complaint filed 5/19/20.  
Stipulated orders for permanent injunction and monetary judgment entered 5/21/20.

***FTC v. FLEETCOR TECHNOLOGIES, INC.***, No. 1:19-cv-05727 (N.D. Ga.)

Parties: FleetCor Technologies, Inc.  
Ronald Clarke

Assigned Attorneys: Thomas Kost (BCP/FP)  
Brittany Frassetto

Thomas Kane  
Greg Madden  
Chris Leach

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the FTC Act in connection with the advertising, marketing, and offering of commercial fuel card products.

Status: Complaint filed 12/20/19.

***FTC v. GIANNULIS.***, No. 20-cv-00372 (M.D. Fla.)

Parties: Michael A. Giannulis  
Michael R. Williams  
BPO USA LLC  
Pixx Media LLC  
Mike Antoni LLC  
MyEcomClub Events LLC

Assigned Attorneys: Sung W. Kim (BCP/MP)  
Ben Davidson

Alleged Conduct: Deceptive acts and practices and unfair practices in violation of Section 5(a) of the FTC Act in connection with the marketing and sale of an online business education program and unlawful payment processing.

Status: Complaint filed 3/3/20.  
Stipulated final order for permanent injunction and monetary judgment as to all defendants, entered 4/13/20.

***FTC v. GRAND TETON PROFESSIONALS, LLC***, No. 3:19-cv-00933 (D. Conn.)

Parties: Grand Teton Professionals, LLC  
99<sup>th</sup> Floor, LLC  
Mait Management Inc.  
Demand Dynamics LLC  
Atomium Corps Inc. (WY)  
Atomium Corps Inc. (CO)  
Startup Masters NJ Inc. (WY)  
Startup Masters NJ Inc. (NJ)  
First Incorporation Services Inc. (WY)  
First Incorporation Services Inc. (FL)  
Douglas C. Filter  
Marcio G. Andrade

Assigned Attorneys: Gregory Ashe (BCP/FP)

Ioana Gorecki  
Elizabeth Kwok

**Alleged Conduct:** Unfair and deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Credit Repair Organizations Act, the Telemarketing Sales Rule, the Consumer Review Fairness Act, the Truth in Lending Act, and the Electronic Funds Transfer Act in connection with the marketing and sale of credit repair services.

**Status:** Complaint filed 6/17/19.  
TRO entered 6/18/19.  
Stipulation for preliminary injunction against defendant Startup Masters filed 7/12/19.  
Stipulation for preliminary injunction against defendants Grand Teton Professionals, Mait Management, Demand Dynamics LLC, Atomium Cops Inc. (Wyoming), Startup Masters NJ Inc. (Wyoming), First Incorporation Services Inc. (Wyoming), Douglas Filter, and Marcio Andrade filed 7/22/19.  
Preliminary injunction entered 7/23/19.  
Joint motion to stay case to consider settlement with defendant Startup Masters NJ Inc. (New Jersey) filed 8/21/19.  
Joint motion to stay case to consider settlement with Defendant Grand Teton Professionals, Mait Management Inc., Demand Dynamics LLC, Atomium Corps Inc. (Wyoming), Startup Masters NJ Inc. (Wyoming), Douglas Filter, and Marcio Andrade filed 10/16/19.  
Joint motion to stay case to consider settlement with Defendant Atomium Corps Inc. (Colorado) filed 10/29/19.  
Commission's motion for default judgment as to Defendant First Incorporation Services Inc. (Florida) filed 11/15/19.  
Stipulated final order for permanent injunction and monetary judgment as to Defendant Startup Masters NJ Inc. (New Jersey) entered 1/21/20.  
Stipulated final order for permanent injunction and monetary judgment as to Defendants Grand Teton Professionals, 99th Floor LLC, Mait Management, Demand Dynamics LLC, Atomium Cops Inc. (Wyoming), Startup Masters NJ Inc. (Wyoming), First Incorporation Services Inc. (Wyoming), Douglas Filter, and Marcio Andrade entered 1/21/20.  
Stipulated final order for permanent injunction and monetary judgment as to Defendant Atomium Corps Inc. (Colorado) entered 1/21/20.  
Default Judgment as to Defendant First Incorporation Services Inc. (Florida) entered 1/28/20.

***FTC v. HEALTH CENTER, INC.*** No. 2:20-cv-00547 (D. Nev.)

**Parties:** Health Center, Inc.



Peggy Pearce

Assigned Attorneys: Elizabeth K. Nach (BCP/AP)  
Annette Soberats

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, and the Telemarketing Sales Rule, in connection with the advertising, marketing, promotion, and sale of purported health products.

Status: Complaint filed 3/19/20.  
Stipulated order for permanent injunction and monetary judgment entered 3/20/20.  
Judgment in favor of the Commission entered 3/20/20.

***FTC v. HEALTH RESEARCH LABORATORIES LLC***, No. 2:17-cv-467 (D. Me.)

Parties: Health Research Laboratories LLC  
Kramer Duhon

Assigned Attorneys: Elizabeth K. Nach (BCP/AP)  
James A. Prunty

Nature of Action: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, the FTC's Telemarketing Sales Rule, and the Electronic Fund Transfer Act and its implementing regulation in connection with the marketing and sale of products that purported to cause weight loss; and treat arthritis, joint and back pain, and memory loss.

Status: Complaint filed 11/30/17.  
Joint motion for entry of stipulated final judgment and order permanent injunction and other equitable relief filed 11/30/17.  
Stipulated final judgment and order for permanent injunction and other equitable relief entered 1/17/18.  
Commission's contempt motion for violation of final judgment and order for permanent injunction filed 12/17/19; defendants' response in opposition filed 12/31/19.  
Telephonic hearing held 4/8/20.

***FTC v. HORNBEAM SPECIAL SITUATIONS, LLC***, No. 1:17-cv-03094 (N.D. Ga.)

Parties: Hornbeam Special Situations, LLC  
Cardinal Points Holdings, LLC  
Cardinal Points Management, LLC d/b/a Clear Compass Digital Group  
Gyroscope Management Holdings, LLC  
EDebitPay, LLC  
Platinum Online Group, LLC d/b/a Premier Membership Clubs

Clickxchange Media, LLC  
iStream Financial Services, Inc.  
Jerry L. Robinson  
Earl G. Robinson  
James McCarter  
Keith Merrill  
Mark Ward  
Dale Paul Cleveland  
William R. Wilson  
Kris Axberg  
Richard Joachim  
Chet Andrews  
Patricia Brandmeier Robinson [executor of estate of Jerry L. Robinson]

Assigned Attorneys: R. Michael Waller (BCP/ENF)  
Korin Felix  
Elizabeth J. Averill  
Omolara Joseney  
Reenah L. Kim  
Hong Park  
Amanda C. Basta  
Kimberly L. Nelson  
Anna M. Burns

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, Section 4 of Restore Online Shoppers' Confidence Act, and the FTC's Telemarketing Sales Rule in connection with the marketing of various products or services, including memberships in online discount clubs, to consumers seeking payday, cash advance, or other subprime loans.

Status: Complaint filed 8/15/17.  
Consent motion to stay case for 90 days as to defendant Keith Merrill filed 10/6/17; order granting stay entered 10/11/17.  
Consent motion to stay case and suspend filing obligations upon the death of defendant Jerry L. Robinson filed 11/15/17; order granting consent motion entered 11/21/17.  
Motions to dismiss by defendants Mark Ward, Dale Paul Cleveland, EDebitPay, LLC, William Wilson, Kris Axberg, Richard Joachim, iStream Financial Services, Inc, and Earl Robinson filed 2/9/18; response in opposition 2/23/18; opinion and order denying motion entered 4/16/18.  
Motion to dismiss by defendant by Patricia Brandmeier Robinson filed 3/22/18; response in opposition 4/5/18; order denying motion entered 4/16/18.  
Motion to dismiss complaint for lack of subject matter jurisdiction by defendants Chet Andrews, Kris Axberg, Dale Paul Cleveland,

EDebitPay, LLC, Richard Joachim, James McCarter, Earl G. Robinson, Patricia Brandmeier Robinson, Mark Ward, William R. Wilson, iStream Financial Services, Inc. filed 4/20/18; Commission's opposition filed 5/4/18; reply filed 5/11/18; order denying motion, but ordering supplemental briefing on part of the court's 4/16/18 opinion, entered 7/11/18.

Defendants' response to court's 7/11/18 request for supplemental briefing filed 7/23/18; Commission's response to court's request filed 7/30/18.

Order vacating part of court's 4/16/18 opinion and granting Commission leave to file an amended complaint entered 10/15/18.

Amended complaint filed 11/5/18.

Motions to dismiss for failure to state a claim by defendants iStream Financial Services, Inc, Chet Andrews, Patricia Brandmeier Robinson, Dale Paul Cleveland, EDebitPay, LLC, William Wilson, James McCarter, Mark Ward, and Earl Robinson filed 11/15/18; Commission's opposition filed 12/13/18; defendants' reply filed 2/8/19; order denying motions to dismiss entered 2/12/19.

Order granting Defendants' request for leave to file an interlocutory appeal entered 7/24/19.

Order of 11th Circuit denying petition to appeal entered 11/20/19.

***FTC v. IBACKPACK OF TEXAS LLC***, No. 3:19-cv-00160 (S.D. Tex.)

Parties: iBackPack of Texas, LLC  
Douglas Monahan

Assigned Attorneys: Patrick Roy (BCP/FP)  
Daniel Hanks

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the defendants' deceptive practices in the course of multiple crowdfunding campaigns.

Status: Complaint filed 5/6/19.  
Order denying motion for permanent injunction as moot entered 5/21/19.  
Commission's request for entry of default filed 8/26/19; clerk's entry of default entered 8/28/19.  
Commission's motion for summary judgment against Douglas Monahan filed 2/7/20.  
Commission's motion for entry of default judgment against iBackPack of Texas filed 2/7/20.  
Order granting stay pending likely submission of a proposed stipulated order entered 3/27/20.  
Proposed stipulated order for permanent injunction and monetary judgment against Douglas Monahan filed 5/11/20.

***FTC v. IMPETUS ENTERPRISE, INC.***, No. 8:18-cv-01987 (C.D. Cal.)

Parties: Impetus Enterprise, Inc. d/b/a Aiding Student Relief d/b/a Aiding Student and Teachers d/b/a Aidnest d/b/a Avec Staffing d/b/a National Education Student and Teacher  
Fig Tree and Co., LLC d/b/a Aiding Student Relief d/b/a Aiding Students and Teacher d/b/a Aiding Students and Teachers  
Tuan Dinh Duong a/k/a Thomas Duong a/k/a Thomas Dinh  
Brenda Avitia-Pena  
Brian Colombana d/b/a Futero  
Noel Solutions, LLC  
Jimmy Calderon  
Premier Capital Investments  
Capital Sun Investments

Assigned Attorneys: Barbara Chun (WRLA)  
Brian Welke (BCP/ENF)  
Joshua Millard

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and FTC's Telemarketing Sales Rule in connection with the marketing and sale of student loan debt relief services.

Status: Complaint filed 11/6/18.  
Ex parte TRO with asset freeze and other relief entered 11/13/18.  
Preliminary injunction with asset freeze and other relief entered 11/29/18.  
Superseding preliminary injunction (adding defendants Capital Sun and Jimmy Calderon) entered 4/2/19.  
First amended complaint against Defendants Brenda Avitia-Pena, Jimmy Calderon, Capital Sun Investments, Brian Colombana, Tuan Dinh Duong, Fig Tree and Co., LLC, Impetus Enterprise, Inc., and Noel Solutions, LLC filed 4/3/19.  
Order staying proceedings as to defendants Jimmy Calderon and Capital Sun Investments, LLC pending Commission vote on settlement entered 5/6/19.  
Clerk's entry of default as to defendants Fig Tree and Co., LLC, Impetus Enterprise, Inc., and Noel Solutions, LLC entered 5/17/19.  
Order dismissing defendant Tuan Dinh Duong with prejudice entered 6/5/19.  
Stipulated order for permanent injunction and monetary judgment as to defendants Capital Sun Investments, LLC, and Jimmy Calderon entered 6/18/19.  
Order staying proceedings as to defendant Brenda Avitia-Pena pending Commission vote on settlement entered 6/20/19.

Stipulated order for permanent injunction and monetary judgment as to defendant Avitia-Pena entered 8/23/19.  
Commission's motion for summary judgment as to defendant Colombana filed 10/4/19.  
Commission's motion for default judgment against defendants Impetus Enterprise Inc, Fig Tree & Co LLC, and Noel Solutions LLC filed 10/4/19.  
Order denying as moot the Commission's motion for summary judgment and vacating the Commission's motion for default judgment 11/20/19.  
Commission's motion for default judgment against defendant Colombana filed 12/19/19.  
Order on default for permanent injunction and monetary judgment as to defendants Brian Colombana, Impetus Enterprise, Inc., FIG Tree and Co., LLC, and Relief Defendant Noel Solutions LLC entered 2/27/20.  
Case terminated 2/27/20.

***FTC v. INNOVATIVE DESIGNS, INC.***, No. 2:16-cv-01669 (W.D. Pa.)

Parties: Innovative Designs, Inc.

Assigned Attorneys: Alejandro Rosenberg (BCP/ENF)  
Omolara Bewaji Joseney

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the advertising of Insultex House Wrap.

Status: Complaint filed 11/3/16.  
Bench trial held from 7/29/19 to 7/30/19.  
Motion for judgment on partial findings by defendant filed 3/27/20;  
Commission's response filed 4/17/20.  
Telephonic hearing on motion for judgment on partial findings held 5/1/20.

***FTC v. DAMIAN KUTZNER***, No. 19-812 (S. Ct.); Nos. 17-56455, 17-56476 (9th Cir.); No. 8:16-cv-00999 (C.D. Cal.)

Parties: Damian Kutzner  
Vito Torchia, Jr.  
Jonathan Tarkowski  
R. Geoffrey Broderick  
Charles T. Marshall  
Brookstone Law P.C. d/b/a Brookstone Law Group (California)  
Brookstone Law P.C. d/b/a Brookstone Law Group (Nevada)  
Advantis Law P.C.

Advantis Law Group P.C.  
Jeremy Foti

Assigned Attorneys: Benjamin Theisman (BCP/ENF)  
Gregory Madden  
Thomas Syta (WRLA)  
Michael Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Mortgage Relief Services Rule in connection with the marketing of mortgage assistance relief services.

Status: Complaint filed 5/31/16.  
Ex parte TRO with asset freeze, appointment of receiver, limited expedited discovery, and other equitable relief entered 6/1/16.  
Stipulated preliminary injunction as to Vito Torchia Jr. entered 6/24/16.  
Stipulated preliminary injunction as to Damian Kutzner, Charles Marshall, Jonathan Tarkowski, Advanits Law P.C. and Advantis Law Group P.C. entered 6/24/16.  
Preliminary injunction as to Geoffrey Broderick, Brookstone Law P.C. (California and Nevada) entered 6/27/16.  
Amended complaint filed 7/6/16.  
Preliminary injunction as to Jeremy Foti entered 8/25/16.  
Clerk's entry of default as to Brookstone Law (California), Brookstone Law PC (Nevada), Advantis Law, Advantis Law Group entered 9/8/16.  
TRO with appointment of temporary receiver entered 10/19/16.  
Preliminary injunction with appointment of receiver as to Jeremy Foti entered 11/15/16.  
Stipulated order for permanent injunction and other equitable relief as to Jonathan Tarkowski entered 1/6/17.  
Order dismissing Damian Kutzner entered 2/1/17.  
Stipulated order for permanent injunction and other equitable relief as to Vito Torchia entered 2/15/17.  
Stipulated order for permanent injunction and other equitable relief as to R. Geoffrey Broderick entered 4/14/17.  
Order granting Commssion's motion for default judgment against defendants Brookstone Law P.C. (California), Brookstone Law P.C. (Nevada), Advantis Law P.C., and Advantis Law Group P.C. entered 8/28/17.  
Order granting Commission's motion for summary judgment as to defendants Jeremy Foti and Charles T. Marshall entered 9/5/17.  
Final judgment and order for permanent injunction as to defendants Brookstone Law P.C. (California), Brookstone Law P.C. (Nevada), Advantis Law P.C., and Advantis Law Group P.C. entered 9/8/17.

Final judgment and order for permanent injunction as to defendants  
Jeremy Foti and Charles T. Marshall entered 9/21/17.  
Defendant Jeremy Foti's notice of appeal filed 9/25/17; amended notice of  
appeal filed 12/19/17.  
Defendant Charles T. Marshall's notice of appeal filed 9/28/17.  
Appellant Jeremy Foti's motion to dismiss appeal voluntarily filed 4/6/18;  
order dismissing appeal entered 4/9/18.  
Appellant Charles T. Marshall's opening brief filed 9/14/18;  
Commission's answering brief filed 11/14/18; appellant's reply  
filed 4/25/19.  
Opinion affirming decision of the district court entered 7/16/19.  
Marshall's petition for rehearing en banc filed 8/30/19; order denying  
rehearing en banc entered 9/24/19.  
Marshall's petition for writ of certiorari filed 12/20/19; petition denied  
2/24/20.

***FTC v. LEAD EXPRESS, INC.***, No. 2:20-cv-00840 (D. Nev.)

Parties: Lead Express Inc.  
Camel Coins, Inc.  
Sea Mirror Inc.  
Naito Corp.  
Kotobuki Marketing, Inc.  
Ebisu Marketing, Inc.  
Hotei Marketing, Inc.  
Daikoku Marketing, Inc.  
La Posta Tribal Lending Enterprise d/b/a Harvest Moon Financial, Gentle  
Breeze Online, and Green Stream Lending  
Takehisa Naito  
Keishi Ikeda

Assigned Attorneys: Gregory Ashe (BCP/FP)  
Helen Clark

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act, the  
Telemarketing Sales Rule, Truth in Lending Act, and Electronic Fund  
Transfer Act in connection with the offering and extension of credit in the  
form of high-fee short-term "payday" loans

Status: Complaint filed 5/11/20.  
Stipulated preliminary injunctions entered 6/19/20.

***FTC v. LENDING CLUB CORP.***, No. 3:18-cv-02454 (N.D. Cal.)

Parties: Lending Club Corporation d/b/a Lending Club

Assigned Attorneys: Katharine Roller (BCP/FP)  
Jason Schall  
Matthew Wilshire  
Leah Frazier  
Helen Clark  
Mike Tankersley

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the FTC Act and the Privacy of Consumer Financial Information Rule in connection with the advertising, promotion, and sale of unsecured loans.

Status: Complaint filed 4/25/18.  
Motion to dismiss complaint filed 6/18/18; response in opposition filed 7/18/18; reply in support of motion filed 8/1/18; order granting motion in part and denying in part entered 10/3/18.  
First amended complaint filed 10/22/18.  
Cross-motions for summary judgment filed 2/27/20; oppositions filed 3/26/20; replies filed 4/16/20.  
Order granting in part and denying in part FTC's and defendant's motions for summary judgment entered 6/1/20.  
Bench trial scheduled for 10/19/20.

***FTC v. LIBERTY CHEVROLET INC.***, No. 1:20-cv-03945 (S.D. N.Y.)

Parties: Liberty Chevrolet, Inc. d/b/a Bronx Honda  
Carlo Fittanto

Assigned Attorneys: Marguerite Moeller (BCP/FP)  
Katherine Worthman

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Truth in Lending Act, and the Equal Credit Opportunity Act, in connection with the advertising, marketing, distribution, and sale of vehicles to consumers and assigning the extension of retail credit to an unaffiliated third party finance or leasing sources.

Status: Complaint filed 5/22/20.  
Stipulated orders for permanent injunction and monetary judgment entered 5/27/20.

***FTC v. LIFE MANAGEMENT SERVICES OF ORANGE COUNTY, INC.***, No. 19-14248 (11th Cir.); No. 6:16-cv-00982 (M.D. Fla.)

Parties: Life Management Services of Orange County, Inc.  
Loyal Financial and Credit Services LLC d/b/a FOC Credit and Reward Services



IVD Recovery LLC  
KWP Services LLC  
KWP Services of Florida LLC  
LPSOFFLA LLC  
LPSOFFLORIDA LLC  
PW&F Consultants of Florida LLC  
UAD Secure Services LLC  
UAD Secure Service of Florida LLC  
URB Management LLC  
YCC Solutions LLC  
YFP Solutions LLC  
Kevin Guice  
Chase Jackowski  
Linda McNealy  
Clarence Wahl a/k/a Harry Wahl  
Karen Wahl  
Robert Guice (Relief Defendant)  
Timothy Woods (Relief Defendant)  
State of Florida (Plaintiff)

Assigned Attorneys: Tejasvi Srimushnam (BCP/MP)  
Joshua Doan  
Michael Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule, and the Florida Deceptive and Unfair Trade Practices Act in connection with the sale of debt relief services.

Status: Complaint filed 6/7/16.  
Stipulated preliminary injunction entered 6/30/16.  
Motion for summary judgment as to defendant Kevin Guice filed 5/1/17; opposition filed 5/30/17; Commission's reply filed 6/14/17; order granting summary judgment and permanent injunction entered 12/7/18.  
Notice of stipulated proposed orders for permanent injunction and monetary judgment against all defendants except Kevin Guice filed 9/1/17.  
Order for permanent injunction and monetary relief against Kevin Guice entered 12/7/18.  
Order granting summary judgment, with permanent injunction and monetary relief, against Kevin Guice entered 12/10/18.  
Motion to Alter or Amend Judgment against Kevin Guice filed on 01/8/19. Stipulated final orders against defendants Chase Jackowski, Linda McNealy, Clarence Wahl, Karen Wahl, and corporate defendants Life Management Services of Orange County, LLC, Loyal Financial & Credit Services, LLC, IVD

Recovery, LLC, KWP Services, LLC, KWP Services of Florida LLC, LPSOFFLA LLC, LPSOFFLORIDA L.L.C., PW&F Consultants of Florida LLC, UAD Secure Services LLC, UAD Secure Service of FL LLC, URB Management, LLC, YCC Solutions LLC, and YFP Solutions LLC entered 4/23/19.  
Stipulated final orders against relief defendants Robert Guice and Timothy Woods entered 4/23/19.  
Order denying motion to alter or amend judgement against Kevin Guice entered 9/24/19.  
Notice of appeal of final judgment by Kevin Guice filed 10/24/19.

***FTC v. MADERA MERCHANT SERVICES, LLC***, No. 3:19-cv-00195 (W.D. Tex.)

Parties: Madera Merchant Services, LLC, d/b/a E Check Processing and echeckprocessing.net  
B&P Enterprises, LLC  
Bruce Woods  
Patricia Woods  
Victor Rodriguez  
State of Ohio (co-plaintiff)

Assigned Attorneys: Ronnie Brooke (BCP/MP)  
Christopher Brown

Alleged Conduct: Unfair acts and practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule and Ohio law in connection with unlawful payment processing, including for a telemarketing credit card interest rate reduction scheme.

Status: Complaint filed 7/18/19.  
TRO entered 7/19/19.  
Preliminary injunction entered 11/4/19.  
Stipulated order for permanent injunction and monetary judgment as to all defendants entered 6/4/20.

***FTC v. MAIL TREE INC.***, No. 0:15-cv-61034 (S.D. Fla.)

Parties: Awards Research Consultant, LLC  
John Leon  
MCP Marketing Activities, LLC d/b/a Magellan Mail and Magellan Marketing  
Mail Tree Inc.  
Mailpro Americas Corp.  
Masterpiece Marketing, LLC d/b/a Affiliated Opportunities Group  
d/b/a Corporate Accounting Authority d/b/a Dispatch Notifications  
Services d/b/a Information Reporting Group d/b/a Priority  
Information Exchange

Michael McKay Co.  
Matthew Pisoni  
Serena Pisoni  
Marcus Pradel  
Victor Ramirez  
Romeria Global, LLC d/b/a Lowenstein Varick and Nagel  
Spin Mail, Inc.  
Supreme Media, LLC  
Trans National Concepts, Inc.  
Vernier Holdings, Inc.

Assigned Attorneys: Guy Ward (MWR)  
Douglas McKenney

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with sweepstakes scam.

Status: Complaint filed 5/18/15.  
Ex parte TRO entered 5/19/15.  
Preliminary injunction against all defendants except Marcus Pradel and Trans National Concepts entered 6/12/15.  
Stipulated preliminary injunction as to defendants Marcus Pradel and Trans National Concepts entered 6/12/15.  
Order staying case entered 6/12/15.  
Unopposed motion for specific relief from asset freeze filed 10/4/19; order granting motion entered 10/7/19.

***FTC v. MILE HIGH MADISON GROUP INC.***, No. 1:20-cv-21622 (S.D. Fla.)

Parties: Mile High Madison Group, Inc.  
Nordic Clinical, Inc.  
Encore Plus Solutions, Inc.  
Le Groupe Mile High Madison, Inc.  
Clinique Nordqieu, Inc.  
Vito Proietti  
Vittorio DiCriscio

Assigned Attorneys: Edward B. Glennon (BCP/AP)  
Mamie Kresses

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the labeling, advertising, marketing, distribution, and sale of Neurocet, a product that purportedly relieves bone and joint pain.

Status: Complaint filed 4/17/20.

Stipulated order for permanent injunction and monetary judgment entered  
4/22/20.

**FTC v. MOBE LTD.**, Nos. 18-13715, 18-13716, 20-1019 (11th Cir.); No. 6:18-cv-00862 (M.D.  
Fla.)

Parties: MOBE Ltd.  
MOBEProcessing.com, Inc.  
Transaction Management USA, Inc.  
MOBETraining.com, Inc.  
MOBE Pro Limited  
MOBE Online Ltd.  
9336-0311 Quebec, Inc. d/b/a Business Education Training  
MattLloydPublishing.com Pty Ltd.  
MOBE Inc.  
Matthew Lloyd McPhee a/k/a Matt Lloyd  
Russell W. Whitney, Jr. (deceased) and Ingrid Whitney, as personal  
representative of Russell Whitney's estate (substituted defendant)  
Susan Zanghi

Assigned Attorneys: Sung Kim (BCP/MP)  
Benjamin Davidson  
Jack Metzler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act in  
connection with the marketing and sale of an online business education  
program.

Status: Complaint filed 6/4/18.  
Ex parte TRO entered 6/5/18; order extending TRO entered 6/19/18.  
Emergency motion for relief from TRO and, to extent necessary, to  
intervene by Qualpay, Inc. filed 6/22/18  
Motion to approve stipulated preliminary injunction as to Defendant Susan  
Zanghi filed 6/25/18; order granting motion entered 8/20/18.  
Motion to approve stipulated preliminary injunction as to Defendant  
Russell Whitney filed 7/3/18; order granting motion entered  
8/20/18.  
Motion by interested party Synovus Bank for emergency relief from TRO  
and to intervene filed 7/10/18.  
Ordering denying motion for emergency relief by intervenor Qualpay, Inc.  
and Synovus Bank entered 8/8/18.  
Motion by Synovus Bank for clarification regarding order filed 8/13/18;  
order denying motion for clarification entered 8/16/18.  
Notice of appeal (No. 18-13715), as to 8/8/18 court order, by Synovus  
Bank filed 8/31/18; order granting motion to voluntarily dismiss  
appeal entered 11/13/18.

Notice of appeal (No. 18-13716), as to 8/16/18 court order, by intervenor Qualpay, Inc. filed 8/31/18; docket closed on 11/13/2018.

Order granting consent motion to stay all proceedings as to defendant Susan Zanghi filed 10/24/18.

Stipulated order for permanent injunction and monetary judgment against defendant Susan Zanghi entered 12/6/18.

Clerk's entry of default against defendants 9336-0311 Quebec Inc., MOBE Inc., MOBE Ltd., MOBE Pro Limited, MOBEProcessing.com, Inc., MOBETraining.com, Inc., Matt Lloyd Publishing.com Pty Ltd., Matthew Lloyd McPhee, Mobe Online Ltd., and Transaction Management USA, Inc. entered 2/1/19.

Order granting Matthew Lloyd McPhee's motion to set aside clerk's default entered 4/19/19.

Commission's amended motion for entry of default judgment and permanent injunction against 9336-0311 Quebec Inc., MOBE Inc., MOBE Ltd., MOBE Pro Limited, MOBEProcessing.com, Inc., MOBETraining.com, Inc., Matt Lloyd Publishing.com Pty Ltd., Mobe Online Ltd., and Transaction Management USA, Inc. filed 5/2/19; order denying motion without prejudice entered 7/1/2019.

Order substituting Ingrid Whitney, in her capacity as the personal representative of the estate of deceased defendant Russell Whitney, as defendant entered 5/10/19.

Order granting appointment of a Special Receiver to investigate claims against Qualpay and Synovus Bank entered 5/23/19.

Synovus Bank's motion to intervene and for leave to file proposed complaint-in-intervention filed 9/3/2019; Magistrate's report and recommendation to deny Synovus' motion to intervene entered 10/23/2019; order adopting magistrate's recommendation and denying Synovus' motion to intervene entered 12/19/2019.

Stipulated order for monetary judgment against defendant Ingrid Whitney, as personal representative of Russell Whitney's estate, entered 12/18/19.

Order approving Receiver's settlement agreement with defendant Matthew Lloyd McPhee entered 12/19/2019.

Notice of appeal (No. 20-10191) of order denying intervention by Synovus Bank filed 1/15/20.

Commission's renewed motion for entry of default judgment and permanent injunction against 9336-0311 Quebec Inc., MOBE Inc., MOBE Ltd., MOBE Pro Limited, MOBEProcessing.com, Inc., MOBETraining.com, Inc., Matt Lloyd Publishing.com Pty Ltd., Mobe Online Ltd., and Transaction Management USA, Inc. filed 2/12/20; order granting motion filed 4/13/20.

Stipulated order for permanent injunction and monetary judgment against defendant Matthew Lloyd McPhee entered 3/5/20.

**FTC v. NATIONAL UROLOGICAL GROUP, INC.**, No. 10-125 (S. Ct); Nos. 17-15695, 14-13131, 14-13972, 09-10617 (11th Cir.); No. 1:04-cv-03294 (N.D. Ga.)

Parties: National Urological Group, Inc., d/b/a Warner Laboratories  
National Institute for Clinical Weight Loss, Inc.  
Hi-Tech Pharmaceuticals, Inc.  
Jared Wheat  
Thomasz Holda  
Michael Howell  
Stephen Smith  
Terrill Mark Wright, M.D.

Assigned Attorneys: Sydney M. Knight (BCP/AP)  
Tawana E. Davis  
Edward Glennon  
Mary Johnson  
Jack Metzler (OGC)  
Amanda Basta (BCP/ENF)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 of the FTC Act in connection with the sale of a purported weight loss product.

Status: Complaint filed 11/10/04.  
Final judgment entered 12/16/08.  
Notice of appeal filed 2/4/09.  
Opinion affirming district court order entered 12/15/09.  
Petition for rehearing *en banc* filed 1/29/10; order denying petition entered 4/26/10.  
Appellant's petition for a writ of certiorari filed 7/23/10; Commission's opposition filed 9/24/10; appellant's petition denied 11/1/10.  
Commission's motion to hold defendants Hi-Tech Pharmaceuticals, Stephen Smith and Jared Wright in contempt filed 11/1/11; defendant's opposition filed 12/2/11.  
Commission's motion to hold defendant Terrill Mark Wright in contempt filed 3/21/12.  
Order to show cause why defendants Wright, Hi-Tech Pharmaceuticals, Stephen Smith, and Jared Wright should not be held in contempt entered 5/11/12; response filed 11/13/12.  
Motion for contempt judgment filed 10/22/12; defendants' response filed 2/14/12; Commission's reply brief filed 1/10/13.  
Order finding defendants liable for contempt and ordering further proceedings on remedy entered 8/8/13.  
Trial on contempt remedies held on 1/21/14 - 1/24/14.  
Order holding defendants liable for contempt and directing compensatory sanctions to redress consumers entered 5/14/14.  
Defendants' notices of appeal filed 7/11/14 and 7/14/14.

Order by district court imposing coercive contempt sanction and directing that defendants Jared Wheat and Stephen Smith be incarcerated until they comply with product recall entered 9/2/14.

Petition for mandamus by defendants Wheat and Smith seeking to overturn coercive contempt order filed 9/4/14; denied 9/4/14.

Notice of appeal from coercive contempt order and emergency motion for a stay by defendants Wheat and Smith filed 9/4/14; Commission's opposition filed 9/5/14; motion for stay denied 9/5/14; motion to voluntarily dismiss appeal filed 9/8/14; appeal no. 14-13972 dismissed 10/15/14.

Motion to purge contempt defendants of contempt filed 9/26/14; Commission's opposition filed 9/26/14.

Second motion to purge contempt defendants or release contempt defendants pending determination of less restrictive mean to purge contempt filed 10/16/14; Commission's response filed 1/13/15; granted 1/20/15.

Motion to stay execution of judgment pending appeal entered 10/30/14; denied 1/23/15.

Appellants' briefs (No. 14-13131) filed 10/30/14.

Order that the US Marshal's Service release Jared Wheat and Stephen Smith from incarceration entered 11/10/14.

Commission's answering brief (No. 14-13131) filed 1/9/15; appellants' reply briefs filed 2/17/15.

Oral argument in Eleventh Circuit held 4/17/15.

Opinion vacating district court's judgment of contempt and remanding case to district court for further proceedings entered 5/5/15.

Commission's motion for clarification filed 6/4/15; Hi-Tech Pharmaceuticals response filed 6/18/15.

Commission's motion for entry of contempt judgement relating to Hi-Tech Pharmaceuticals, Inc., Jared Wheat, and Stephen Smith's violation of section VI and motion for compensatory sanctions filed 8/20/15; opposition filed 10/9/15; Commission's reply filed 10/26/15; order denying motion with leave to refile entered 11/4/15.

Contempt hearing held 3/27/17 - 4/7/17.

Final judgment against defendants Hi-Tech Pharmaceuticals, Inc., Jared Wheat, and Stephen Smith, and Terrill Mark Wright entered 10/31/17.

Defendants Hi-Tech Pharmaceuticals, Inc., Stephen Smith and Jared Wheat's notice of appeal filed 12/21/17; appellants' briefs filed 3/30/18; Commission's answering brief filed 6/14/18; reply briefs filed 7/30/18.

Oral argument held 7/26/19.

Opinion affirming district court judgment entered 9/18/19.

Appellants' petition for rehearing en banc filed 11/1/19; denied 1/29/20.

***FTC v. NEORA LLC***, No. 3:19-cv-19699 (D. N.J.); No. 3:20-cv-01979 (N.D. Tex.)

Parties: Neora LLC, f/k/a Nerium International, LLC  
Jeffrey Olson  
Signum Biosciences, Inc.  
Signum Nutralogix

Assigned Attorneys: Guy Ward (MWR)  
Katharine Roller  
David O'Toole

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) and 12 of the FTC Act in connection with advertising, promoting, and distributing a nutritional supplement.

Status: Complaint filed 11/1/19.  
Stipulated order for permanent injunction as to Defendants Signum Biosciences Inc. and Signum Nutralogix entered 11/15/19.  
Defendants Neora LLC and Jeffrey Olsen's motion to dismiss filed 12/11/19; Commission's opposition filed 12/23/19; defendants reply filed 12/30/19.  
Order granting Defendants' motion to transfer case to the U.S. District Court for the Northern District of Texas entered 7/27/20.

***FTC v. NETFORCE SEMINARS***, No. 2:00-cv-02260 (D. Ariz.)

Parties: Netforce Seminars  
Scott Harris  
Thomas Socca  
J.D. Noland  
Richard Slaback  
Darin Epps  
Edward Lamont

Associated Attorneys: Evan Mendelson (BCP/ENF)  
Jonathan Ware

Alleged Conduct: Contempt action for violations of a 2002 permanent injunction in connection with a pyramid scheme.

Status: Stipulated final judgment and order for permanent injunction against J.D. Noland entered 7/2/20.  
Motion for an order to show cause why James D. Noland, Jr., Success by Media Holdings Inc., and Success by Media LLC should not be held in contempt filed 1/17/20; Defendant J.D. Nolan response filed 2/20/20; Commission's reply filed 2/27/20.



Motion for order to show cause why Scott Harris and Thomas Sacca should not be held in contempt filed 4/10/20; Defendants' responses filed 6/15/20; Commission's reply filed 6/22/20.

***FTC v. NEUROMETRIX, INC.***, No. 1:20-cv-10428 (D. Mass.)

Parties: Neurometrix, Inc.  
Shai N. Gozani

Associated Attorneys: Laura Sullivan (BCP/AP)

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the manufacturing, labeling, advertising, marketing, distribution, and sale of nerve stimulation devices that purportedly relieve pain.

Status: Complaint filed 3/3/20.  
Stipulated order for permanent injunction and monetary judgment entered 3/4/20.

***FTC v. NEXT-GEN, INC.***, No. 4:18-cv-00128 (W.D. Mo.)

Parties: Next-Gen, Inc. d/b/a Award Notification Services d/b/a Cash Claim Advisors d/b/a Central Award Distribution d/b/a International Award Services d/b/a National Award Commission d/b/a Prize Notification Services Foundation d/b/a Security Dispatch, Ltd. Westport Enterprises, Inc. d/b/a Cash Claim Advisors d/b/a Security Dispatch, Ltd. d/b/a Award Prize Advisory d/b/a Award Review Board d/b/a National Awards Commission Opportunities Unlimited Publications, Inc. d/b/a Entertainment Awards Center d/b/a International Award Payment Center d/b/a North American Awards Center d/b/a Puzzle Mania Opportunities Management Co. Summit Management Team, LLC Contest America Publishers, Inc. d/b/a Entertainment Award Company d/b/a International Awards Payment Center Reveal Publications, LLC d/b/a National Research Company d/b/a Fortune Research Bureau d/b/a Financial Report Services Aosr Corporation d/b/a Subscription Reporter Corporation (formerly known as Sweepstakes Reporter Co., Inc.) d/b/a American Sweepstakes Publisher d/b/a National Bureau Lighthouse Fla Enterprises, LLC Gamer Designs, LLC Kevin R. Brandes William J. Graham Charles Floyd Anderson

Montelago Marketing, Inc.  
State of Missouri (Plaintiff)

Assigned Attorneys: Sarah Shifley (NWR)  
Richard McKewen

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the worldwide distribution of deceptive sweepstakes and other prize mailers.

Status: Complaint filed 2/20/18.  
Motion for TRO filed 2/20/18; Commission's brief in support of motion filed 2/23/18; brief in opposition filed 3/8/18; reply filed 3/22/18; order granting TRO entered 7/17/18.  
Motion to dismiss case filed 3/29/18; brief in support filed 3/29/18; Commission's brief in opposition filed 4/1/18; reply filed 4/26/18; order denying motion entered 9/10/18.  
Amended complaint adding defendants Anderson and Montelago Marketing, Inc. filed 9/24/18.  
Stipulated order for permanent injunction and monetary judgment entered 3/13/19.  
Commission's notice of suspension of remainder of monetary judgment filed 1/10/20.

***FTC v. JAMES NOLAND***, No. 2:20-cv-00047 (D. Ariz.)

Parties: James D. Noland, Jr.  
Lina Noland  
Scott A. Harris  
Thomas G. Sacca, Jr.  
Success by Media Holdings Incorporated Success by Media d/b/a Success by Health  
Success by Media, LLC, d/b/a Success by Health  
Thomas G. Sacca

Associated Attorneys: Evan Michael Mendelson (BCP/ENF)  
Jonathan Wesley Ware

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Merchandise Rule, and the Cooling-Off Rule, in connection with a pyramid scheme.

Status: Complaint filed 1/8/20.  
TRO with asset freeze entered 1/8/20.  
Amended complaint for permanent injunction filed 1/17/20.  
TRO as to Thomas G. Sacca entered 1/17/20.

Preliminary injunction hearing held 2/12/20.  
Preliminary injunction entered 2/27/20.

**FTC v. NUDGE LLC**, No. 2:19-cv-00867 (D. Utah)

Parties: Nudge LLC  
Response Marketing Group, d/b/a 3 Day Real Estate Training, Abundance Edu, LLC, Affluence Edu, LLC, American Money Tour, Cash Flow EDU, Clark EDU, LLC, Edge 2 Real Estate, Evtech Media North, Flip for Life, Flipping For Life, Income Events, Insider's Financial Education, LLC, Leading Financial Education, LLC, Onwealth, Power Flip, Prosper Live, Property Education, LLC, Renovate To Rent, Simple Real Estate Training, Smart Flip, Snap Flip, US Education Advance, Vintage Flip, Visionary Events, Wealth Tribe, Women's Empowerment, Yancey Events, Yancey, LLC, and Your Real Estate Today  
BuyPD  
Brandon B. Lewis  
Ryan C. Poelman  
Phillip W. Smith  
Shawn L. Finnegan  
Clint R. Sanderson

Assigned Attorneys: Darren Lubetzky (NER)  
Brian Lasky  
Christopher Miller  
Laura Zuckerwise  
Savvas Diacosavvas

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, and the Telemarketing Sales Rule in connection with a real estate investment training scheme.

Status: Complaint filed 11/5/19.  
Order granting TRO in part entered 12/19/19.  
Defendants' motion to dismiss filed 11/19/19; Commission's opposition filed 12/2/19; defendants' reply filed 12/11/19; Commission's sur-reply filed 12/18/19; order denying in part motion to dismiss entered 12/31/19.  
Stipulated preliminary injunction entered 12/19/19.  
Defendants' motion to stay proceedings pending Supreme Court review of availability of monetary relief under Section 13(b) of the FTC Act filed 12/30/19; Commission's opposition filed 1/13/20; reply filed 1/27/20; motion denied 3/25/20.

***FTC v. OMICS GROUP, INC.***, No. 19-15738 (9th Cir.), No. 2:16-cv-02022 (D. Nev.)

Parties: OMICS Group, Inc. d/b/a OMICS Publishing Group  
iMedPub, LLC  
Conference Series, LLC  
Srinubabu Gedela

Assigned Attorneys: Iona Rusu (BCP/FP)  
Gregory Ashe  
Michael Tankersley  
Mariel Goetz (OGC)  
Joel Marcus

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with the publishing of online publications styled as academic journals.

Status: Complaint filed 8/25/16.  
Commission's motion for preliminary injunction filed 9/8/16; Defendants' opposition filed 1/6/17; Commission reply filed 1/19/17; Order granting motion and entering preliminary injunction entered 10/2/17.  
Defendants' motion to dismiss filed 1/6/17; Commission's opposition filed 1/19/17; Defendants' reply filed 2/2/17; Order denying motion to dismiss entered 10/2/17.  
Commission's motion for summary judgment filed 5/1/18; Defendants' opposition filed 6/22/18; Commission reply filed 7/6/18; Order granting motion entered 3/29/19.  
Defendants' motion for summary judgment filed 5/1/18; Commission's opposition filed 5/22/18; Defendants' reply filed 6/22/18; Order denying motion entered 3/29/19.  
Defendants' notice of appeal to Ninth Circuit filed 4/11/19.  
Appellants' opening brief filed 7/30/19; Commission's answering brief filed 10/11/19; appellants' reply brief filed 12/9/19.  
Oral argument held 6/10/20.

***FTC v. OTA FRANCHISE CORPORATION***, No. 20-55356 (9th Cir.); No. 8:20-CV-00287 (C.D. Cal.)

Parties: OTA Franchise Corporation, also d/b/a Online Trading Academy  
Newport Exchange Holdings, Inc., also d/b/a Online Trading Academy  
NEH Services, Inc., also d/b/a Online Trading Academy  
Eval Shacar (a/k/a Eval Shahar)  
Samuel R. Seiden  
Darren Kimoto

Assigned Attorneys: John Jacobs (WRLA)  
Thomas Biesty (BCP/MP)  
Rhonda Perkins  
Andrew Hudson  
Roberto Anguizola  
Imad Abyad (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Consumer Review Fairness Act of 2016 in connection with the sale and marketing of training programs, including seminars, courses, and instructional materials on trading and investing.

Status: Complaint filed 2/12/20.  
TRO entered 2/25/20.  
Preliminary injunction entered 4/2/20.  
Defendants' notice of appeal from the preliminary injunction filed 4/3/20.  
Appellants' opening brief filed 5/1/20; Commission's answering brief filed 5/29/20.

***FTC v. PHYSICIAN'S TECHNOLOGY, LLC***, No. 2:20-cv-11694 (E.D. Mich.)

Parties: Physician's Technology, LLC  
Willow Labs, LLC  
Ronald Shapiro  
David Sutton

Assigned Attorneys: Laura Sullivan (BCP/AP)

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the manufacturing, labeling, advertising, marketing, distribution, and sale of low-level light devices.

Status: Complaint filed 6/25/20.  
Stipulated order for permanent injunction and monetary judgment entered 6/29/20.

***FTC v. PONTE INVESTMENTS, LLC***, No. 1-20-cv-00177 (D. R.I.)

Parties: Ponte Investments, LLC, also d/b/a SBA Loan Program and SBA Loan Program.com  
John C. Ponte

Assigned Attorneys: Tom Widor (BCP/FP)  
Sanya Shahrabi  
Dan Dwyer

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with claims that defendant is an approved lender for a federal coronavirus relief lending program.

Status: Complaint filed 4/17/20.  
Stipulated preliminary injunction entered 4/20/20.

***FTC v. POSITION GURUS LLC***, No. 2:20-cv-00710 (W.D. Wash.)

Parties: Position Gurus LLC  
Top Shelf Ecommerce LLC  
Aaron Poysky  
Stacy Griego  
Samuel Cohen Brown

Assigned Attorneys: Sophie Helena Calderon (NWR)  
Nadine S. Samter

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule, and the Consumer Review Fairness Act, in connection with the advertising, marketing, distribution, and sale of internet marketing business products.

Status: Complaint filed 5/12/20.  
Stipulated orders for permanent injunction and monetary judgment entered 5/19/20.

***FTC v. PRODUCTION MEDIA COMPANY***, No. 3:20-cv-00143 (D. Or.)

Parties: Production Media Company d/b/a PMC Networking d/b/a School House  
Folders  
Ferraro Group Corp  
Jennifer Ferraro

Assigned Attorneys: Laura Solis (NWR)  
Jennifer Larabee

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act in connection with the offer and sale of advertising placements to small businesses.

Status: Complaint filed 1/23/20.  
Stipulated order for permanent injunction and monetary judgment entered 2/10/20.

***FTC v. PROG LEASING, LLC***, No. 1:20-cv-01668 (N.D. Ga.)

Parties: Prog Leasing, LLC d/b/a Progressive Leasing

Assigned Attorneys: Brittany Frassetto (BCP/FP)  
Miya Tandon  
Robin Rock  
Samuel Jacobson  
Thomas Widor

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing, offering for sale, and sale of rent-to-own payment plans.

Status: Complaint filed 4/20/20.  
Stipulated order for permanent injunction and monetary judgment entered 4/22/20.

***FTC v. PUBLISHERS BUSINESS SERVICES, INC.***, No. 19-507 (S.Ct.); Nos. 17-15600; 11-17270 (9th Cir.); No. 2:08-cv-00620 (D. Nev.)

Parties: Publishers Business Services, Inc.  
Ed Dantuma Enterprises, Inc. d/b/a Publishers Direct Services d/b/a  
Publishers Business Services  
Persis Dantuma  
Brenda Dantuma Schang  
Dries Dantuma  
Dirk Dantuma  
Jeffrey Dantuma  
Edward Fred Dantuma

Assigned Attorneys: Faye Chen Barnouw (WRLA)  
Maricela Segura  
Karen Goff (WRSF)  
Joel Marcus (OGC)

Alleged Conduct: Deceptive acts and practices in violation of section 5(a) and the Telemarketing Sales Rule in connection with the marketing and sale of magazine subscriptions.

Status: Complaint filed 5/14/08.  
Amended complaint filed 2/5/09.  
Commission's motion for summary judgment filed 7/31/09; opposition filed 11/23/09; reply filed 12/7/09.  
Order granting the Commission's motion for summary judgment entered 4/7/10.

Order for permanent injunction as to all defendants entered 4/7/10.  
Commission's opening brief on the issue of damages filed 4/20/10.  
Final judgment as to all defendants entered 7/25/11.  
Commission's opening brief filed 2/13/12; defendants' answering brief filed 4/13/12; reply brief filed 5/11/12.  
Memorandum disposition remanding case to district court entered 9/19/13.  
Petition for writ of certiorari filed 2/27/14.  
Petition for writ of certiorari denied 6/9/14.  
Commission's motion for monetary judgment filed 5/31/16; defendants' brief on damages filed 7/19/16; Commission's reply filed 8/9/16.  
Order granting Commission's motion for judgment entered 3/2/17.  
Notice of appeal filed 3/31/17.  
Appellants' opening brief filed 8/30/17; Commission's answering brief filed 10/30/17; reply brief filed 12/20/17.  
Oral argument held 8/15/18.  
Opinion affirming judgment of the district court entered 8/31/18.  
Appellants' petition for rehearing filed 10/15/18; Commission's opposition filed 12/20/18.  
Order denying appellants' petition for rehearing *en banc* entered 6/19/19.  
Petition for writ of certiorari filed 10/18/19; Commission's brief in opposition filed 12/13/19; reply brief filed 12/23/19.  
Supplemental brief of petitioners filed 6/30/20.

***FTC v. QUALCOMM, INC.***, No. 19-16122 (9th Cir.); 5:17-cv-00220 (N.D. Cal.)

Parties: Qualcomm, Inc.

Assigned Attorneys: J. Alexander Ansaldo (BC/ACP)  
Dana Abrahamsen  
Joseph Baker  
Wesley Carson  
Kente Cox  
Rajesh James  
Philip Kehl  
Lin Kahn (WRSF)  
Jennifer Milici  
Michele Arington (OGC)

Alleged Conduct: Unfair methods of competition in violation of Section 5(a) of the FTC Act in connection with defendant's maintenance of a monopoly in baseband processors and semiconductor devices.

Status: Complaint filed 1/17/17.  
Motion to dismiss filed 4/3/17; Commission's opposition filed 5/12/17;



reply filed 5/16/17; order denying motion entered 6/26/17.  
Commission's motion for partial summary judgment filed 8/30/18;  
Qualcomm's opposition filed 9/24/18; reply filed 10/4/18.  
Order granting Commission's motion for partial summary judgment  
entered 11/6/18.  
Commission's pretrial brief filed 12/28/18; defendant's pretrial brief  
filed 12/28/18.  
Trial held 1/4- 1/29/19.  
Findings of fact and conclusions of law and final judgment in favor of  
the Commission, with a permanent injunction, entered 5/21/19.  
Notice of appeal filed 5/31/19.  
Motion for stay pending appeal by Qualcomm filed 5/28/19;  
Commission's opposition filed 6/11/19; Qualcomm's reply filed  
6/18/19.  
Order by district court denying Qualcomm's motion for a stay pending  
appeal entered 7/3/19.  
Qualcomm's motion to Ninth Circuit for a partial stay pending appeal  
filed 7/8/19; Commission's opposition filed 7/18/19; Qualcomm's  
reply filed 7/25/19.  
Order by Ninth Circuit granting a partial stay pending appeal entered  
8/23/19.  
Qualcomm's opening brief filed 8/23/19; Commission's answering brief  
filed 11/22/19; Qualcomm's reply brief filed 12/13/19.  
Oral argument held 2/13/20.

***FTC v. QUALPAY, INC.***, No. 6:20-cv-00945 (M.D. Fla.)

Parties: Qualpay, Inc.

Assigned Attorneys: Benjamin Davidson (BCP/MP)  
Sung W. Kim

Alleged Conduct: Unfair acts and practices in violation of Section 5(a) of the FTC Act in  
connection with payment processing.

Status: Complaint filed 6/1/20.  
Motion for entry of stipulated final order for permanent injunction and  
monetary judgment against Qualpay, Inc., filed 6/1/20; denied  
without prejudice 6/19/20.

***FTC v. QUANTUM WELLNESS BOTANICAL INSTITUTE LLC***, No. 2:20-cv-00244 (D.  
Ariz.)

Parties: Quantum Wellness Botanical Institute LLC  
Fred Auzenne  
Maria Gutierrez Veloso

Assigned Attorneys: Karen Mandel (BCP/AP)  
Tawana Elaine Davis

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the labeling, advertising, marketing, distribution, and sale of ReJuvenation, a purported health product to reverse the aging process.

Status: Complaint filed 2/3/20.  
Stipulated orders for permanent injunction and monetary judgment entered 2/11/20.

***FTC v. RCG ADVANCES LLC***, No. 20-cv-04432 (S.D. N.Y.)

Parties: RCG Advances, LLC, f/k/a Richmond Capital Group LLC, d/b/a Viceroy  
Capital Funding and Ram Capital Funding  
Ram Capital Funding LLC  
Robert L. Giardina  
Tzvi Reich  
Jonathan Braun

Assigned Attorneys: Ioana Gorecki (BCP/FP)  
Marguerite Moeller  
Michael White  
Rufus Jenkins

Alleged Conduct: Unfair and deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing, offering, and collecting of small business financing.

Status: Complaint filed 6/10/20.

***FTC v. QUINCY BIOSCIENCE HOLDING CO., INC.***, No. 17-3745 (2d Cir.); No. 17-3791 (2d Cir.); No. 1:17-cv-00124 (S.D.N.Y.)

Parties: Quincy Bioscience Holding Company, Inc.  
Quincy Bioscience, LLC  
Prevagen, Inc. d/b/a Sugar River Supplements  
Quincy Bioscience Manufacturing, LLC  
Mark Underwood  
Michael Beaman  
State of New York (Plaintiff)

Assigned Attorneys: Michelle Rusk (BCP/AP)  
Annette Soberatas

Edward Glennon  
Bradley D. Grossman (OGC)

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5(a) and 12 of the FTC Act, the New York Executive Law, and the New York General Business Law, in connection with the marketing of defendants' purported memory improvement supplement, Prevagen.

**Status:** Complaint filed 1/9/17.  
Motion to dismiss for failure to state a claim filed 4/6/17; Commission's opposition filed 4/25/17; reply filed 5/5/17; order granting motion entered 9/29/17.  
Commission's notice of appeal filed 11/21/17.  
Commission's opening brief filed 2/28/18; appellees' brief filed 5/30/18; Commission's reply filed 6/13/18; appellees' corrected brief filed 6/15/18; Commission's corrected brief filed 7/17/18.  
Oral argument held 2/8/19.  
Order vacating the judgment of the District Court and remanding the case for further proceedings entered 2/21/19.  
Corporate defendants' supplemental brief on motions to dismiss filed 6/17/19; individual defendants' supplemental brief on motions to dismiss filed 6/18/19; Commission's opposition to corporate defendants' motions filed 7/1/19; Commission's opposition to individual defendants' motions filed 7/2/19.  
Order denying motions to dismiss entered 7/24/19.

***FTC v. RENAISSANCE HEALTH PUBLISHING LLC***, No. 9-20-cv-80640 (S.D. Fla.)

**Parties:** Renaissance Health Publishing, LLC d/b/a Renown Health Products.  
James Digeorgia

**Associated Attorneys:** Edward B. Glennon (BCP/AP)  
Sydney Knight

**Alleged Conduct:** Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the sale and marketing of Isoprex, a purported pain reliever.

**Status:** Complaint filed 4/15/20.  
Stipulated permanent injunction and monetary judgment entered 4/17/20.

***FTC v. REVENUEWIRE, INC.***, No. 1:20-cv-01032 (D.D.C.)

**Parties:** Revenuewire, Inc. d/b/a SAFECART  
Roberta Leach

Assigned Attorneys: Russell Deitch (BCP/MP)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with payment processing services.

Status: Complaint filed 4/21/20.  
Stipulated order for permanent injunction and monetary judgment entered 4/29/20.

***FTC v. SHAD COTTELLI***, No. 20-15717 (9th Cir.); No. 2:18-cv-00035 (D. Nev.)

Parties: Shad Cottelli, a/k/a Shad Applegate  
EMP Media, Inc., also d/b/a MyEx.com  
Aniello “Neil” Infante  
State of Nevada (co-plaintiff)

Assigned Attorneys: Megan Cox (BCP/DPIP)  
Simon Han  
Matthew Hoffman (OGC)

Alleged Conduct: Unfair acts and practices in violation of Section 5(a) of the FTC Act, in connection with the operation of the nonconsensual pornography (or “revenge porn”) website MyEx.com.

Status: Complaint filed 1/9/18.  
Order granting stipulated permanent injunction as to Defendant Aniello Infante entered 1/10/18.  
Order granting motion for alternative service as to Shad Cottelli entered 2/1/18.  
Clerk’s entry of default as to EMP Media, Inc. and Shad Cottelli entered 5/11/18.  
Plaintiffs’ motion for default judgment filed 6/11/18.  
Order granting motion for default judgment and permanent injunction and other relief 6/15/18.  
Defendant Cottelli’s motion to set aside the default judgment filed 3/13/20; Commission’s opposition filed 3/27/20; order denying motion entered 4/9/20.  
Notice of appeal by Cotelli filed 4/20/20.

***FTC v. SIMPLE HEALTH PLANS, LLC***, No. 19-10840, No. 19-11932 (11th Cir.), No. 18-cv-62593 (S.D. Fla.)

Parties: Simple Health Plans, LLC  
Health Benefits One LLC d/b/a Health Benefits Center d/b/a Simple Health d/b/a Simple Health Plans d/b/a Simple Insurance d/b/a

Simple Insurance Plans d/b/a Simple Auto d/b/a Simple Home  
d/b/a Simple Home Plans d/b/a Simple Care d/b/a Simple Life  
d/b/a National Dental Savings  
Health Center Management LLC  
Innovative Customer Care LLC  
Simple Insurance Leads LLC d/b/a Health Insurance Services  
Senior Benefits One LLC  
Steven J. Dorfman

Assigned Attorneys: Elizabeth Scott (MWR)  
James Davis  
Joannie Wei  
Kenneth Hawkins  
Roberto Menjivar  
Nathaniel Al-Najjar  
Brad Grossman (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and  
FTC's Telemarketing Sales Rule in connection with the sale and  
marketing of limited benefit insurance plans and medical discount  
memberships.

Status: Complaint filed 10/29/18  
TRO entered 10/31/18; order extending TRO entered 12/21/18.  
Notice of appeal by defendant Steven J. Dorfman as to order on motion for  
temporary restraining order, order on motion to appoint receiver,  
order on motions for order to show cause, and order on motion to  
strike filed 3/4/19.  
Order of dismissal from USCA for lack of jurisdiction entered 4/16/19.  
Preliminary injunction hearing held 4/16/19.  
Preliminary injunction entered 5/14/19.  
Notice of appeal of preliminary injunction filed 5/15/19.  
Order by district court denying defendants' motion to stay proceedings  
pending appeal entered 5/31/19.  
Order by 11<sup>th</sup> Circuit denying appellant Steven Dorfman's motion to stay  
lower court proceedings entered 6/11/19.  
Defendant Steven Dorfman's motion to dissolve preliminary injunction  
filed 6/4/19; Commission's opposition filed 6/17/19.  
Appellant Steven Dorfman's opening brief filed 5/24; Commission's brief  
filed 7/24/19; Dorfman's reply brief filed 8/14/19.  
Amended complaint filed 10/31/19.  
Motion to dismiss amended complaint filed 12/16/19; Commission's  
response filed 12/30/19; Dorfman's response filed 1/6/20; motion  
granted in part 6/15/20.  
Eleventh Circuit opinion affirming district court's preliminary injunction  
against Steven Dorfman entered 2/5/20.

Preliminary injunction as to Candida Girouard entered 4/2/20.  
Second amended complaint filed 6/23/20.

***FTC v. SLAC, INC.***, No. 5:20-cv-00470 (C.D. Cal.)

Parties: SLAC, Inc., d/b/a Student Loan Assistance Center d/b/a Aspyre  
Navloan, Inc.  
Student Loan Assistance Center, LLC  
Adam Owens

Assigned Attorneys: Jonathan L. Kessler (BCP/ECR)  
Fil M. de Banate  
Maria Del Monaco

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and  
the FTC's Telemarketing Sales Rule in connection with the marketing and  
sale of student loan debt relief services.

Status: Complaint filed 3/9/20.  
Stipulated order for permanent injunction and monetary judgment as to all  
defendants entered 5/22/20.

***FTC v. STUDENT ADVOCATES TEAM, LLC***, No. 8:19-cv-01728 (C.D. Cal.)

Parties: Student Advocates Team, LLC  
Progress Advocates Group, LLC, d/b/a Student Advocates  
Student Advocates Group, LLC  
Assurance Solution Services, LLC  
Bradley Jason Hunt  
Sean Quincy Lucero  
Equitable Acceptance Corp.

Assigned Attorneys: John Jacobs (WR-LA)  
Delilah Vinzon  
Maricela Segura

Nature of Action: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the  
Telemarketing Sales Rule, and the Truth in lending Act and its  
implementing Regulation Z, in connection with marketing, promotion,  
offering for sale, sale, and extension of credit for the purchase of student  
loan debt relief services.

Status: Complaint filed 9/11/19.  
Stipulated order for permanent injunction, monetary relief and final  
judgment as to Equitable Acceptance Corporation entered 9/12/19.  
Motion to dismiss by defendants Bradley Jason Hunt and Sean Quincy

Lucero filed 10/18/19; Commission's opposition filed 10/28/19; defendants' reply in support filed 11/4/19; order denying motion entered 12/18/19.

***FTC v. SURESCRIPTS, LLC***, No. 1:19-cv-01080 (D.D.C.)

Parties: Surescripts, LLC

Assigned Attorneys: Bradley Albert (BC/HC)  
Markus Meier  
D. Patrick Huyett  
David B. Schwartz  
Joseph P. Mathias  
Tanya O'Neil

Alleged Conduct: Unfair methods of competition in violation of Section 5(a) of the FTC Act, in connection with the defendants' anticompetitive scheme to maintain its monopolies in markets for electronic prescription routing and eligibility.

Status: Complaint filed 4/17/19.  
Surescripts' motion to dismiss for lack of jurisdiction filed 7/12/19;  
Commission's opposition to motion filed 8/23/19; reply to motion filed 9/13/19; order denying motion to dismiss entered 1/17/20.

***FTC v. TATE'S AUTO CENTER***, No. 3:18-cv-008176 (D. Ariz.)

Parties: Tate's Auto Center of Winslow Inc.  
Tates Automotive Inc.  
Tate Ford Lincoln Mercury Inc. d/b/a Tate's Auto Center  
Tate's Auto Center of Gallup Inc.  
Richard Berry  
Linda Tate

Assigned Attorneys: Katherine Worthman (BCP/FP)  
Naomi Takagi  
Stephanie Cox  
Francis Conlon

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act and the Truth in Lending Act and its implementing regulations in connection with the marketing, sale, and financing of motor vehicles.

Status: Complaint filed 7/31/18.  
Defendant's notice of filing bankruptcy filed 3/19/19; Commission's response filed 3/27/19.

Commission's motion for summary judgment as to individual defendant Richard Berry and relief defendant Linda Tate filed 3/24/20; defendants' opposition filed 5/22/20; Commission's reply filed 6/11/20.

***FTC v. TEAMI, LLC***, No. 8:20-cv-00518 (M.D. Fla.)

Parties: Teami, LLC  
Adi Halevy  
Yogev Malul

Assigned Attorneys: Christine Delorme (BCP/AP)  
Michael Feuer Ostheimer

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, in connection with the labeling, advertising, marketing, distribution, and sale of tea products that purportedly provide health benefits.

Status: Complaint filed 3/5/20.  
Stipulated order for permanent injunction and monetary judgment entered 3/17/20.

***FTC v. TRAFFIC JAM EVENTS, LLC***, No. 2:20-cv-01740 (E.D. La.)

Parties: Traffic Jam Events, LLC  
David J. Jeanson II

Assigned Attorneys: Tom Widor (BCP/FP)  
Sanya Shahrasbi

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act.

Status: Complaint filed 6/16/20.  
Hearing on TRO held 6/25/20; TRO denied 6/26/20.

***FTC v. VYERA PHARMACEUTICALS, LLC***, No. 1:20-cv-00706 (S.D.N.Y.)

Parties: Vyera Pharmaceuticals, LLC  
Phoenixus AG  
Kevin Mulleady  
Martin Shkreli  
State of New York (Co-Plaintiff)  
State of California (Co-Plaintiff)  
State of Illinois (Co-Plaintiff)  
State of North Carolina (Co-Plaintiff)  
State of Ohio (Co-Plaintiff)



Commonwealth of Pennsylvania (Co-Plaintiff)  
Commonwealth of Virginia (Co-Plaintiff)

Assigned Attorneys: Markus H. Meier (BC/HC)  
Bradley S. Albert  
Armine Black  
Daniel W. Butrymowicz  
Leah Hubinger  
D. Patrick Huyett  
Lauren Peay  
Neal Perlman  
J. Maren Schmidt  
James Weingarten (BC/Office of the Director)

Alleged Conduct: Violations of Sections 1 and 2 of the Sherman Act and unfair methods of competition in violation of Section 5 of the FTC Act, in connection with scheme to maintain a monopoly for the life-saving drug, Daraprim.

Status: Complaint filed 1/27/20.  
Amended complaint adding six state plaintiffs filed 4/14/20.  
Defendants' motions to dismiss filed 5/22/20.

***FTC v. ZYCAL BIOCEUTICALS HEALTHCARE COMPANY, INC.***, No. 4:20-cv-10249 (D. Mass.)

Parties: Zycal Bioceuticals Healthcare Company, Inc.  
James J. Scaffidi  
Excellent Marketing Results, Inc.  
Michael McGahee

Assigned Attorneys: Mary L. Johnson (BCP/AP)

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the marketing of purported joint pain relief products.

Status: Complaint filed 2/10/20.  
Stipulated order for permanent injunction and monetary judgment against Excellent Marketing Results and Michael McGahee entered 2/19/20.

**CIVIL PENALTY AND ENFORCEMENT CASES\***

**(A) Consumer Protection**

***FTC v. DAY PACER LLC***, No. 1:19-cv-01984 (N.D. Ill.)

Parties: Day Pacer LLC, f/k/a College Criteria LLC, d/b/a Edutrek, EdSoup,  
Our School Search, College Info and Degree Spots  
Edutrek L.L.C. d/b/a EdSoup  
Raymond Fitzgerald  
Ian Fitzgerald  
David Cumming

Assigned Attorneys: Adam Wesolowski (BCP/FP)  
Mark Glassman  
Patrick Roy  
William Joseph Hodor

Alleged Conduct: Violations of the Telemarketing Sales Rule in connection with unsolicited calls about educational programs to consumers who submitted their contact information to websites promising help with job searches, public benefits, and other unrelated programs.

Status: Complaint filed 3/22/19.  
Status hearing held 6/10/19.  
Order striking two of defendants' affirmative defenses entered 2/28/20.

***UNITED STATES v. DISH NETWORK LLC***, No. 17-3111 (7th Cir.); 13-2282 (7th Cir.); 3:09-cv-3073 (C.D. Ill.)

Parties: Dish Network L.L.C.

Assigned Attorneys: Russell Deitch (BCP/MP)  
Patrick Runkle (DOJ/CPB)  
Lisa Hsiao

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with abandoned calls and telephone calls to consumers on the National Do Not Call registry.

Status: Complaint filed 3/25/09.  
Defendant's motion to dismiss filed 5/21/09; plaintiff's response in opposition filed 7/17/09; defendant's reply filed 7/27/09; plaintiff's

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\* Includes all suits in which civil penalties are sought; consumer redress, injunctions, and ancillary equitable relief may also be sought.

sur-reply filed 9/11/09.  
Order denying motion to dismiss entered 11/2/09.  
Defendant's motion for reconsideration or interlocutory appeal filed 11/19/09; plaintiff's response filed 12/22/09; order denying motion entered 2/4/10.  
Memorandum in opposition to motion/petition filed 5/21/10.  
Motion to compel 7/30/10; memorandum in opposition to motion 8/16/10; memorandum in support of motion filed 9/24/10; order on motion to compel entered 12/9/10.  
Appeal of magistrate judge decision to district court filed 12/29/10.  
Defendants' motion to stay action under doctrine of primary jurisdiction filed 12/21/10; opposition filed 1/12/11.  
Order directing the parties to file an administrative complaint with the FCC, to obtain its interpretation of statutory language entered 2/4/11.  
Order vacating magistrate's decision denying Commission's motion for leave to file second amended complaint entered 3/12/13.  
Amended complaint filed 3/12/13.  
Petition for writ of mandamus by Dish Network filed 6/12/13.  
Order denying petition for mandamus entered 7/3/13.  
United States' motion for summary judgment filed 12/23/13; opposition filed 3/6/14.  
Motion for summary judgment by Dish Network filed 1/6/14; opposition filed 5/30/14.  
United States' motion for summary judgment filed 5/30/14.  
Order directing parties to file memoranda addressing issue of deference to agency's interpretation of its regulations entered 7/8/14; parties' memoranda of law filed 8/8/14; parties' responses to each other's memoranda filed 8/22/14.  
Order granting partial summary judgment for United States and partial summary judgment for Dish Network entered 12/12/14.  
Motion for sanctions by United States and state plaintiffs filed 7/20/15; memorandum in opposition filed 8/21/15; reply filed 9/10/15; order granting motion in part and denying in part entered 10/13/15.  
Trial on civil penalties held 1/19/16-2/17/16.  
Trial on permanent injunctive relief held 10/25/16-11/2/16.  
Stipulated order for permanent injunction and civil penalty judgment entered 6/5/17.  
Defendant's notice of appeal filed 10/6/17.  
Appellant-defendant's brief filed 2/22/18; United States' brief filed 6/22/18; reply brief filed 8/10/18.  
Oral argument held 9/17/18.  
Seventh Circuit opinion affirming judgment of the district court, except for its holding that Dish is liable for "substantially assisting" Star Satellite and its measure of damages, vacating as to those matters, and remanding for further proceedings, entered 3/26/20.

Petition for rehearing and rehearing *en banc* by Dish Network filed 6/10/20; petition denied 6/25/20.

**UNITED STATES v. FACEBOOK**, No. 1:19-cv-02184 (D.D.C.)

Parties: Facebook, Inc.

Assigned Attorneys: Robin Moore (BCP/DPIP)  
Reenah L. Kim  
Linda Kopp  
Patrick Runkle (DOJ/CPB)  
Jason Lee  
Lisa K. Hsiao

Alleged Conduct: Violations of 2012 FTC order and Section 5(a) of the FTC Act for failing to implement and maintain a reasonable program to protect consumers' privacy and misrepresenting how consumers could control sharing of their personal information.

Status: Complaint filed 7/24/19.  
Proposed stipulated order for civil penalties, monetary judgment, and injunctive relief filed 7/24/19.  
Memorandum opinion approving consent order and stipulated civil penalty judgment entered 4/23/20.

**FTC v. GOTRA**, No. 19-1979 (1st Cir.); No. 1:19-cv-00410 (D. R.I.); No. 1:18-cv-10548 (D. Mass.)

Parties: Jasjit Gotra  
Alliance Security Inc. f/k/a Versatile Marketing Solutions, Inc. f/k/a VMS Alarms f/k/a VMS f/k/a Alliance Home Protection f/k/a AH Protection  
Jessica Merrick a/k/a Jessica Bright a/k/a Jessica Dudlicek  
Defend America LLC  
Kevin Klink  
Power Marketing Promotions LLC d/b/a J Tele Alarms

Assigned Attorneys: Ian L. Barlow (BCP/MP)  
Tejasvi Srimushnam

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC, the FTC's Telemarketing Sales Rule, and the Fair Credit Reporting Act in connection with the marketing and sale of home security systems and monthly alarm monitoring services.

Status: Complaint filed 3/22/18.

Consent motions to approve stipulated final orders for permanent injunctions and civil penalty judgments as to defendants Kevin Klink and Power Marketing Promotions LLC, and as to Jessica Merrick and Defend America LLC filed 3/22/2018.

Motion for preliminary injunction as to defendants Jasit Gotra and Alliance Security filed 3/23/18.

Defendant Jasjit Gotra's motion to dismiss filed 5/14/18; Commission's opposition filed 5/24/18, motion denied 7/31/19.

Stipulated final order for permanent injunction and civil penalty judgment as to defendants Power Marketing Promotions, Kevin Klink, Defend America, and Jessica Merrick entered 5/16/19.

Joint opposition by defendants Gotra and Alliance Security, Inc. to the Commission's motion for preliminary injunction filed 6/3/19; Commission's reply filed 6/17/19.

Stipulated final order for permanent injunction and civil penalty judgment as to defendant Alliance Security Inc. entered 7/31/19.

Preliminary injunction as to defendant Jasjit Gotra entered 7/31/19.

Order transferring case to District of Rhode Island entered 8/1/19.

Notice of appeal of preliminary injunction by defendant Jasjit Gotra filed 9/30/19.

Joint motion to stay briefing pending ongoing settlement negotiations granted 3/12/20.

Status report filed by Commission 4/14/20.

Joint motion to dismiss case filed 5/18/20.

Judgment entered and appeal voluntarily dismissed 6/2/20.

***FTC v. GRAND BAHAMA CRUISE LINE, LLC***, No. 6:20-cv-00052 (M.D. Fla.)

Parties: Grand Bahama Cruise Line, LLC  
Ultimate Vacation Group, LLC  
Tropical Accommodations LLC  
VSC, LLC  
Cabb Group, LLC  
Florida V.S.C. Inc.  
Jonathan Blake Curtis  
Anthony DiGiacomo  
Christopher A. Cotroneo  
Christina R. Peterson  
Robert J. Peterson II

Assigned Attorneys: Christopher E. Brown (BCP/MP)  
Jody Goodman

Alleged Conduct: Violations of Section 5(a) of the FTC Act and the FTC's Telemarketing Sales Rule in connection with the operation of a telemarketing campaign

offering “free” cruise vacations that initiated illegal robocalls, calls to numbers on the Do-Not-Call registry, and calls with spoofed caller IDs.

Status: Complaint filed 1/10/20.  
Stipulated final order for permanent injunction and monetary judgment as to defendants Cabb Group, LLC, Christina R. Peterson, and Robert J. Peterson II entered 1/15/20.  
Stipulated final order for permanent injunction and monetary judgment as to defendant Christopher A. Cotroneo entered 1/15/20.

***UNITED STATES v. HYPERBEARD INC.***, No. 3:20-cv-03683 (N.D. Cal.)

Parties: Hyperbeard Inc.  
Alexander Kozachenko  
Antonio Uribe

Associated Attorneys: Gorana Neskovic (BCP/DPIP)  
Peder Magee  
Danielle Serbin (DOJ/CPB)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act and the Commission’s Children’s Online Privacy Protection Rule (“COPPA”) in connection with the advertising, marketing, and distribution of mobile applications to consumers.

Status: Complaint filed 6/3/20.  
Stipulated order for permanent injunction and civil penalty judgment entered 6/17/20.

***UNITED STATES v. KOHL’S DEPARTMENT STORES INC.***, No. 2:20-cv-00859 (E.D. Wis.)

Parties: Kohl’s Department Stores Inc.

Assigned Attorneys: Elisa Jillson (BCP/DPIP)  
Speare I. Hodges (DOJ/CPB)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Fair Credit Reporting Act in connection with defendant’s response to consumers whose personal information had been compromised.

Status: Complaint filed 6/8/20.  
Joint motion for order for permanent injunction, other equitable relief, and civil penalty by the United States 6/8/20.  
Stipulated order for permanent injunction, other equitable relief, and civil penalty entered 6/10/20.

**FTC v. MATCH GROUP, INC.**, No. 3:19-cv-02281-K (N.D. Texas)

Parties: Match Group, Inc.

Assigned Attorneys: Zachary Keller (SWR)  
Hasan Aijaz  
Matthew Wilshire

Alleged Conduct: Deceptive acts and practices in violation of section 5(a) in connection with the defendant's online dating service.

Status: Complaint filed 9/25/19.  
Defendant's motion to dismiss for failure to state a claim filed 10/17/19;  
Commission's response filed 11/5/19; defendant's reply filed 11/19/19.  
Order staying case pending a ruling on Match Group's motion to dismiss entered 4/22/20.

**FTC v. MORTGAGE SOLUTIONS FCS, INC.**, No. 4:20-cv-00110 (N.D. Cal.)

Parties: Mortgage Solutions FCS, Inc., d/b/a Mount Diablo Lending  
Ramon Walker

Assigned Attorneys: David Westley Lincicum (BCP/DPIP)

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, the Fair Credit Reporting Act, and the Gramm-Leach-Bliley Act in connection with mortgage brokering services.

Status: Complaint filed 1/6/20.  
Stipulated order for permanent injunction, civil penalties, and other relief entered 1/10/20.

**FTC v. ZURIXX LLC**, No. 2:19-cv-00713 (D. Utah)

Parties: Zurixx, LLC  
Zurixx Financial, LLC  
Carlson Development Group, LLC, a  
CJ Seminar Holdings, LLC  
Cristopher A. Cannon  
James M. Carlson  
Jeffrey D. Spangler  
Utah Division of Consumer Protection (co-plaintiff)

Assigned Attorneys: Christine Todaro (BCP/MP)  
Laura Basford

Benjamin Davidson

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC, the Consumer Review Fairness Act, the Telemarketing Sales Rule, as well as the Utah Consumer Sales Practices Act and the Utah Business Opportunity Disclosure Act in connection with the marketing and sale of real estate investment products and services.

Status: Complaint filed 9/30/19.  
TRO entered 10/1/19.  
Preliminary injunction entered 11/1/19.  
Defendants' motion for partial dismissal filed 11/19/19; Commission's opposition file 12/17/19; defendants' reply filed 12/31/19.  
Order denying defendants' motion to dismiss entered 2/26/20.  
Amended complaint filed 5/12/20.

**(B) Competition**

(None)

**SUBPOENA AND CID ENFORCEMENT PROCEEDINGS**

***FTC v. COMPLETE MERCHANT SOLUTIONS, LLC***, No. 2:19-mc-00996 (D. Utah)

Parties: Complete Merchant Solutions, LLC

Assigned Attorneys: Christine Todaro (BCP/MP)  
Laura Basford  
Benjamin Davidson

Nature of Action: Petition to enforce a CID.

Status: Petition filed 12/23/19.  
Order to show cause entered 1/23/20.  
CMS opposition to petition filed 2/11/20; Commission's reply filed 2/28/20.  
Show case hearing before Magistrate held 3/5/20.  
Report and recommendation by Magistrate recommending court compel compliance with CID entered 4/28/20.  
Objection by Complete Merchant Solutions to report and recommendation filed 5/12/20; Commission's response filed 5/26/20.

***FTC v. LAMBERT***, No. 0:19-cv-61867 (S.D. Fla.)

Parties: Daniel Lambert  
James Verillo  
Cruise Operator, Inc.



BPCL Management, LLC  
Nationwide Reservations, Inc.  
Jeff Tellam  
Reservations & Fulfillment Services, Inc.  
Paul Heyden  
Melissa Hanson  
Royal Sea Cruises, Inc.

Assigned Attorneys: Burke W. Kappler (OGC)

Nature of Action: Petition to enforce CIDs seeking materials relevant to ongoing Commission law enforcement investigation.

Status: Petition filed 2/4/19.  
Defendants' response to petition filed 10/11/2019; Commission's reply filed 10/18/19.  
Show cause hearing held 12/2/19.  
Order granting petition in part and denying in part entered 12/3/19.  
Joint status reports filed 12/23/19 and 2/3/20.  
Notice by Commission that case may remain closed filed 3/23/20.

**SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION**

***AXON ENTERPRISE INCORPORATED v. FTC***, No. 20-15662 (9th Cir.); No. 2:20-cv-00014 (D. Ariz.)

Parties: Axon Enterprise Inc.

Assigned Attorneys: Bradley Craigmyle (DOJ/FPB)  
Chetan Patil  
Rebecca Cutri-Kohart  
Joel Marcus (OGC)

Nature of Action: Action seeking a judicial declaration that the Commission does not have the authority to scrutinize plaintiffs' business affairs and that the appropriate forum to adjudicate legality of plaintiffs' acquisition is in an Article III court.

Status: Complaint filed 1/3/20.  
Motion for preliminary injunction and supporting memorandum of points and authorities by plaintiff entered 1/9/20; Commission's opposition filed 1/23/20; plaintiff's reply filed 1/30/20.  
Telephonic hearing held 4/1/20.  
Order dismissing complaint without prejudice due to a lack of subject matter jurisdiction entered 4/8/20.  
Notice of appeal filed 4/13/20.

Axon's opening brief filed 5/1/20; Commission's answering brief filed 6/1/20; Axon's reply brief filed 6/15/20.  
Oral argument by video scheduled for 7/17/20.

***BLOCK & LEVITON, LLP v. FTC***, No. 2:19-cv-00963 (D. Mass.)

Parties: Block & Leviton, LLP

Assigned Attorneys: Michele Arington (OGC)  
Jason Weida (AUSA)

Nature of Action: Action under the Freedom of Information Act seeking access to agency records withheld by the Commission.

Status: Complaint filed 12/18/19.  
Motion for summary judgment by Commission and intervenor Facebook filed 5/15/20; plaintiff's opposition filed 6/5/20; replies filed 6/19/20.  
Hearing by video on motions for summary judgment scheduled for 7/30/20.

***COLE v. AICS***, No. 19-35894 (9th Cir.); No. 1:18-cv-00011 (D. Alaska)

Parties: Stephen Cole

Assigned Attorneys: Joel Marcus (OGC)

Nature of Action: Action seeking an order compelling the FTC to investigate a pharmacy program for anticompetitive action.

Status: Amended complaint adding FTC filed 5/9/19.  
Plaintiff's motion for order requiring FTC to initiate antitrust review of 340B pharmacy program filed 5/9/19; denied 6/6/19.  
Federal defendants' motion to dismiss filed 7/17/19; response in opposition by Cole filed 8/5/19.  
Order granting federal defendants' motions to dismiss entered 10/11/19.  
Notice of appeal by Cole filed 10/25/19.  
Appellant's opening brief filed 2/14/20; government's answering brief filed 5/26/20.

***COMPLETE MERCHANT SOLUTIONS v. FTC***, No. 2:19-cv-00963 (D. Utah)

Parties: Complete Merchant Solutions, LLC

Assigned Attorneys: Michael D. Bergman (OGC)

Nature of Action: Action for declaratory judgment and injunctive relief to stop Commission investigation and potential law enforcement action concerning CMS's provision of payment processing services to merchants engaged in fraud.

Status: Complaint filed 12/5/19.  
Commission's motion to dismiss filed 2/3/20; CMS's opposition file 3/2/20; Commission's reply filed 3/16/20.  
Motion for leave to amend complaint to add new counts filed 4/2/20; Commission's opposition filed 4/20/20; CMS's reply filed 4/16/20; hearing on motion held 6/11/20.

***CONSUMERS FOR AUTO RELIABILITY & SAFETY v. FTC***, No. 1:17-cv-00540 (D.D.C.)

Parties: Consumers for Auto Reliability and Safety  
Center for Auto Safety  
U.S. Public Interest Research Group, Inc.

Assigned Attorneys: Bradley Grossman (OGC)  
Michele Arington

Nature of Action: Action for declaratory and injunctive relief under the Administrative Procedure Act in connection with the Commission's consent orders with General Motors and two dealerships regarding the advertising of used motor vehicles.

Status: Complaint filed 3/24/17.  
Amended complaint filed 5/2/17.  
Commission's motion to hold case in abeyance or, in the alternative, for an extension of time filed 5/16/17; opposition filed 5/30/17; motion to stay granted 6/13/17.  
Commission's motion dismiss filed 9/8/17; response in opposition filed 10/5/17; Commission's reply filed 10/27/17.  
Motion hearing held 9/18/18.  
Motion by plaintiffs for leave to file two new documents in connection with pending motion to dismiss filed 3/9/20; Commission's opposition filed 3/23/20; plaintiffs' reply filed 3/30/20.

***ELECTRONIC PRIVACY INFORMATION CENTER v. FTC***, No. 1:18-cv-00942 (D.D.C.)

Parties: Electronic Privacy Information Center

Assigned Attorneys: Michele Arington (OGC)  
Robert Caplen (AUSA)

Alleged Conduct: Action under the Freedom of Information Act for injunctive and other relief to secure the release of agency records.

Status: Complaint filed 4/20/18.  
Joint status report filed 11/19/18.  
Joint status report filed 3/7/19.  
Joint status report filed 4/12/19.  
Facebook's motion to intervene filed 5/3/19; EPIC's opposition filed 6/14/19; Facebook's reply filed 7/12/19.  
Order granting Facebook's motion to intervene entered 8/28/19.  
Joint status report notifying court that the substantive issues in the action are resolved, leaving only issue of attorney's fees to be addressed, filed 9/25/19.  
EPIC's motion for partial summary judgment on attorney's fees filed 11/22/19; Commission's opposition filed 12/13/19; EPIC's reply filed 12/20/19.  
Magistrate judge's report and recommendation that EPIC's motion for attorney's fees be denied entered 6/16/20.  
Stipulation of dismissal filed 6/24/20.

***LOUISIANA REAL ESTATE APPRAISERS BOARD v. FTC***, No. 19-30796 (5th Cir.); No. 3:19-cv-00214 (M.D. La.)

Parties: Louisiana Real Estate Appraisers Board

Assigned Attorneys: Mark Hegedus (OGC)  
John J. Gaupp (DOJ)

Nature of Action: Action seeking declaratory judgment that the LREAB is exempt from antitrust laws under the state action doctrine.

Status: Complaint filed 4/11/19.  
Plaintiff's motion to stay administrative proceedings pending judicial review and for expedited treatment filed 4/17/19; Commission's opposition filed 5/13/19; plaintiff's reply filed 5/17/19.  
Commission's motion to dismiss filed 6/7/19; plaintiff's opposition filed 6/18/19; Commission's reply filed 6/25/19.  
Order granting motion to stay administrative proceedings entered 7/29/19.  
Notice of appeal of order granting motion to stay filed 9/26/19.  
Commission's opening brief filed 11/7/19; appellee's brief filed 12/9/19; Commission's reply brief filed 1/10/20.  
Oral argument heard 5/5/20.

***MENDEL v. CHAO***, No. 19-8075 (S. Ct.); No. 19-17380 (9th Cir.); No. 4:19-cv-03244 (N.D. Cal.)

Parties: S. Patrick Mendel

Assigned Attorneys: James A. Schart (AUSA)

Nature of Action: Complaint against numerous private parties, as well as federal and state officials, including allegations that FTC improperly failed to investigate anticompetitive conduct by ride hailing services like Uber and Lyft.

Status: Complaint filed 6/7/19.  
First amended complaint filed 6/20/19.  
Federal defendants' motion to dismiss filed 9/23/19; opposition filed 10/7/19; federal defendants' reply filed 10/15/19.  
Order granting motion to dismiss without prejudice entered 11/25/19.  
Notice of appeal filed 11/25/2019; order dismissing appeal for lack of jurisdiction entered 1/23/20.  
Petition for writ of certiorari filed 3/18/20; petition denied 5/26/20.  
Second amended complaint filed 5/1/20.  
Federal defendants' renewed motion to dismiss filed 5/8/20; plaintiff's opposition filed 5/28/20; federal defendants' reply filed 6/4/20.  
Order granting federal defendants' motion to dismiss entered 6/18/20.

***NERIUM INTERNATIONAL, LLC v. FTC***, No. 1:19-cv-07189 (N.D. Ill.)

Parties: Nerium International, LLC (now known as Neora, LLC)  
Jeffrey Olson

Assigned Attorneys: Mariel Goetz (OGC)

Nature of Action: Action for injunction and declaratory judgment that Nerium is not an unlawful pyramid scheme and that the FTC cannot obtain monetary relief.

Status: Complaint filed 11/1/19.  
Commission's motion to dismiss for lack of jurisdiction filed 12/23/19; plaintiff's opposition filed 2/6/20; Commission's reply filed 2/20/20.

***OTA FRANCHISE CORPORATION v. FTC***, No. 1:20-cv-802 (N.D. Ill.)

Parties: OTA Franchise Corporation, also d/b/a Online Trading Academy  
Newport Exchange Holdings, Inc., also d/b/a Online Trading Academy  
NEH Services, Inc.  
Eval Shacar (a/k/a Eval Shahar)  
Samuel R. Seiden  
Darren Kimoto

Assigned Attorneys: Mariel Goetz (OGC)

Nature of Action: Action for declaratory judgment and injunctive relief to stop law enforcement action by the Commission concerning OTA's provision of training programs, including seminars, courses, and instructional materials on trading and investing.

Status: Complaint filed 2/4/20.  
Commission's motion to dismiss filed 3/30/20.

***RICHARD ZEITLIN v. FTC***, No. 20-16128 (9th Cir.); No. 2:19-cv-00698 (D. Nev.)

Parties: Richard Zeitlin  
Unified Data Services, LLC  
Compliance Consultants, LLC  
American Technology Services, LLC

Assigned Attorneys: Bradley Grossman (OGC)  
Brian W. Irvin (DOJ)

Nature of Action: Action seeking declaratory judgment, challenging an FTC staff opinion letter advising that the TSR's restrictions on "prerecorded messages" apply to soundboard technology.

Status: Complaint filed 4/24/19.  
Commission's motion to dismiss filed 6/28/19; plaintiffs' response to motion filed 7/11/19; Commission's reply filed 8/2/19.  
Order granting Commission's motion to dismiss entered 4/10/20.  
Notice of appeal filed 6/8/20.

### **AMICUS CURIAE BRIEFS OR PARTIAL INTERVENTIONS**

***D. BLAINE LEEDS v. ADOLPHUS JACKSON***, No. 19-11502 (11th Cir.)

Assigned Attorneys: Mark S. Hegedus (OGC)

Nature of Action: Private action alleging antitrust violations preventing competition from teledentistry services, raising issue of the active supervision component of state-action defense asserted by the Board of Dental Examiners of Alabama.

Status: Brief for the United States and the Commission as amici curiae supporting plaintiffs-appellees filed 9/11/19.  
Motion to participate in oral argument by United States filed 6/5/20; motion granted 6/10/20.  
Oral argument scheduled for 7/8/20.

***IN RE PAPLAUSKAS, JR.***, No. SU-2018-161-M.P (S. Ct. R.I.)

Assigned Attorneys: Joel Marcus (OGC)

Nature of Action: Action raising the question of whether a non-attorney notary public engaged in the unauthorized practice of law while participating in a real estate closing.

Status: Brief for the United States and the Commission as amicus curiae supporting respondent filed 9/17/18.  
Commission and DOJ's motion to present oral argument as amici curiae filed 11/21/19.  
Oral argument heard 12/5/19.  
Opinion holding that conducting real estate closings does not constitute the practice of law, so non-lawyers may compete in that market., entered 5/29/20.

***SMILEDIRECTCLUB, LLC v. BATTLE***, No. 19-12227 (11th Cir.)

Assigned Attorneys: Mark S. Hegedus (OGC)

Nature of Action: Private action alleging antitrust violations preventing competition from teledentistry services, raising issue of the active supervision component of the state-action defense asserted by Georgia Board of Dentistry members.

Status: Brief for the United States and the Commission as amici curiae supporting plaintiffs-appellees filed 9/26/19.  
Motion to participate in oral argument by United States filed 4/10/20; motion granted 4/29/20.  
Oral argument held 5/20/20.

***STALEY v. GILEAD SCIENCES, INC.***, No. 3:19-cv-02573 (N.D. Cal.)

Assigned Attorneys: Markus H Meier (BC/HC)

Nature of Action: Private action alleging anticompetitive conduct by manufacturers of branded HIV medications, raising question of relevant market definition.

Status: Commission's motion to file amicus brief filed 10/25/19.  
Order granting motion entered 11/7/19.