

1 ALDEN F. ABBOTT
2 Acting General Counsel

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

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

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 vs.

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

21 AMERITECH FINANCIAL, a corporation;

22 FINANCIAL EDUCATION BENEFITS
23 CENTER, a corporation; and

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

Defendants.

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

Related Case: 4:17-cv-04817-SBA

**DECLARATION OF MELISSA
BUSSEWITZ IN SUPPORT OF
FEDERAL TRADE COMMISSION'S
MOTION FOR PRELIMINARY
INJUNCTION**

DECLARATION OF MELISSA BUSSEWITZ

1
2 1. My name is Melissa Bussewitz and I am a teacher in New York state. The
3 following statements are within my personal knowledge and if called as a witness I could and
4 would competently testify thereto.

5 2. In mid-January 2018, I received a postcard offering student loan forgiveness. The
6 postcard featured a photo of me and my daughter reflected in a creepy man's glasses. I was
7 upset that a company used my private photo without my permission. I was very alarmed by the
8 postcard and took a photo of it. A true and correct copy of a photo that I took of the postcard is
9 attached as **Bussewitz Attachment A**.


10 3. I was upset when I saw my personal photo on the postcard and called the toll-free
11 number at the bottom of the postcard. The woman who answered my call said she worked for a
12 company called Ameritech Financial ("Ameritech" or the "company"). I told her that Ameritech
13 was using my personal image without my permission. She dismissed my concerns and said the
14 postcard from from the company's marketing department. I asked to speak with a supervisor and
15 she transferred me another person. I shared my concerns with the supervisor, but he also
16 dismissed me and said Ameritech was getting a lot of positive reaction to the marketing
17 campaign. The operation seemed like a scam and I did not discuss my student loan with either
18 agent.

19 4. Based on Ameritech's reaction to my concerns, I filed a review about the
20 company with the Better Business Bureau ("BBB") on January 18, 2018. My review to the BBB
21 stated:

22 "I received a solicitation in the mail today from this company [Ameritech]. It was a
23 postcard offering to have my student loans forgiven. The photo on the card was a man
24 wearing mirrored glasses. In those mirrors reflecting back at me was a photo of myself
25 and my daughter. I called the company to tell them this is not ok and to remove me from
26 their mailing list. I feel this is a gross invasion of privacy and told them so. Any
27 company taking photos of people off the internet to use in marketing is not a legitimate
28 one."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury that the foregoing is true and correct. Executed on
April 18, 2018, in New York.



Melissa Bussewitz

WHAT IF I ALSO TOLD YOU

**YOU COULD BE PAYING BACK
STUDENT LOANS TILL YOU'RE 50**

Call: (866) 299-6215 Reference #: STLNEN08625-