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FEDERAL TRADE COMMISSION

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

PREMIER DEBT ACQUISITIONS LLC, a limited liability company, also d/b/a PDA Group LLC;

PRIZM DEBT SOLUTIONS LLC, a limited liability company, also d/b/a PDS, LLC;

SAMUEL SOLE AND ASSOCIATES, LLC, a limited liability company, also d/b/a SSA Group LLC and also d/b/a Imperial Processing Solutions;

CHARLES GLANDER, individually and as an officer of Premier Debt Acquisitions LLC, Prizm Debt Solutions LLC, and Samuel Sole and Associates, LLC; and

JACOB E. KIRBIS, individually and as an officer of Premier Debt Acquisitions LLC, Prizm Debt Solutions LLC, and Samuel Sole and Associates, LLC;

Defendants.

Case No. _____

**COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF**

Plaintiff, the Federal Trade Commission (“FTC”), for its Complaint alleges:

1. The FTC brings this action under Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b), and Section 814 of the Fair Debt Collection Practices Act, (“FDCPA”), 15 U.S.C. § 1692*l*, to obtain temporary, preliminary, and permanent injunctive relief, rescission or reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten monies, and other equitable relief for Defendants’ acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the FDCPA, 15 U.S.C. §§ 1692-1692p, in connection with Defendants’ deceptive and abusive debt collection practices.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a), 53(b), and 1692*l*.

3. Venue is proper in this district under 28 U.S.C. § 1391(b)(1), (b)(2), (c)(1), (c)(2), and (d), and 15 U.S.C. § 53(b).

PLAINTIFF

4. The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the FDCPA, 15 U.S.C. §§ 1692-1692p, which prohibits abusive, deceptive, and unfair debt collection practices and imposes duties upon debt collectors.

5. The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act and the FDCPA and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution,

the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 56(a)(2)(A), and 1692I(a).

DEFENDANTS

6. Defendants are third-party debt collectors that, in many instances, purchase portfolios of past-due consumer debt and collect payments on their own behalf from consumers nationwide. Defendants also collect payments on a contingency basis for past-due debts that are owned by other debt collection companies.

7. Defendants attempt to collect debts by contacting consumers using instrumentalities of interstate commerce, including telephone calls, text messages to mobile phones, electronic mail, and United States mail.

8. Defendants regularly use deception and false threats to extract money from consumers. In numerous instances, Defendants have: (1) falsely represented in text messages and calls to consumers that a lawsuit has been filed against them or will be filed imminently; (2) falsely threatened consumers with arrest, imprisonment, or wage garnishment; (3) impersonated state law enforcement officials in communications with consumers; (4) made false or unsubstantiated claims that consumers owe debts; (5) communicated with third parties, including consumers' family members, co-workers and employers, for purposes other than obtaining location information about a consumer; and (6) failed to provide statutorily-required disclosures to consumers, including disclosure of the fact that communications are from a debt collector and disclosure of the consumer's right to dispute and obtain verification of any alleged debts.

9. Defendant **Premier Debt Acquisitions LLC** ("PDA"), also doing business as PDA Group LLC, is a New York corporation with its principal places of business at 15 Webster

Street, Third Floor, North Tonawanda, NY 14120 and at 27 Main Street, Suite 202, Tonawanda, NY 14150. At times material to this Complaint, PDA has transacted business in this district and throughout the United States.

10. Defendant **Prizm Debt Solutions LLC** (“Prizm”), also doing business as PDS, LLC, is a Delaware corporation with its principal places of business at 15 Webster Street, Third Floor, North Tonawanda, NY 14120 and at 27 Main Street, Suite 202, Tonawanda, NY 14150. At times material to this Complaint, Prizm has transacted business in this district and throughout the United States.

11. Defendant **Samuel Sole and Associates, LLC** (“Samuel Sole”), also doing business as SSA Group LLC and as Imperial Processing Solutions, is a New York corporation with its principal place of business at 15 Webster Street, Third Floor, North Tonawanda, NY 14120. At times material to this Complaint, Samuel Sole has transacted business in this district and throughout the United States.

12. Defendant **Charles Glander** is or has been a managing partner of PDA, Prizm, and Samuel Sole, and is or has been the CEO of Prizm. Defendant Glander holds or has held a 51% interest stake in PDA and a 50% interest stake in Prizm, and is or has been a signatory on the corporate bank accounts for PDA, Prizm, and Samuel Sole. At times material to this Complaint, acting alone or in concert with others, Defendant Glander has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of PDA, Prizm, and Samuel Sole, including the acts and practices set forth in this Complaint. Defendant Glander resides in this district and, in connection with the matters alleged herein, has transacted business in this district and throughout the United States.

13. Defendant **Jacob Kirbis** is or has been a managing partner of PDA, Prizm, and Samuel Sole, and is or has been the President of Samuel Sole. He holds or has held a 49% interest stake in PDA and a 50% interest stake in Prizm, and is or has been a signatory on the corporate bank accounts for PDA, Prizm, and Samuel Sole. At times material to this Complaint, acting alone or in concert with others, Defendant Kirbis has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of PDA, Prizm, and Samuel Sole, including the acts and practices set forth in this Complaint. Defendant Kirbis resides in this district and, in connection with the matters alleged herein, has transacted business in this district and throughout the United States.

14. Defendants are “debt collectors” as defined in Section 803(6) of the FDCPA, 15 U.S.C. § 1692a(6).

COMMON ENTERPRISE

15. Defendants PDA, Prizm, and Samuel Sole (collectively, “Corporate Defendants”) have operated as a common enterprise while engaging in the unlawful acts and practices alleged below. The Corporate Defendants have conducted the business practices described below through interrelated companies that have had common ownership, officers, business functions, employees, and office locations, and that have commingled funds. Because these Corporate Defendants have operated as a common enterprise, each of them is jointly and severally liable for the acts and practices alleged below. Defendants Glander and Kirbis have formulated, directed, controlled or had the authority to control, or participated in the acts and practices of the Corporate Defendants that constitute the common enterprise. The common enterprise transacts

or has transacted business in this district, and a substantial part of the events or omissions giving rise to the claims asserted herein have occurred in this district.

COMMERCE

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

DEFENDANTS’ ILLEGAL COLLECTION PRACTICES

17. Defendants have operated as a debt collection enterprise since at least June 2012. Defendants’ debt collection business relies heavily on using false threats to extract payments from consumers—particularly false threats of arrest and false threats of a debt collection lawsuit. Despite their numerous assertions to state consumer protection agencies that they are aware of their obligations under the FDCPA, Defendants have systematically engaged in deceptive and unfair practices in virtually every facet of their debt collection activities, running afoul of the FDCPA in a multitude of ways.

Defendants’ False Threats of Legal Action Against Consumers

18. In numerous instances, Defendants have threatened to take legal action against consumers—including litigation and arrest—without the intention or ability to take such action. Specifically, Defendants have threatened to:

- Sue consumers;
- Have consumers arrested or imprisoned;
- Send police or other law enforcement agents to consumers’ homes or places of employment to arrest the consumers or to serve the consumers with legal papers;

- Have consumers charged with a form of criminal fraud, including wire fraud under 18 U.S.C. § 1343, “payday loan defraudment,” “writing fraudulent checks,” and “defrauding a financial institution”; and
- Garnish consumers’ wages or seize consumers’ property.

19. Defendants have routinely represented to consumers that such legal action is in process or will happen in the immediate future, and that the only way for a consumer to prevent legal action is to make an immediate payment.

20. Defendants often have communicated threats of legal action in voicemail messages. For example, in numerous voicemail messages left with consumers or their family members, Defendants claim to be calling from “The State Officials Office” about an “order to produce a body attachment” against the consumer. In these messages, Defendants have threatened to dispatch “a uniformed officer to [the consumer’s] home or place of employment to enforce this body attachment.” Defendants often have ended these messages with additional details to indicate they will be taking immediate action, including requests that the consumer “secure any large animals or firearms on the premises,” or claims that “we’ll see you shortly.” Defendants have not indicated that they are debt collectors in these voicemail messages, or that these actions would be in taken in an attempt to collect a purported debt.

21. In addition, Defendants’ voicemail scripts direct Defendant’s debt collectors to tell consumers “[t]here has been a title 18 fraud claim attached to your name and ssn,” and that consumers must act “before a service of process is scheduled at your home or place of employment within the next 48 hrs.” These scripts include a copy of the text of 18 U.S.C. § 1343—Fraud by Wire, Radio, or Television.

22. Defendants also have represented to consumers that they are attorneys or representatives of an attorney. In numerous instances in live phone calls with consumers, Defendants have represented that they are calling from a “law firm” or from a company’s “law division.” In such instances, consumers have reported that they were under the impression they were speaking with an attorney or someone who worked with an attorney. In fact, Defendants are not a law firm and Defendants’ collection agents are not attorneys or representatives of an attorney.

23. Furthermore, Defendants have communicated threats of legal action in text messages, dunning letters, and live phone calls with consumers. In numerous instances, in phone calls, letters, and text messages, Defendants have represented to consumers that they have already initiated a lawsuit against the consumer, or that they will initiate a lawsuit unless the consumer makes an immediate payment on a debt. For example, in text messages sent to one consumer, Defendants claimed that they would sue a consumer and seize his possessions unless he paid an alleged debt.

24. In addition, Defendants have represented to consumers in numerous instances that they face arrest for fraud or other criminal charges. For example, during a collection call with one consumer, Defendants threatened to send someone to a consumer’s husband’s workplace in order serve him in front of his co-workers and then “place [him] under arrest” for “obstructing justice” and “defraudment of a bank.” During a call with another consumer, Defendants told the consumer that if she did not pay the debt, she would have to spend 10 to 14 days in jail in order for the debt to be considered paid.

25. Defendants also frequently have used job titles or descriptions that falsely represent or imply that their debt collectors are legal staff. In numerous instances, when contacting consumers to collect debts, Defendants have identified themselves as “process servers,” or have purported to be calling in connection with the “mitigation division of internal security” to “legally notif[y]” consumers about impending “service of process.”

26. In fact, when Defendants’ collectors have threatened consumers with legal action, in numerous instances, no legal action has been taken against the consumer and Defendants do not intend to take any such action. In addition, Defendants cannot have a consumer arrested or imprisoned for non-payment of a private debt, and, in numerous instances, cannot have a consumer’s wages garnished because they have not filed an action and obtained a judgment against the consumer. Furthermore, Defendants are third-party debt collectors and not process servers or state law enforcement officials.

**Defendants’ False Representations Regarding the Effect of
Debt Payment on Credit Reports**

27. In dunning letters sent to consumers by email, Defendants have encouraged consumers to make a payment on purported debts by representing that such payment would positively affect the consumers’ credit reports. For example, Defendants have claimed in emails to consumers that a paid settlement of a debt would “REPAIR CREDIT!” or that payment allows consumers to “clear their credit report” because “the negative trade line on the consumer’s credit report can be resolved.”

28. Payments on debts in collection can change credit reports, however, only if debt owners furnish information about the payments to consumer reporting agencies and the agencies add the information to consumer credit files and credit reports.

29. At times relevant to this complaint, Defendants have not had an active agreement to furnish information about purported debtors to a consumer reporting agency. At such times, Defendants have not had the ability to resolve a negative trade line on a consumer's credit report. As such, at these times, Defendants have had no ability to repair a consumer's credit or resolve negative information on a consumer's credit report, notwithstanding a payment of the debt by the consumer.

Defendants' False or Unsubstantiated Claims that Consumers Owe Debts

30. In numerous instances, Defendants have continued their collection efforts even after the consumers presented evidence that called into question the legitimacy of the debt, without investigating and verifying that the consumer in fact owes the debt, or owes the amount claimed. For example, in one instance, Defendants insisted payment was due even after receiving written evidence that the debt was the result of documented identity theft and that a prior debt collector had marked the debt as paid in full. In another instance, Defendants tried to collect payment a second time from a consumer whose payment it already had received. Defendants also hounded a third consumer for approximately two years about a debt purportedly owed by another individual—someone completely unknown to the consumer.

31. In these and other instances, Defendants have failed to review information substantiating the debt or its amount, or have failed to consider the consumers' challenges regarding the debt, prior to continuing collection.

Defendants' Unlawful Contacts with Third Parties

32. In numerous instances, Defendants have communicated, or threatened to communicate, with consumers' employers, co-workers, family members, or other third parties to apply pressure and create a sense of urgency so the consumer will pay them.

33. In numerous such instances, Defendants either: (1) already possessed contact information for the consumer, including the consumer's place of abode, telephone number, or place of employment; (2) disclosed the consumer's purported debt to the third party; or (3) represented to the third party that Defendants will commence legal action—including arrest—against the putative debtor if the debt is not paid.

**Defendants' Failure to Meaningfully Disclose Identity
During Telephone Calls**

34. In numerous instances, Defendants have communicated with consumers by phone without meaningfully disclosing Defendants' identity. For example, in numerous voicemail messages, Defendants have represented that a consumer will be served with legal process and have provided a phone number the consumer may call for more information, but have not disclosed the name of their company or the fact that they are debt collectors. In other instances, during live telephone calls with consumers, Defendants' debt collectors have refused to identify the name of their company despite consumers' requests for this information.

35. In numerous such instances, consumers were only able to identify Defendants by name after they performed an Internet search of the phone number used by Defendants.

**Defendants' Failure to Provide Statutorily-Required
Notices and Disclosures to Consumers**

36. In addition to failing to identify themselves during phone calls with consumers, Defendants have failed to provide consumers with statutorily-required disclosures, including disclosures identifying themselves as debt collectors and stating that the communication is an attempt to collect a debt and any information provided by the consumer will be used for that purpose.

37. In numerous instances, Defendants also have failed to provide consumers with a statutorily-required notice, either orally in their initial communication with the consumer or in writing within five days of the initial oral communication, setting forth the following: (1) the amount of the alleged debt; (2) the name of the creditor to whom the purported debt is owed; (3) a statement that unless the consumer disputes the debt, the debt will be assumed valid; (4) a statement that if the consumer disputes all or part of the debt in writing within 30 days, the debt collector will obtain verification of the debt and mail it to the consumer; and (5) a statement that, upon the consumer's written request within the 30-day period, the debt collector will provide the name and address of the original creditor, if different from the current creditor.

38. In numerous instances, Defendants have refused to provide consumers with this notice despite consumers' repeated requests, and as a result, consumers have been unable to exercise their rights under the FDCPA to make a cease-and-desist request or dispute formally the validity of a purported debt.

VIOLATIONS OF THE FTC ACT

39. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits "unfair or deceptive acts or practices in or affecting commerce."

40. Misrepresentations or deceptive omissions of material fact constitute deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

COUNT I

False or Misleading Representations Regarding Legal Action or the Effect of Debt Payment on Consumers' Credit Reports

41. In numerous instances, in connection with the collection of purported consumer debts, Defendants have represented, directly or indirectly, expressly or by implication, that:

- a. Defendants' debt collectors are process servers;
- b. Defendants' debt collectors are state law enforcement officials;
- c. Defendants' debt collectors are attorneys or representatives of an attorney, or that a communication is from an attorney;
- d. Defendants have filed, or intend to file, a lawsuit against the consumer for failing to pay a purported debt;
- e. Defendants will have the consumer arrested or imprisoned, or have the consumer's property or wages seized, garnished, or attached; or
- f. Payment of an alleged debt to Defendants will positively impact the consumer's credit report or credit score;

42. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 41 of this Complaint:

- a. Defendants' debt collectors are not process servers;
- b. Defendants' debt collectors are not state law enforcement officials;
- c. Defendants' debt collectors are not attorneys or representatives of an attorney, or their communications are not from an attorney;

- d. Defendants have not filed and do not intend to file a lawsuit against the consumer for failing to pay the purported debt;
- e. Defendants have not had the consumer arrested or imprisoned, or had the consumer's property or wages seized, garnished, or attached; and
- f. Payment of an alleged debt to Defendants has not positively impacted the consumer's credit report or credit score, since Defendants did not communicate such payment to a consumer reporting agency.

43. Therefore, Defendants' representations as set forth in Paragraph 41 of this Complaint are false or misleading and constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT II
False or Unsubstantiated Representations That Consumers Owe Debts
In Part or In Whole

44. In numerous instances, during telephone calls with consumers who had previously told Defendants that they did not owe the debt Defendants were attempting to collect, Defendants have represented, directly or indirectly, expressly or by implication, that the consumer owes the debt.

45. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 44 of this Complaint, these representations have been false, or Defendants have not had a reasonable basis for the representations at the time they were made, including where consumers have already challenged or attempted to challenge the validity or accuracy of the purported debt and Defendants have failed to review information substantiating

the amount of debt, or have failed to consider the consumers' challenges, prior to continuing collection.

46. Therefore, in numerous instances, the making of the representations set forth in Paragraph 44 of this Complaint constitutes a deceptive act or practice in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

VIOLATIONS OF THE FDCPA

47. In 1977, Congress passed the FDCPA, 15 U.S.C. §§ 1692-1692p, which became effective on March 20, 1978, and has been in force since that date. Under Section 814 of the FDCPA, 15 U.S.C. § 1692l, a violation of the FDCPA is deemed an unfair or deceptive act or practice in violation of the FTC Act. Further, the FTC is authorized to use all of its functions and powers under the FTC Act to enforce compliance with the FDCPA.

48. Throughout this Complaint, the term "consumer," as defined in Section 803(3) of the FDCPA, 15 U.S.C. § 1692a(3), means "any natural person obligated or allegedly obligated to pay any debt."

49. Throughout this Complaint, the term "debt," as defined in Section 803(5) of the FDCPA, 15 U.S.C. § 1692a(5), means "any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment."

50. Throughout this Complaint, the term "location information," as defined in Section 803(7) of the FDCPA, 15 U.S.C. § 1692a(7), means "a consumer's place of abode and his telephone number at such place, or his place of employment."

COUNT III
Unlawful Communications with Third Parties

51. In numerous instances, in connection with the collection of debts, Defendants have communicated with persons other than the consumer, the consumer's attorney, a consumer reporting agency if otherwise permitted by law, the creditor, the attorney of the creditor, the attorney of the debt collector, the consumer's spouse, parent (if the consumer is a minor), guardian, executor, or administrator for purposes other than acquiring location information about the consumer, without having obtained directly the prior consent of the consumer or the express permission of a court of competent jurisdiction, and when not reasonably necessary to effectuate a post judgment judicial remedy, in violation of Section 805(b) of the FDCPA, 15 U.S.C. § 1692c(b).

COUNT IV
Calls Without Meaningful Disclosure of Identity

52. In numerous instances, in connection with the collection of debts, Defendants have engaged in conduct the natural consequence of which is to harass, oppress, or abuse a person by placing telephone calls without meaningful disclosure of the caller's identity, in violation of Section 806(6) of the FDCPA, 15 U.S.C. § 1692d(6).

COUNT V
False, Deceptive, or Misleading Representations to Consumers

53. In numerous instances, in connection with the collection of debts, Defendants have, directly or indirectly, expressly or by implication, used false, deceptive, or misleading representations or means, in violation of Section 807 of the FDCPA, 15 U.S.C. § 1692e, including, but not limited to:

- a. Falsely representing or implying that the debt collector is vouched for, bonded by, or affiliated with a State, in violation of Section 807(1) of the FDCPA, 15 U.S.C. § 1692e(1);
- b. Falsely representing the character, amount, or legal status of a debt, in violation of Section 807(2) of the FDCPA, 15 U.S.C. § 1692e(2);
- c. Falsely representing or implying that Defendants are attorneys or representatives of an attorney or that a communication is from an attorney, in violation of Section 807(3) of the FDCPA, 15 U.S.C. § 1692e(3);
- d. Falsely representing or implying that nonpayment of a debt will result in the arrest or imprisonment of a person, when such action is not lawful or when Defendants have no intention of taking such action, in violation of Section 807(4) of the FDCPA, 15 U.S.C. § 1692e(4);
- e. Threatening to take action that Defendants do not intend to take, such as filing a lawsuit or threatening to disclose debts to third parties, in violation of Section 807(5) of the FDCPA, 15 U.S.C. § 1692e(5);
- f. Using a false representation or deceptive means to collect or attempt to collect a debt, or to obtain information concerning a consumer, in violation of Section 807(10) of the FDCPA, § 1692e(10), including:
 - i. False representations that a debt collector is a process server; or
 - ii. False representations regarding the effect of debt payment on credit reports or credit scores; or

- g. Failing to disclose in the initial communication with a consumer that Defendants are debt collectors attempting to collect a debt and that any information obtained will be used for that purpose, or failing to disclose in subsequent communications that the communication is from a debt collector, in violation of Section 807(11) of the FDCPA, 15 U.S.C. § 1692e(11).

COUNT VI
Failure to Provide Statutorily-Required Notice

54. In numerous instances, in connection with the collection of debts, Defendants have failed to provide consumers, either in the initial communication or a written notice sent within five days after the initial communication, with information about the debt and the right to dispute the debt, in violation of Section 809(a) of the FDCPA, 15 U.S.C. § 1692g(a).

CONSUMER INJURY

55. Consumers have suffered and will continue to suffer substantial injury as a result of Defendants' violations of the FTC Act and the FDCPA. In addition, Defendants have been unjustly enriched as a result of their unlawful acts or practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers, reap unjust enrichment, and harm the public interest.

THIS COURT'S POWER TO GRANT RELIEF

56. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), empower this Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief,

including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies, to prevent and remedy any violation of any provision of law enforced by the FTC.

PRAYER FOR RELIEF

Wherefore, Plaintiff FTC, pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), and the Court's own equitable powers, requests that the Court:

A. Award Plaintiff such preliminary injunctive and ancillary relief as may be necessary to avert the likelihood of consumer injury during the pendency of this action and to preserve the possibility of effective final relief, including but not limited to, temporary and preliminary injunctions, an order freezing assets, immediate access, and appointment of a receiver;

B. Enter a permanent injunction to prevent future violations of the FTC Act and the FDCPA by Defendants;

C. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act and the FDCPA, including but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies; and

D. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

JONATHAN E. NUECHTERLEIN
General Counsel

Dated: May 11, 2015



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