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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

FEDERAL TRADE COMMISSION,
Petitioner,

v.

ANIELLO INFANTE,
Respondent.

JUDGE BOYKO

Misc. No.

4 : 17 MC 00008

**PETITION OF THE FEDERAL TRADE COMMISSION
FOR AN ORDER ENFORCING CIVIL INVESTIGATIVE DEMAND**

The Federal Trade Commission, pursuant to Section 20 of the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 57b-1, respectfully petitions this Court for an order requiring Respondent Aniello “Neil” Infante to comply with a civil investigative demand (CID) seeking documents, interrogatory responses, and testimony. The FTC issued this CID as part of an investigation into MyEx.com, a nonconsensual or “revenge” pornography website after learning that Mr. Infante was connected to the website and to various related corporate entities. Although Mr. Infante has acknowledged receiving the CID and even communicated with FTC staff, he has not produced any of the requested materials or even a certificate

stating that he has nothing responsive. Further, Mr. Infante did not appear to testify at an investigational hearing, even after FTC staff rescheduled the hearing and made attempts to minimize any inconvenience. This Court should therefore enforce the CID and direct Mr. Infante to appear at an investigational hearing and to provide the requested materials.

The Commission herewith submits the Declaration of Megan Cox, designated as Petitioner's Exhibit (Pet. Exh.) 1, to verify the allegations herein. The Commission also submits the following additional exhibits:

- Pet. Exh. 2 Resolution Directing Use of Compulsory Process in Nonpublic Investigation of Acts or Practices Related to Consumer Privacy and/or Data Security, File No. P954807;
- Pet. Exh. 3 Civil Investigative Demand to Aniello "Neil" Infante, August 12, 2016;
- Pet. Exh. 4 Nevada Secretary of State Records regarding EMP Media, Inc.;
- Pet. Exh. 5 MyEx.com privacy policy;
- Pet. Exh. 6 FedEx delivery receipt, August 17, 2016;
- Pet. Exh. 7 Letter from Megan Cox and Allison Lefrak to Aniello Infante, October 28, 2016;
- Pet. Exh. 8 Letter from Megan Cox and Allison Lefrak to Aniello Infante, November 9, 2016;
- Pet. Exh. 9 Letter from Maneesha Mithal, Associate Director, Division of Privacy and Identity Protection, to Aniello Infante, November 22, 2016; and
- Pet. Exh. 10 Transcript of Investigational Hearing, December 13, 2016.

Jurisdiction and Venue

1. This Court has jurisdiction to enforce the Commission's duly issued CIDs under Sections 20(e) and (h) of the FTC Act, 15 U.S.C. §§ 57b-1(e), (h). This Court also has jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345.

2. Venue is proper in this judicial district under Section 20(e) of the FTC Act, 15 U.S.C. § 57b-1(e), because Mr. Infante resides and is found here. Venue is also proper under 28 U.S.C. § 1391.

The Parties

3. Petitioner, the Federal Trade Commission, is an administrative agency of the United States, organized and existing under the FTC Act, 15 U.S.C. §§ 41 *et seq.* Section 5 of the FTC Act, 15 U.S.C. § 45, prohibits "unfair or deceptive acts or practices in or affecting commerce," and authorizes and directs the Commission to prevent such conduct. Sections 3 and 6(a) of the FTC Act, 15 U.S.C. §§ 43 & 46(a), authorize the Commission to conduct investigations nationwide and to gather information on any "person, partnership, or corporation." Section 20(c) of the FTC Act, 15 U.S.C. § 57b-1(c), authorizes the Commission to issue CIDs that require the recipients to produce documents, prepare answers to interrogatories, and provide oral testimony under oath, relating to the subject of any Commission investigation.

4. Respondent Aniello Infante is an individual who resides in Youngstown, Ohio. Mr. Infante has served as an officer and agent for EMP Media, Inc., a Nevada corporation that controlled the MyEx.com website for a period of time. Pet. Exh. 1, ¶ 8; Pet. Exh. 4.

The Commission's Investigation and Civil Investigative Demand

5. On January 24, 2013, the Commission issued an omnibus Resolution Directing Use of Compulsory Process in Nonpublic Investigation of Acts or Practices Related to Consumer Privacy and/or Data Security, File No. P954807 ("Resolution"). Pet. Exh. 2. The Resolution authorizes the Commission to investigate and issue compulsory process

To determine whether unnamed persons, partnerships, corporations, or others are engaged in, or may have engaged in, deceptive or unfair acts or practices related to consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information, in or affecting commerce, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, as amended. Such investigation shall, in addition, determine whether Commission action to obtain redress of injury to consumers or others would be in the public interest.

Id.

6. Under the authority of this resolution, the FTC opened an investigation into MyEx.com, a nonconsensual pornography website that invites users to submit explicit photos of other individuals without those individuals' consent. The site has further solicited substantial amounts of personal information about the individuals whose pictures are provided, including names, postal addresses, e-mail addresses, phone numbers, ages, dates of birth, links to their social media accounts (i.e., Facebook, Twitter, LinkedIn, and MySpace), and various descriptive tags. Pet. Exh. 1, ¶¶ 3-6.

7. For a period of time in 2012, the MyEx.com website stated that it was a product of a Nevada corporation known as EMP Media, Inc. Further investigation

showed that Mr. Infante had served in various officer positions with EMP Media. Pet. Exh. 1, ¶ 8; Pet. Exhs. 4, 5.

8. On August 12, 2016, under the authority of the Resolution, the Commission issued a CID to Mr. Infante in order to learn more about his role in operating EMP Media, MyEx.com, and other related entities. See Pet. Exh. 1, ¶ 9; Pet. Exh. 3. The CID asked Mr. Infante to produce documents and to respond to interrogatories by September 12, 2016, and to appear for testimony at the U.S. Attorney's Office in Youngstown, Ohio, on November 17, 2016. Pet. Exh. 3.

9. The CID was delivered to Mr. Infante by FedEx overnight courier on August 17, 2016. Pet. Exh. 1, ¶ 10; Pet. Exh. 6. On September 9, 2016, Mr. Infante responded to the efforts of FTC staff to reach him and confirmed that he had received the CID. He stated, though, that he was attempting to retain counsel. Mr. Infante did not provide documents and information when they were due on September 12, 2016. Pet. Ex. 1, ¶¶ 11-13. Nor did he file an administrative petition to modify or quash the CID, as provided in the FTC's Rule of Practice and Procedure. Pet. Exh. 1, ¶ 23.

10. Over the next few weeks, FTC staff made several attempts to confirm that the attorney whose name Mr. Infante had mentioned was in fact representing him. On October 28, 2016, after numerous unsuccessful attempts to confirm that Mr. Infante was represented by counsel, FTC staff informed Mr. Infante by letter that he was in default of the document production requirements of the CID and that

he was expected to appear and testify at an FTC investigational hearing in Youngstown, Ohio on November 17, 2016. Pet. Exh. 1, ¶¶ 14-15; Pet. Exh. 7.

11. Mr. Infante responded by voice-mail and confirmed that he was the CFO for EMP Media but denied having responsive documents. He also stated that he was unable to appear and testify on November 17. Pet. Exh. 1, ¶ 16. By letter dated November 9, 2016 told Mr. Infante that he needed to execute a certificate stating that he had no responsive documents. They also told Mr. Infante to select a “mutually convenient” date between November 28 and December 16 but advised him that the FTC would set a new date if he failed to provide a date of his own by November 17. Pet. Exh. 1, ¶ 17; Pet. Exh. 8.

12. Mr. Infante did not respond to this invitation to select his own date for an investigational hearing. Pet. Exh. 1, ¶ 18. Accordingly, by letter dated November 22, 2016, FTC staff modified the CID to extend the date for testimony to December 13, 2016, and informed Mr. Infante that FTC staff would be traveling to Youngstown to conduct the hearing. Staff confirmed that date with a voicemail message conveying details about the date, time, and location of the hearing. Pet. Exh. 1, ¶¶ 19-20; Pet. Exh. 9.

13. On December 13, 2016, FTC staff attorney Megan Cox traveled from Washington, D.C. to Youngstown, Ohio to preside at an investigational hearing starting at 10 a.m. Mr. Infante did not appear or respond, even after FTC staff left a second reminder voicemail message. At 11:10 a.m., Ms. Cox adjourned the hearing, but left the record open. Pet. Exh. 1, ¶¶ 21-22; Pet. Exh. 10.

14. Mr. Infante's failure to comply with the August 12, 2016 CID has materially impeded the Commission's ongoing investigation. *See* Pet. Exh. 1, ¶¶ 24-26.

Prayer For Relief

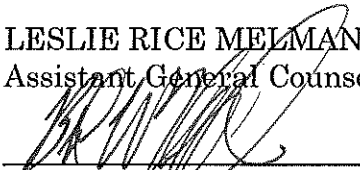
WHEREFORE, the Commission invokes the aid of this Court and prays for:

- a. Immediate issuance of an order, substantially in the form attached, directing Respondent Aniello Infante to show cause why he should not comply in full with the Commission's CID, and setting forth a briefing schedule; and
- b. A prompt determination of this matter and entry of an order:
 - (i) Compelling Respondent to produce the documents and information specified in the August 12, 2016 CID within 10 days of such order;
 - (ii) Compelling Respondent to appear for testimony at a date, time, and location to be set by Commission staff upon notice 14 days in advance; and
 - (ii) Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

DAVID C. SHONKA
Acting General Counsel

LESLIE RICE MELMAN
Assistant General Counsel for Litigation



BURKE W. KAPPLER
Attorney

FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., N.W.
Washington, DC 20580
Tel.: (202) 326-2043
Fax: (202) 326-2477
Email: bkappler@ftc.gov

Dated: February 6, 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

FEDERAL TRADE COMMISSION,
Petitioner,

v.

ANIELLO INFANTE,
Respondent.

JUDGE BOYKO

Misc. No.

4 : 17 MC 00008

MEMORANDUM OF LAW IN SUPPORT OF PETITION
OF THE FEDERAL TRADE COMMISSION
FOR AN ORDER ENFORCING CIVIL INVESTIGATIVE DEMAND

The Federal Trade Commission brought this proceeding to enforce a civil investigative demand (CID) issued to Aniello “Neil” Infante as part of an investigation into MyEx.com, a so-called “revenge porn” website. Mr. Infante has not provided the materials and testimony the CID requires, and has not been willing to certify that he has no responsive information. His refusal to cooperate has stymied the investigation and obstructed the Commission’s staff from gathering the information they need to move forward in the investigation. The Commission respectfully asks this Court to grant the Commission’s enforcement petition and to enter its own order directing Mr. Infante to provide the responsive materials and to

appear for testimony at a date and time to be set by the Commission's staff upon notice 14 days in advance.

Statement of Facts

I. The Parties

The FTC is an administrative agency of the United States, organized and existing under the Federal Trade Commission Act (FTC Act), 15 U.S.C. §§ 41 *et seq.* Section 5 of the FTC Act, 15 U.S.C. § 45, prohibits “unfair or deceptive acts or practices in or affecting commerce,” and authorizes and directs the Commission to prevent such conduct. Sections 3 and 6(a) of the FTC Act, 15 U.S.C. §§ 43 & 46(a), authorize the Commission to conduct investigations nationwide and to gather information on any “person, partnership, or corporation.” Section 20(c) of the FTC Act, 15 U.S.C. § 57b-1(c), authorizes the Commission to issue CIDs that require the recipients to produce documents, prepare answers to interrogatories, and provide oral testimony under oath, relating to the subject of any Commission investigation.

Aniello “Neil” Infante resides in Youngstown, Ohio and served as an officer and agent for EMP Media, Inc., a Nevada corporation that controlled the MyEx.com website for a period of time. Pet. Exh. 1, ¶ 8.

II. The Commission's Investigation

MyEx.com is a “revenge,” or nonconsensual pornography website. It provides users a ready-made global platform to embarrass or harass others. Users of MyEx.com can post nude or sexually explicit pictures of others, typically without that individual's consent. MyEx.com also allows users to provide personal

information about the displayed individuals, including their names, telephone numbers, postal and e-mail addresses, birthdates, and links to their profiles on social media. Users also have the option to tag the pictures with a predetermined array of descriptive—and some demeaning—epithets, including “Bad In Bed,” “Broke,” “Cheater,” “Gold Digger,” and “Slut.” See Pet. Exh. 1, ¶¶ 3-6.

The FTC opened an investigation of MyEx.com after learning from consumer advocates that the website was often used for harassment and after receiving over 100 consumer complaints from individuals who learned that their images had been posted on the site without their consent. *Id.*, ¶ 5. A standing FTC resolution authorizes FTC staff to investigate whether acts or practices relating to “consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information” amount to unfair or deceptive acts in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45(a). See Pet. Exh. 1, ¶ 7; Pet. Exh. 2.

In the course of the investigation, FTC staff learned that MyEx.com for a period of time was controlled by a Nevada corporation, EMP Media, Inc. Pet. Exh. 1, ¶ 8. Documents obtained from the Nevada Secretary of State show that Mr. Infante served as an officer of EMP Media (President, Director, Secretary, and Treasurer) from 2008 until July 2016, when the corporation dissolved. *Id.*, Pet. Exh. 4. The CID at issue here is designed to examine the relationship between MyEx.com and EMP Media and Mr. Infante’s involvement with both entities. Pet. Exh. 1, ¶ 7; Pet. Exh. 3. The CID directed Mr. Infante to produce the requested

documents and respond to interrogatories by September 12, 2016. The CID also required Mr. Infante to appear and testify at an FTC investigational hearing on November 17, 2016, at the office of the U.S. Attorney in Youngstown, Ohio. Pet. Exh. 1, ¶ 7; Pet. Exh. 3.

On September 9, 2016, three days before the deadline, Mr. Infante contacted a member of FTC staff and stated that he was attempting to retain counsel. Pet. Exh. 1, ¶ 12. On October 28, 2016, after multiple unsuccessful attempts to confirm that Mr. Infante had retained counsel, FTC staff advised Mr. Infante that he was in default on the CID's request for documents and interrogatory responses. Pet. Exh. 1, ¶¶ 14-15; Pet. Exh. 7. They also reminded him about his continuing obligation to appear and testify at an FTC investigational hearing to be held on November 17. Pet. Exh. 7.

Mr. Infante responded by leaving a voicemail in which he acknowledged that he was the CFO for EMP Media, but denied having any knowledge of this matter or any responsive documents. He also stated that he would be unable to leave work to provide testimony on the date set by the CID. Pet. Exh. 1, ¶ 16. In response, FTC staff reminded Mr. Infante of his obligation to certify that his responses were complete, even if he had no responsive documents. *Id.*; Pet. Exh. 8. FTC staff further offered to continue the hearing to a mutually convenient time determined no later than November 17. Pet. Exh. 1, ¶ 17; Pet. Exh. 8.

Mr. Infante did not respond. FTC staff did not receive any response from Mr. Infante. Pet. Exh. 1, ¶ 18. FTC staff then modified the CID to continue the

investigational hearing to December 13, 2016 (Pet. Exh. 1, ¶ 19; Pet. Exh. 9), and told Mr. Infante about the continuance by letter, addressed to his residence, and by voicemail. Pet. Exh. 1, ¶ 20. On December 13, an FTC staff attorney, Megan Cox, traveled from Washington, D.C. to Youngstown for the scheduled investigational hearing. *Id.*, ¶ 21. Mr. Infante did not appear, although an FTC staff attorney had contacted him the same morning and left a voicemail reminder. *Id.*, ¶¶ 21-22; Pet. Exh. 10.

To date, Mr. Infante has not produced anything in response to the CID. He has not contacted FTC staff either to explain his absence at the investigational hearing or to set a new date. Pet. Exh. 1, ¶¶ 24-26

Argument

This case is simple: Respondent Aniello Infante has utterly failed to comply with the Commission's CID. Mr. Infante's lack of cooperation has impeded the investigation by obstructing staff from obtaining the information it needs to complete its investigation of MyEx.com and to make appropriate recommendations to the Commission. Accordingly, this Court should grant the Commission's petition to enforce the CID and enter its own order requiring Mr. Infante to produce the required materials and to testify at an investigational hearing. *See* 15 U.S.C. § 57b-1(h)

I. Standards For Enforcement Of Agency Process

The standards for enforcement of administrative compulsory process have long been settled: "[A] district court's role in the enforcement of an administrative

subpoena is a limited one.” *United States v. Markwood*, 48 F.3d 969, 976-77 (6th Cir. 1995) (citing, *inter alia*, *Oklahoma Press Publishing Co. v. Walling*, 327 U.S. 186, 209 (1946) and *United States v. Morton Salt Co.*, 338 U.S. 632, 642-43 (1950)). And “[w]hile the court’s function is ‘neither minor nor ministerial,’ *Oklahoma Press Publishing Co. v. Walling*, 327 U.S. at 217 n.57, the scope of the issues which may be litigated in an enforcement proceeding must be narrow, because of the important governmental interest in the expeditious investigation of possible unlawful activity.” *Markwood*, 48 F.3d at 979 (quoting *FTC v. Texaco, Inc.*, 555 F.2d 862, 872 (D.C. Cir. 1977) (*en banc*)); accord *Doe v. United States*, 253 F.3d 256, 263 (6th Cir. 2001); *FTC v. Winters Nat’l Bank & Trust Co.*, 601 F.2d 395, 403 (6th Cir. 1979) (noting “the strong policy upholding the validity of the exercise of” the FTC’s subpoena powers).

Thus, a district court must enforce agency investigative process so long as the inquiry “is within the authority of the agency, the demand is not too indefinite and the information sought is reasonably relevant. In other words, the agency request must be reasonable” See *Doe*, 253 F.3d at 263 (quoting *Morton Salt*, 338 U.S. at 652-53) (internal quotation marks omitted); *Winters Nat’l Bank*, 601 F.2d at 398. Furthermore, proceedings to enforce administrative investigative subpoenas and CIDs are entitled to summary disposition. *United States v. Will*, 671 F.2d 963, 968 (6th Cir. 1982). They are special statutory matters cognizable under Fed. R. Civ. P. 81(a)(5), and are properly instituted by a petition and order to show cause (rather than by complaint and summons). See, e.g., *Markwood*, 48 F.3d at 974.

II. The CID Is Lawful, Seeks Relevant Documents, And Is Not Unduly Burdensome Or Indefinite.

As shown below, the Commission has satisfied all the standards governing enforcement of FTC compulsory process. The Commission properly issued the CID to Mr. Infante; the information and documents requested by the CID are relevant to the Commission's investigation; and the CID does not unreasonably impose an undue burden.

A. The CID Is Lawful.

The Commission lawfully and properly issued the CID as part of an investigation concerning possible violations of Section 5 of the FTC Act, 15 U.S.C. § 45(a) by MyEx.com relating to the use of consumer information. The CID was issued pursuant to Section 20 of the FTC Act, 15 U.S.C. § 57b-1, which authorizes the Commission to issue CIDs “[w]henver the Commission has reason to believe that any person may be in possession, custody, or control of any documentary material or tangible things, or may have any information, relevant to unfair or deceptive acts or practices.” 15 U.S.C. § 57b-1(c)(1). The investigational resolution issued by the Commission specifically authorized it to issue CIDs to investigate whether “acts or practices related to consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information, in or affecting commerce” violated Section 5 of the FTC Act. Pet. Exh. 2.

B. The Responsive Documents And Information Are Reasonably Relevant To The Commission's Investigation.

The standard for judging relevancy in an investigation is more relaxed than in an adjudication. In an investigation, "relevance should be construed broadly." *Doe*, 253 F.3d at 266; *see also FTC v. Invention Submission Corp.*, 965 F.2d 1086, 1089 (D.C. Cir. 1992) (agency's appraisal of relevancy must be accepted so long as it is not "obviously wrong"). In an investigation the Commission merely seeks to learn whether there is reason to believe that the law is being violated and, if so, whether issuance of a complaint would be in the public interest. *See Morton Salt*, 338 U.S. at 642-43 (FTC "can investigate merely on suspicion that the law is being violated, or even just because it wants assurance that it is not"). The requested materials, therefore, need only be relevant to the investigation – the boundary of which may be defined by the agency quite generally. *See Invention Submission Corp.*, 965 F.2d at 1090 (citing *FTC v. Carter*, 636 F.2d 781, 787-88 (D.C. Cir. 1980) and *Texaco*, 555 F.2d at 874 & n.26.).

Here, the information requested by the FTC is directly relevant to the investigation as described in the resolution. To understand the relationship between MyEx.com and EMP Media, the CID asks Mr. Infante to provide information regarding the nature of his work for a corporation (*i.e.*, EMP Media, Inc.) which controlled MyEx.com. The CID further asks Mr. Infante for information relating to several different aspects of MyEx.com's business, including the manner by, and purposes for, which it collected and used consumers' personal information. Pet. Exh. 3. This information will enable FTC staff to learn about the operations of

the website as well as identify other individuals who participate in the business. Pet. Exh. 1, ¶ 9. The requested information is thus directly relevant to an investigation about “consumer privacy” and the “collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information.” Pet. Exh. 2.

C. Compliance With The CID Is Not Unduly Burdensome.

The CID at issue is neither unreasonable nor presents an undue burden. Critically, Mr. Infante has not claimed to the contrary. A recipient of an FTC CID or subpoena must first raise any claims of undue burden (or any other legal or factual objection) with the Commission and seek administrative relief by filing a petition to quash or limit the CID. *See* 16 C.F.R. § 2.10. Mr. Infante has not filed such a petition. His failure to exhaust his administrative remedies means that he may not pursue such claims before this Court in the first instance. *See, e.g., FTC v. O’Connell*, 828 F. Supp. 165, 168 (E.D.N.Y. 1993); *EEOC v. City of Milwaukee*, 919 F. Supp. 1247, 1255 (E.D.Wis. 1996); *Invention Submission Corp.*, 1991 WL 47104, *2 n.12 (D.D.C. Feb. 14, 1991), *aff’d*, 965 F.2d 1086 (D.C. Cir. 1992).

But, even if the Court were inclined to consider such a claim, it is patently meritless. To show that compliance with the CID would be unduly burdensome, Mr. Infante would have to show that compliance would seriously hinder his business operations. *See, e.g., Texaco*, 555 F.2d at 882; *FTC v. Shaffner*, 626 F.2d 32, 38 (7th Cir. 1980); *FTC v. Rockefeller*, 591 F.2d 182, 190 (2d Cir. 1979). Mr. Infante cannot

make such a showing here, especially given his representation to FTC staff that he has no responsive documents.

Further, as described in the accompanying declaration of the FTC's lead attorney, FTC staff has been willing to accommodate Mr. Infante's schedule. For example, in response to his representation that he did not have responsive documents, FTC staff told Mr. Infante that he could discharge his responsibilities merely by completing a certificate to that effect. Pet. Exh. 1, ¶ 17; Pet. Exh. 8. Mr. Infante has not provided it. Also, when Mr. Infante stated that he could not take time off from his work to testify, staff offered to reschedule the hearing to a mutually-convenient time. Mr. Infante did not reply to that offer. Pet. Exh. 1, ¶ 17; Pet. Exh. 8. In short, Mr. Infante has not and cannot make a showing that the CIDs impose an undue burden.

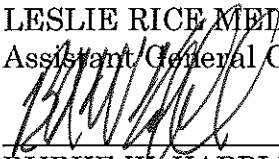
Conclusion

The Commission's petition to enforce the CID should be granted, and the Court should enter its own order requiring Respondent Aniello "Neil" Infante to provide the requested documents and interrogatory responses within ten (10) days and to appear for testimony at a date and time to be set by Commission staff with 14 day's advance notice to Mr. Infante.

Respectfully submitted,

DAVID C. SHONKA
Acting General Counsel

LESLIE RICE MELMAN
Assistant General Counsel for Litigation



BURKE W. KAPPLER
Attorney

FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., N.W.
Washington, DC 20580
Tel.: (202) 326-2043
Fax: (202) 326-2477
Email: bkappler@ftc.gov

Dated: February 6, 2017

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Respondent.

JUDGE BOYKO

Misc. No.

4 : 17 MC 00008

[PROPOSED] ORDER TO SHOW CAUSE

Petitioner, the Federal Trade Commission (FTC or Commission), under to the authority conferred by Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1 and Fed. R. Civ. P. 81(a)(5), has invoked the aid of this Court for an order requiring Respondent Aniello "Neil" Infante to comply with a civil investigative demand (CID), issued to him on August 12, 2016, in aid of an FTC law enforcement investigation.

The Court has considered the Petition of the Federal Trade Commission for an Order Enforcing Civil Investigative Demand and the papers filed in support thereof; and, appearing to the Court that Petitioner has shown good cause for the entry of such order, it is by this Court hereby

ORDERED that Respondent Infante appear at _____ a.m./p.m. on the _____ day of _____, 2017, in Courtroom No. _____ of the United States Courthouse for the Northern District of Ohio, Eastern Division¹ located in Akron/Cleveland/Youngstown, Ohio, and show cause, if any there be, why this Court should not grant said Petition and enter an Order enforcing the CID issued to Respondent. Such an Order would direct Respondent to produce, within ten (10) days of the date of the Order, all responsive documents and information and would further require Respondent to appear for testimony at a date and time determined by Petitioner. Unless the Court determines otherwise, notwithstanding the filing or pendency of any procedural or other motions, all issues raised by the Petition and supporting papers, and any opposition to the Petition, will be considered at the hearing on the Petition, and the allegations of said Petition shall be deemed admitted unless controverted by a specific factual showing; and

IT IS FURTHER ORDERED that, if Respondent believes it to be necessary for the Court to hear live testimony, he must file an affidavit reflecting such testimony (or if a proposed witness is not available to provide such an affidavit, a

¹ The Eastern Division includes three courthouses at the following addresses:

- (1) Akron: John F. Seiberling Federal Building and U.S. Courthouse, 2 South Main Street, Akron, Ohio 44308;
- (2) Cleveland: Carl B. Stokes U.S. Court House, 801 West Superior Avenue, Cleveland, Ohio 44113;
- (3) Youngstown: Thomas D. Lambros Federal Building and U.S. Courthouse, 125 Market Street, Youngstown, Ohio 44503.

Respondent must appear at the courthouse indicated above.

specific description of the witness's proposed testimony) and explain why Respondent believes that live testimony is required; and

IT IS FURTHER ORDERED that, if Respondent intends to file pleadings, affidavits, exhibits, motions or other papers in opposition to said Petition or to the entry of the Order requested therein, such papers must be filed with the Court and received by Petitioner's counsel on the _____ day of _____, 2017. Such submission shall include, in the case of any affidavits or exhibits not previously submitted, or objections not previously made to the Federal Trade Commission, an explanation as to why such objections were not made or such papers or information not submitted to the Commission. Any reply by Petitioner shall be filed with the Court and received by Respondent on the _____ day of _____, 2017; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 81(a)(5) and 26(a)(1)(B)(v), this is a summary proceeding and no party shall be entitled to discovery without further order of the Court upon a specific showing of need; and that the dates for a hearing and the filing of papers established by this Order shall not be altered without prior order of the Court upon good cause shown; and

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 81(a)(5) and its advisory committee note (1946), a copy of this Order and copies of said Petition and exhibits filed therewith, shall be served forthwith by Petitioner upon Respondents or his counsel, using as expeditious means as practicable.

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: _____

_____, Ohio.

Pet. Exh. 1

IN THE UNITED STATES DISTRICT COURT
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FEDERAL TRADE COMMISSION,
Petitioner,

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ANIELLO INFANTE,
Respondent.

Misc. No.

DECLARATION OF MEGAN COX

Pursuant to 28 U.S.C. § 1746, I declare as follows:

1. I am an attorney employed by the U.S. Federal Trade Commission (FTC or Commission), in Washington, D.C., in the Division of Privacy and Identity Protection. I am assigned to the FTC's investigation into MyEx.com (FTC File No. 1623052). The purpose of the investigation is to determine whether MyEx.com's business practices with respect to the posting of consumer personal information violate Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, which prohibits "unfair or deceptive acts or practices."
2. I am authorized to execute a declaration verifying the facts that are set forth in the Petition of the Federal Trade Commission for an Order Enforcing Administrative Investigative Process. I have read the petition and exhibits thereto (hereinafter referred to as Pet. Exh.), and verify that Pet. Exh. 1 through Pet. Exh. 10 are true and correct copies of the original documents. The facts set forth

herein are based on my personal knowledge or information made known to me in the course of my official duties.

3. Certain websites, sometimes referred to as “revenge porn” or “nonconsensual porn” sites, enable individuals to submit images—typically nude or sexually explicit images—of other individuals for posting on the site. In many instances, the nude or sexually explicit images on these types of sites are posted along with personal information identifying the individual whose image is posted and/or other types of information such as contact information, and the images are posted without that individual’s consent.

4. MyEx.com is a website that provides a forum for individuals to submit images—often nude or sexually explicit images—of other individuals for posting on the site. In many instances, the nude or sexually explicit images on the site are posted along with personal information solicited by the site and without consent from the individual whose image was posted.

5. FTC staff opened this investigation after receiving over one hundred consumer complaints about the website from individuals whose complaints indicated that their images were posted without their consent, and after learning from advocates combatting nonconsensual pornography that MyEx.com is often used to harass consumers. MyEx.com has solicited photos, videos, documents, and audio files, along with personal information such as first name and last name of the individual whose image was posted. At various points MyEx.com also solicited other information about the individual in the image, including nickname; middle

name; gender; full date of birth; maiden name; personal email address; city, state and country of residence; city, state, and country of birth; phone number; URL links to social network profiles on Facebook, Twitter, LinkedIn, and MySpace. MyEx.com further solicited potentially descriptive tags to appear with each post, including “Bad In Bed,” “Broke,” “Cheater,” “Dead Beat Dad,” “Dead Beat Mom,” “Drug Addict,” “Ex Con,” “Gay,” “Gold Digger,” “Good in Bed,” “Liar,” “Physically Abusive,” “Slut,” and “Sweetheart.”

6. The Commission seeks to determine whether MyEx.com’s practices are unfair or deceptive in violation of Section 5 of the FTC Act, 15 U.S.C. § 45.

7. In August 2016, FTC staff sought issuance of a civil investigative demand (CID) to Aniello “Neil” Infante under the authority of omnibus FTC investigatory resolution number P954807, which authorizes the use of compulsory process “[t]o determine whether unnamed persons, partnerships, corporations, or others are engaged in, or may have engaged in, deceptive or unfair acts or practices related to consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information.” Pet. Exh. 2. The assigned Commissioner approved the issuance of a CID to Mr. Infante on August 12, 2016. Pet. Exh. 3. The CID required Mr. Infante to respond to document requests and interrogatories on or before September 12, 2016, and to provide oral testimony on 10 specified topics relevant to the investigation on November 17, 2016. *Id.*

8. The FTC issued this CID because FTC staff learned that EMP Media, Inc., a corporation out of Las Vegas, Nevada, controlled the site MyEx.com for a period of time in 2012. Pet. Exh. 5. Per the Nevada Secretary of State's records, Aniello Infante held titles including Secretary, President, Treasurer, and Director of this corporation at various times from 2008 until the corporation was dissolved in July 2016. Pet. Exh. 4.

9. The CID seeks information relating to, *inter alia*, Mr. Infante's businesses, including EMP Media, Inc.; websites he has maintained or procured services for, including MyEx.com; information about other individuals involved with MyEx.com; revenues and source of revenue from MyEx.com; any related payments; the purpose behind certain information collection on the website; the practices related to soliciting images, posting images, receiving removal requests, and processing complaints; website policies related to privacy and terms of use; the operations and dissolution of EMP Media Inc.; and any sale of the website MyEx.com or transfer of information or related domain. In particular, Mr. Infante's response to the CID will help FTC staff learn about the operations of the website and about other individuals who ran and continue to run the website.

10. The CID was delivered and signed for by "C. Infanti" on August 17, 2016. Pet. Exh. 6.

11. FTC staff reached out to Mr. Infante on August 30, 2016 and left voicemails at multiple numbers associated with Mr. Infante.

12. On September 9, 2016, Mr. Infante called staff confirming he received the CID and was talking to his lawyer. He stated that he was trying to see if he could get an extension, as his response to the CID was due September 12.

13. Staff reached Mr. Infante by telephone on September 12, 2016, at which time Mr. Infante stated that attorney Jason Fisher might represent him in the matter. Staff requested that Mr. Infante have his attorney contact staff immediately. Mr. Fisher did not contact staff and when reached, he did not confirm that he represented Mr. Infante. Mr. Infante did not produce any information on the September 12, 2016 return date.

14. Staff left numerous voicemails for Mr. Infante and sent him a letter on October 28 informing him that staff had not received any confirmation that Mr. Infante had retained Mr. Fisher. Pet. Exh. 7.

15. The October 28 letter also stated that Mr. Infante's obligation to respond to the CID did not depend on retaining counsel, that Mr. Infante was in default of the CID's specifications, and that staff would forbear from recommending the FTC's Office of General Counsel commence an enforcement proceeding provided that he produce all responsive documents and information as soon as possible, and in any event, no later than November 10, and appear for testimony on November 17, 2016.
Id.

16. On November 8, 2016, Mr. Infante left a voicemail for staff, stating for the first time he did not know "what went on;" would not be able to get time off work for the scheduled investigational hearing on November 17, and would not show up.

Pet. Exh. 8. He also stated that he did not have a lawyer, and although he was “CFO” of EMP Media, Inc., he did not have “paperwork” to produce in response to the CID.

17. On November 9, 2016, staff wrote Mr. Infante to inform him that he needed to certify that his response to the CID was complete even if he did not possess or control any responsive documents. Pet. Exh. 8. It also stated that staff sought his oral testimony about the topics specified in the CID. *Id.* Staff further stated they were willing to hold the hearing at a mutually convenient time, and asked him to provide by November 17 alternative dates and times that he would be available, and if he did not provide dates, Commission staff would select a date. *Id.*

18. Mr. Infante did not respond to the November 9 letter from staff.

19. On November 22, the date for oral testimony was rescheduled for December 13, 2016, at 10 a.m. Pet. Exh. 9.

20. Staff followed up by contacting Mr. Infante by telephone on December 9, informing him in a voicemail that the hearing would take place at the date and time set forth in the November 22 letter.

21. I travelled from Washington D.C. to Youngstown, Ohio and appeared at the appointed place and time for the hearing. When Mr. Infante did not show up at the scheduled time, staff contacted Mr. Infante by telephone on December 13, 2016 at 10:20 a.m., leaving a voicemail informing him that staff was present for the hearing.

22. When Mr. Infante did not appear by 11:10 a.m., staff went on the record and stated that Mr. Infante had not appeared and had not contacted counsel for the

Commission, and thus staff would leave the record open to allow the Commission the opportunity to seek to compel testimony. Pet. Exh. 10.

23. Mr. Infante has not expressed any specific objections to the CID and did not file a petition to limit or quash the CID with the Commission. See 16 C.F.R. § 2.10(a).

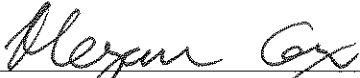
24. Mr. Infante failed to certify that his response to the CID's document requests and interrogatories is complete.

25. Mr. Infante has produced no information in response to the CID.

26. Mr. Infante's non-compliance with the CID has burdened, delayed, and impeded the Commission's investigation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 6, 2017



Megan Cox, Staff Attorney
Division of Privacy and Identity Protection
Bureau of Consumer Protection
Federal Trade Commission

Pet. Exh. 2

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: Jon Leibowitz, Chairman
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NONPUBLIC
INVESTIGATION OF ACTS AND PRACTICES RELATED TO CONSUMER PRIVACY
AND/OR DATA SECURITY**

File No. P954807

Nature and Scope of Investigation:

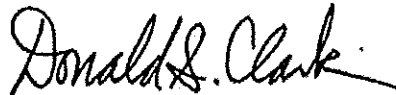
To determine whether unnamed persons, partnerships, corporations, or others are engaged in, or may have engaged in, deceptive or unfair acts or practices related to consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information, in or affecting commerce, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, as amended. Such investigation shall, in addition, determine whether Commission action to obtain redress of injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

Authority to Conduct Investigation:

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1, as amended; FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.* and supplements thereto.

By direction of the Commission.


Donald S. Clark
Secretary

Issued: January 24, 2013

Pet. Exh. 3



United States of America
Federal Trade Commission

CIVIL INVESTIGATIVE DEMAND

1. TO

Aniello "Neil" Infante
3016 Spring Meadow Circle
Youngstown, OH 44515-4953

This demand is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1, in the course of an investigation to determine whether there is, has been, or may be a violation of any laws administered by the Federal Trade Commission by conduct, activities or proposed action as described in Item 3.

2. ACTION REQUIRED

You are required to appear and testify.

LOCATION OF HEARING

U.S. Attorney's Office
100 Federal Plaza East
Youngstown, Ohio 44503

YOUR APPEARANCE WILL BE BEFORE

Megan Cox or other duly designated person

DATE AND TIME OF HEARING OR DEPOSITION

NOV 17 2016

- You are required to produce all documents described in the attached schedule that are in your possession, custody, or control, and to make them available at your address indicated above for inspection and copying or reproduction at the date and time specified below.
- You are required to answer the interrogatories or provide the written report described on the attached schedule. Answer each interrogatory or report separately and fully in writing. Submit your answers or report to the Records Custodian named in Item 4 on or before the date specified below.
- You are required to produce the tangible things described on the attached schedule. Produce such things to the Records Custodian named in Item 4 on or before the date specified below.

DATE AND TIME THE DOCUMENTS, ANSWERS TO INTERROGATORIES, REPORTS, AND/OR TANGIBLE THINGS MUST BE AVAILABLE

SEP 12 2016

3. SUBJECT OF INVESTIGATION

See attached resolution.

4. RECORDS CUSTODIAN/DEPUTY RECORDS CUSTODIAN

Matthew Smith/Megan Cox
Federal Trade Commission
600 Pennsylvania Ave., NW Mail Stop CC-8232
Washington, DC 20580

5. COMMISSION COUNSEL

Megan Cox
Federal Trade Commission
600 Pennsylvania Ave., NW Mail Stop CC-8232
Washington, DC 20580
(202) 326-2282

DATE ISSUED

8/12/16

COMMISSIONER'S SIGNATURE

Valerie K. O'Brien

INSTRUCTIONS AND NOTICES

The delivery of this demand to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply. The production of documents or the submission of answers and report in response to this demand must be made under a sworn certificate, in the form printed on the second page of this demand, by the person to whom this demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances of such production or responsible for answering each interrogatory or report question. This demand does not require approval by OMB under the Paperwork Reduction Act of 1980.

PETITION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any petition to limit or quash this demand be filed within 20 days after service, or, if the return date is less than 20 days after service, prior to the return date. The original and twelve copies of the petition must be filed with the Secretary of the Federal Trade Commission, and one copy should be sent to the Commission Counsel named in Item 5.

YOUR RIGHTS TO REGULATORY ENFORCEMENT FAIRNESS

The FTC has a longstanding commitment to a fair regulatory enforcement environment. If you are a small business (under Small Business Administration standards), you have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR (1-888-734-3247) or www.sba.gov/ombudsman regarding the fairness of the compliance and enforcement activities of the agency. You should understand, however, that the National Ombudsman cannot change, stop, or delay a federal agency enforcement action.

The FTC strictly forbids retaliatory acts by its employees, and you will not be penalized for expressing a concern about these activities.

TRAVEL EXPENSES

Use the enclosed travel voucher to claim compensation to which you are entitled as a witness for the Commission. The completed travel voucher and this demand should be presented to Commission Counsel for payment. If you are permanently or temporarily living somewhere other than the address on this demand and it would require excessive travel for you to appear, you must get prior approval from Commission Counsel.

A copy of the Commission's Rules of Practice is available online at <http://ftc.gov/ftcpract>. Paper copies are available upon request.

Form of Certificate of Compliance*

I/We do certify that all of the documents, information and tangible things required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein.

If a document or tangible thing responsive to this Civil Investigative Demand has not been submitted, the objections to its submission and the reasons for the objection have been stated.

If an interrogatory or a portion of the request has not been fully answered or a portion of the report has not been completed, the objections to its submission and the reasons for the objections have been stated.

Signature _____

Title _____

Sworn to before me this day

Notary Public

*In the event that more than one person is responsible for complying with this demand, the certificate shall identify the documents for which each certifying individual was responsible. In place of a sworn statement, the above certificate of compliance may be supported by an unsworn declaration as provided for by 28 U.S.C. § 1746.

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: Jon Leibowitz, Chairman
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

**RESOLUTION DIRECTING USE OF COMPULSORY PROCESS IN NONPUBLIC
INVESTIGATION OF ACTS AND PRACTICES RELATED TO CONSUMER PRIVACY
AND/OR DATA SECURITY**

File No. P954807

Nature and Scope of Investigation:

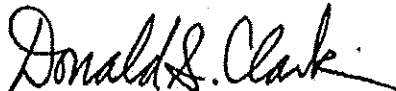
To determine whether unnamed persons, partnerships, corporations, or others are engaged in, or may have engaged in, deceptive or unfair acts or practices related to consumer privacy and/or data security, including but not limited to the collection, acquisition, use, disclosure, security, storage, retention, or disposition of consumer information, in or affecting commerce, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, as amended. Such investigation shall, in addition, determine whether Commission action to obtain redress of injury to consumers or others would be in the public interest.

The Federal Trade Commission hereby resolves and directs that any and all compulsory processes available to it be used in connection with this investigation not to exceed five (5) years from the date of issuance of this resolution. The expiration of this five-year period shall not limit or terminate the investigation or the legal effect of any compulsory process issued during the five-year period. The Federal Trade Commission specifically authorizes the filing or continuation of actions to enforce any such compulsory process after the expiration of the five-year period.

Authority to Conduct Investigation:

Sections 6, 9, 10, and 20 of the Federal Trade Commission Act, 15 U.S.C. §§ 46, 49, 50, and 57b-1, as amended; FTC Procedures and Rules of Practice, 16 C.F.R. § 1.1 *et seq.* and supplements thereto.

By direction of the Commission.


Donald S. Clark
Secretary

Issued: January 24, 2013

**CIVIL INVESTIGATIVE DEMAND
SCHEDULE FOR PRODUCTION OF DOCUMENTS,
ANSWERS TO WRITTEN INTERROGATORIES,
AND ORAL TESTIMONY**

I. DEFINITIONS

As used in this Civil Investigative Demand, the following definitions shall apply:

A. **“And,”** as well as **“or,”** shall be construed both conjunctively and disjunctively, as necessary, in order to bring within the scope of any specification in this Schedule all information that otherwise might be construed to be outside the scope of the specification.

B. **“Any”** shall be construed to include **“all,”** and **“all”** shall be construed to include the word **“any.”**

C. **“CID”** shall mean the Civil Investigative Demand, including the attached Resolution and this Schedule, and including the Definitions, Instructions, and Specifications.

D. **“Document”** shall mean the complete original and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any written, typed, printed, transcribed, filmed, punched, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated or made, including but not limited to any advertisement, book, pamphlet, periodical, contract, correspondence, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, code book or label. **“Document”** shall also include all documents, materials, and information, including Electronically Stored Information, within the meaning of the Federal Rules of Civil Procedure.

E. **“Each”** shall be construed to include **“every,”** and **“every”** shall be construed to include **“each.”**

F. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, PDAs, computer tablets, or other mobile devices; or other storage media.

G. “**FTC**” or “**Commission**” shall mean the Federal Trade Commission.

H. “**Identify**” or “**the identity of**” shall be construed to require identification of (a) natural persons by name, title, present business affiliation, present business address and telephone number, or if a present business affiliation or present business address is not known, the last known business and home addresses; and (b) businesses or other organizations by name, address, identities of natural persons who are officers, directors or managers of the business or organization, and contact persons, where applicable.

I. “**Referring to**” or “**relating to**” shall mean discussing, describing, reflecting, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.

J. “**Website**” shall mean MyEx.com.

K. “**You**” and “**your**” shall mean the person to whom this CID is issued.

II. INSTRUCTIONS

A. **Sharing of Information:** The Commission often makes its files available to other civil and criminal federal, state, local, or foreign law enforcement agencies. The Commission may make information supplied by you available to such agencies where appropriate pursuant to the Federal Trade Commission Act and 16 C.F.R. § 4.11 (c) and (j). Information you provide may be used in any federal, state, or foreign civil or criminal proceeding by the Commission or other agencies.

B. **Meet and Confer:** You must contact Megan Cox at (202) 326-2282 as soon as possible to schedule a meeting (telephonic or in person) to be held within fourteen (14) days after receipt of this CID, or before the deadline for filing a petition to quash, whichever is first, in order to discuss compliance and to address and attempt to resolve all issues, including issues relating to protected status and the form and manner in which claims of protected status will be asserted, and the submission of ESI and other electronic productions as described in these Instructions. Pursuant to 16 C.F.R. § 2.7(k), you must make available personnel with the knowledge necessary for resolution of the issues relevant to compliance with this CID, including but not limited to personnel with knowledge about your information or records management systems, relevant materials such as organizational charts, and samples of material required to be produced. If any issues relate to ESI, you must make available a person familiar with your ESI systems and methods of retrieval.

C. **Applicable time period:** Unless otherwise directed in the specifications, the applicable time period for the request shall be from January 1, 2012 until the date of full and complete compliance with this CID.

D. **Claims of Privilege:** If any material called for by this CID is withheld based on a claim of privilege, work product protection, or statutory exemption, or any similar claim (*see* 16 C.F.R. § 2.7(a)(4)), the claim must be asserted no later than the return date of this CID. In addition,

pursuant to 16 C.F.R. § 2.11(a)(1), submit, together with the claim, a detailed log of the items withheld. The information in the log shall be of sufficient detail to enable the Commission staff to assess the validity of the claim for each document, including attachments, without disclosing the protected information. Submit the log in a searchable electronic format, and, for each document, including attachments, provide:

1. Document control number(s);
2. The full title (if the withheld material is a document) and the full file name (if the withheld material is in electronic form);
3. A description of the material withheld (for example, a letter, memorandum, or email), including any attachments;
4. The date the material was created;
5. The date the material was sent to each recipient (if different from the date the material was created);
6. The email addresses, if any, or other electronic contact information to the extent used in the document, from which and to which each document was sent;
7. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all authors;
8. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all recipients of the material;
9. The names, titles, business addresses, email addresses or other electronic contact information, and relevant affiliations of all persons copied on the material;
10. The factual basis supporting the claim that the material is protected; and
11. Any other pertinent information necessary to support the assertion of protected status by operation of law.

16 C.F.R. § 2.11(a)(1)(i)-(xi).

In the log, identify by an asterisk each attorney who is an author, recipient, or person copied on the material. The titles, business addresses, email addresses, and relevant affiliations of all authors, recipients, and persons copied on the material may be provided in a legend appended to the log. However, provide in the log the information required by Instruction D.6. 16 C.F.R. § 2.11(a)(2). The lead attorney or attorney responsible for supervising the review of the material and who made the determination to assert the claim of protected status must attest to the log. 16 C.F.R. § 2.11(a)(1).

If only some portion of any responsive material is privileged, all non-privileged portions of the material must be submitted. Otherwise, produce all responsive information and material without redaction. 16 C.F.R. § 2.11(c). The failure to provide information sufficient to support a claim of protected status may result in denial of the claim. 16 C.F.R. § 2.11(a)(1).

E. Document Retention: You shall retain all documentary materials used in the preparation of responses to the specifications of this CID. The Commission may require the submission of additional documents at a later time during this investigation. Accordingly, you should suspend any routine procedures for document destruction and take other measures to prevent the destruction of documents that are in any way relevant to this investigation during its pendency, irrespective of whether you believe such documents are protected from discovery by privilege or otherwise. See 15 U.S.C. § 50; see also 18 U.S.C. §§ 1505, 1519.

F. Petitions to Limit or Quash: Any petition to limit or quash this CID must be filed with the Secretary of the Commission no later than twenty (20) days after service of the CID, or, if the return date is less than twenty (20) days after service, prior to the return date. Such petition shall set forth all assertions of protected status or other factual and legal objections to the CID, including all appropriate arguments, affidavits, and other supporting documentation. 16 C.F.R. § 2.10(a)(1). Such petition shall not exceed 5,000 words as set forth in 16 C.F.R. § 2.10(a)(1) and must include the signed separate statement of counsel required by 16 C.F.R. § 2.10(a)(2). The Commission will not consider petitions to quash or limit absent a pre-filing meet and confer session with Commission staff and, absent extraordinary circumstances, will consider only issues raised during the meet and confer process. 16 C.F.R. § 2.7(k); see also § 2.11(b).

G. Modification of Specifications: If you believe that the scope of the required search or response for any specification can be narrowed consistent with the Commission's need for documents or information, you are encouraged to discuss such possible modifications, including any modifications of definitions and instructions, with Megan Cox at (202) 326-2282. All such modifications must be agreed to in writing by the Bureau Director, or a Deputy Bureau Director, Associate Director, Regional Director, or Assistant Regional Director. 16 C.F.R. § 2.7(l).

H. Certification: You shall certify that the response to this CID is complete. This certification shall be made in the form set out on the back of the CID form, or by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746.

I. Scope of Search: This CID covers documents and information in your possession or under your actual or constructive custody or control including, but not limited to, documents and information in the possession, custody, or control of your attorneys, accountants, directors, officers, employees, and other agents and consultants, whether or not such documents and information were received from or disseminated to any person or entity.

J. Document Production: You shall produce the documentary material by making all responsive documents available for inspection and copying at your principal place of business. Alternatively, you may elect to send all responsive documents to Matthew Smith, Federal Trade Commission, 600 Pennsylvania Avenue NW, Mailstop CC-8232, Washington DC 20580. Because postal delivery to the Commission is subject to delay due to heightened security

precautions, please use a courier service such as Federal Express or UPS. Notice of your intended method of production shall be given by email or telephone to **Megan Cox** at **mcox1@ftc.gov** or **(202) 326-2282** at least five days prior to the return date.

K. Document Identification: Documents that may be responsive to more than one specification of this CID need not be submitted more than once; however, your response should indicate, for each document submitted, each specification to which the document is responsive. If any documents responsive to this CID have been previously supplied to the Commission, you may comply with this CID by identifying the document(s) previously provided and the date of submission. Documents should be produced in the order in which they appear in your files or as electronically stored and without being manipulated or otherwise rearranged; if documents are removed from their original folders, binders, covers, containers, or electronic source in order to be produced, then the documents shall be identified in a manner so as to clearly specify the folder, binder, cover, container, or electronic media or file paths from which such documents came. In addition, number all documents in your submission with a unique identifier, and indicate the total number of documents in your submission.

L. Production of Copies: Unless otherwise stated, legible photocopies (or electronically rendered images or digital copies of native electronic files) may be submitted in lieu of original documents, provided that the originals are retained in their state at the time of receipt of this CID. Further, copies of originals may be submitted in lieu of originals only if they are true, correct, and complete copies of the original documents; provided, however, that submission of a copy shall constitute a waiver of any claim as to the authenticity of the copy should it be necessary to introduce such copy into evidence in any Commission proceeding or court of law; and provided further that you shall retain the original documents and produce them to Commission staff upon request. Copies of marketing materials and advertisements shall be produced in color, and copies of other materials shall be produced in color if necessary to interpret them or render them intelligible.

M. Electronic Submission of Documents: See the attached "Federal Trade Commission, Bureau of Consumer Protection Concordance/Relativity Production Requirements," which details all requirements for submission of information, generally requiring that files be produced in native form and specifying the metadata to be produced. As noted in the attachment, some items require discussion with the FTC counsel **prior to production**, which can be part of the general "Meet and Confer" described above. If you would like to arrange a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval, make those arrangements with FTC counsel when scheduling the general meet and confer discussion.

N. Sensitive Personally Identifiable Information: If any material called for by these requests contains sensitive personally identifiable information or sensitive health information of any individual, please contact us before sending those materials to discuss ways to protect such information during production. If that information will not be redacted, contact us to discuss encrypting any electronic copies of such material with encryption software such as SecureZip and provide the encryption key in a separate communication.

For purposes of these requests, sensitive personally identifiable information includes: an individual's Social Security number alone; or an individual's name or address or phone number in combination with one or more of the following: date of birth; Social Security number; driver's license number or other state identification number or a foreign country equivalent; passport number; financial account number; credit card number; or debit card number. Sensitive health information includes medical records and other individually identifiable health information relating to the past, present, or future physical or mental health or conditions of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

O. **Procedures:** This CID is issued pursuant to Section 20 of the Federal Trade Commission Act, 15 U.S.C. § 57b-1. The taking of oral testimony pursuant to this CID will be conducted in conformity with that section and with Part 2A of the Commission's Rules, 16 C.F.R. §§ 2.7(f), 2.9.

P. **Electronic Communications Privacy Act:** This CID is issued in conformance with Sections 2702 and 2703 of Title 18 of the United States Code (ECPA). In your response to this CID, do not divulge any record or information pertaining to a subscriber or customer of your electronic communication service or remote computing service. Redact and withhold any electronic headers or other non-content information, as well as any material that would identify any individual customer or subscriber, from customer correspondence or any other material, if any, that may be responsive to this CID. If you have any questions, please contact FTC staff attorney Megan Cox at (202) 326-2282 before providing responsive information.

II. Specifications

NOTE: DO NOT INCLUDE ANY PHOTOGRAPHS, IMAGES, USER-SUBMITTED CONTENT OR COMMENTS WITH YOUR RESPONSES TO THIS CIVIL INVESTIGATIVE DEMAND.

A. Interrogatories

1. Identify each business entity of which You are or have been a principal, officer, director, manager, or member, and each business entity in which you have an ownership interest or which You control directly or indirectly.
2. With respect to each entity identified in response to Interrogatory 1:
 - a) list the state in which each entity has been incorporated or registered;
 - b) describe the business activities of each entity;
 - c) identify the title(s) and person(s) serving as principal(s), officer(s), director(s), manager(s), or member(s); and
 - d) state the sources and amount of revenue You have received.

3. Identify each website You or EMP Media, Inc. have designed, maintained, or hosted or for which you have procured such services.
4. With respect to the Website:
 - a) state when the domain name was first registered by You or someone You directed;
 - b) identify the individual(s) who have provided services for the Website, including but not limited to registering the domain name; designing and updating the website; soliciting images or advertising for the Website; and responding to complaints or take down requests; and
 - c) state whether and when you or EMP Media, Inc. sold the domain, and to whom the domain was sold.
5. State the address, email address, and phone number of the following individuals, and describe the role(s) he or she has played in relation to the Website, including but not limited to in registering the domain name; designing and updating the website; soliciting images or advertising; soliciting images or advertising for the Website; responding to complaints or take down requests; or collecting money related to takedown requests for images:
 - a) You;
 - b) Shad Applegate;
 - c) Dena Wright;
 - d) Burak Baskan;
 - e) Eun Kim;
 - f) Sheila Garcia; and
 - g) Roberto Santos.
6. Identify all attorneys who have provided legal services to You or EMP Media, Inc. relating to the Website.
7. Identify all sources of revenue You have received in relation to the Website, including but not limited to advertising revenue and income relating to the "Remove My Name" feature, take down requests, the Reputation Doctor, and Reputation Manager.
8. With respect to each source of revenue identified in response to Interrogatory 7:

- a) identify the source, including name, address, email address, and phone number;
 - b) state the date and amount of each payment from such source; and
 - c) state the manner in which such payment was made (*e.g.* check, PayPal, etc.).
9. Identify all persons and entities You or others have paid for services provided in connection with the Website, state the total amount of payments to each, and state the purpose of such payments.
10. With respect to the submission form (*e.g.* "Submit Your Ex") and guidelines posted on the Website, explain the purpose(s) of requiring submitters to provide the following for the subject of the image(s):
- a) first name, last name;
 - b) gender;
 - c) age;
 - d) date of birth; and
 - e) country, state and city.
11. With respect to the submission form (*e.g.* "Submit Your Ex") and guidelines posted on the Website, explain the purpose(s) of allowing submitters to provide the following for the subject of the image(s):
- a) maiden name;
 - b) middle name;
 - c) phone number;
 - d) personal email;
 - e) country, state and city of birth;
 - f) does your ex have kids;
 - g) link to their Facebook;
 - h) link to their Twitter;
 - i) link to their LinkedIn;

- j) link to their Myspace; and
 - k) the categories for tagging your ex.
12. State the date the Website went live and from that date to present, state the number of unique submissions to the Website and the number of unique subjects reflected in such submissions.
 13. Of the number of unique subjects identified in response to Interrogatory 12, state how many had images posted on the website.
 14. Explain in detail how You, EMP Media, Inc., or others solicit images for the Website.
 15. Explain what steps You, EMP Media, Inc., or others take, if any, to verify that the subjects of images posted on the Website are at least 18 years old in the images.
 16. Explain the criteria You, EMP Media, Inc., or others use, if any, to determine whether to post each image on the Website.
 17. From the date the Website went live to the present, state:
 - a) the number of consumers who have asked to have their image(s) removed from the Website;
 - b) the number of such consumer who subsequently had their image(s) removed from the Website;
 - c) the number of consumers who paid money to You or a service under your control, to have their image(s) removed from the Website; and
 - d) the number of consumers who subsequently had their image(s) removed from the Website.
 18. To the extent You or EMP Media, Inc. have sold or otherwise transferred images or other information submitted to the Website to third parties, identify those to whom images or information was transferred, any terms or limits on the use of images or information, and the terms of any compensation received in return.
 19. With respect to the Digital Millennium Copyright Act ("DMCA"):
 - a) state the number of notices of infringement You, EMP Media, Inc., or others have received related to content posted on the Website;
 - b) explain the steps You, EMP Media, Inc., or others have taken to respond to such notices; and
 - c) state the number of images that were removed from the Website in response to

such notices.

B. Document Requests

Electronic Communications Privacy Act: This CID is issued in conformance with Sections 2702 and 2703 of Title 18 of the United States Code (ECPA). In your response to this CID, do not divulge any record or information pertaining to a subscriber or customer of your electronic communication service or remote computing service. Redact and withhold any electronic headers or other non-content information, as well as any material that would identify any individual customer or subscriber, from customer correspondence or any other material, if any, that may be responsive to this CID. If you have any questions, please contact FTC staff attorney Megan Cox at (202) 326-2282 before providing responsive information.

1. Provide all privacy policies, terms of use, terms of service, forms for collection of information (e.g. "Submit Your Ex") or other statements—posted on the Website or otherwise available—relating to Your or EMP Media, Inc.'s collection and use of personal information.
2. Provide all documents relating to services provided to the Website by the following:
 - a) You;
 - b) Shad Applegate;
 - c) Dena Wright;
 - d) Burak Baskan;
 - e) Eun Kim;
 - f) Sheila Garcia;
 - g) Roberto Santos; and
 - h) Web Solutions B.V.
3. Provide all documents relating to Reputation Doctor and Reputation Manager, including but not limited to contracts and communications, including emails.
4. Provide all documents relating to complaints about images posted on the Website, including but not limited to:
 - a) requests to remove images;
 - b) Your or EMP Media, Inc.'s responses to such requests;

- c) communications with third parties relating to complaints or take down requests.
5. Provide all documents, including but not limited to contracts and emails, relating to services performed by third parties for or on behalf of the Website.
 6. Provide all documents related to any transfer or sale of images or other information collected through the Website and all documents relating to any transfer or sale of the Website domain, including any contracts.
 7. With respect to each payment You or EMP Media, Inc. have received in relation to the Website, provide documents sufficient to identify the payor, the date and amount of the payment, and the manner in which payment was made (e.g., check, PayPal, Western Union, etc.).
 8. With respect to each payment You or EMP Media, Inc. have made for services provided in connection with the Website, provide documents sufficient to identify the payee, the date and amount of the payment, and the manner in which the payment was made (e.g., check, PayPal, Western Union, etc.).
 9. Provide all documents relating to investigations of the Website and lawsuits filed against You, EMP Media Inc., or the Website, including but not limited to Complaints, Answers, discovery issued and responses to such discovery, and settlements.
 10. With respect to the DMCA, provide:
 - a) all notices of claimed infringement You, EMP Media, Inc., or others have received;
 - b) documents relating to the steps You, EMP Media, Inc., or others have taken to respond to such notices; and
 - c) all documents, including communications, with those who submitted the notice and with those who submitted the content that is the subject of such notice.

C. Oral Testimony

Subjects for testimony will include, but will not be limited to, the following:

1. the operations and dissolution of EMP Media, Inc.;
2. the operations of the Website;
3. all entities and individuals who provide(d) services to the Website;
4. the operations of Web Solutions B.V.;

5. payments made and received related to the Website;
6. the purpose(s) of all collection of personal information through the Website;
7. processing of all complaints and take down requests related to the Website;
8. the roles and duties related to the website of all employees, including You, Shad Applegate, Dena Wright, Burak Baskan, Eun Kim, Sheila Garcia, and Roberto Santos.
9. any sale or transfer of information collected through MyEx.com; and
10. any sale or transfer of the domain related to MyEx.com.

**Federal Trade Commission, Bureau of Consumer Protection
Concordance/Relativity Production Requirements**

Submit all documents according to the instructions below. Some instructions require discussion with FTC counsel prior to production, which can be part of a general "Meet and Confer" between the parties or a separate discussion involving persons specifically familiar with your electronically stored information (ESI) systems and methods of retrieval.

Production Format

1. Submit Concordance load-ready electronic productions with:
 - a. an Opticon image load file (OPT) containing a line for every image file in the production, and
 - b. a Concordance delimited data load file (DAT) containing a line for every document in the production, with bates references, metadata fields, and native file links where applicable.
2. ESI – Documents stored in electronic format in the ordinary course of business shall be submitted in the following electronic format:
 - a. Microsoft Excel, Access, and PowerPoint – Submit in native format with extracted text and metadata. Data compilations in Excel spreadsheets or in delimited text formats must contain all underlying data unredacted with all underlying formulas and algorithms intact.
 - b. Discuss production of other spreadsheet, database, presentation, and multimedia formats, instant messages, CRM, and proprietary applications with FTC counsel prior to submission.
 - c. Submit all ESI other than that described above in native electronic format with extracted text or Optical Character Recognition (OCR) and all related metadata, and with corresponding image renderings as converted to Group IV, 300 DPI, single-page Tagged Image File Format (TIFF) or as color JPEG images (where color is necessary to interpret the contents or render them intelligible).
 - d. Each electronic file should be assigned a unique document identification (DocID) or bates number.
3. Hard copy – Documents stored in hard copy in the ordinary course of business must be scanned and submitted as 300 DPI individual single page TIFFs (or color JPGs when necessary to interpret documents or render them intelligible), with corresponding document-level OCR text and with logical document determination clearly rendered in an accompanying load file. Each page shall be endorsed with a DocID or bates number.

4. **Extracted Text/OCR** – Submit text as document-level text files, named for the beginning DocID or bates number, and organized into a folder separate from images. BCP cannot accept Unicode text files and will request replacement files if received.
5. **Document Identification** – Each document must have a unique Docid or bates number, consisting of a prefix and a consistent number of numerals to prevent issues with image display, using leading zeros where necessary. Do not use a space to separate the prefix from numbers.
6. **Family Relationships** – Regardless of the form of production, preserve the parent/child relationship by:
 - a. producing attachments as separate documents and numbering them consecutively to the parent email, and
 - b. including a reference to all attachments.
7. **Deduplication and Email Threading** – You must have FTC counsel approval to utilize any de-duplication or email threading software or services.
8. **Password Protected Files** – Remove passwords prior to production. If password removal is not possible, provide a cross reference file including original filename, production filename, and the respective password.

Production Metadata

9. For each document electronically submitted to the FTC, include the following metadata fields in a standard ASCII delimited data load file. The following charts describe the required metadata for hard copy scanned documents, email, email attachments, and native files. Alongside each piece of information, include a corresponding field name for the delimited data load file.

a. **Hard Copy Scanned Documents**

Document Info / Metadata	Description	Concordance Field Name
Beginning Bates number	The beginning bates number for the document	BEGBATES
Ending Bates number	The ending bates number for the document	ENDBATES
Page Count	The total number of pages in the document	PGCOUNT
Custodian	Mailbox where the email resided	CUSTODIAN

b. **Email**

Document Info / Metadata	Description	Concordance Field Name
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Beginning Bates number	The beginning bates number for the document	BEGBATES
Ending Bates number	The ending bates number for the document	ENDBATES
Page Count	The total number of pages in the document	PGCOUNT
Custodian	Mailbox where the email resided	CUSTODIAN
To	Recipient(s) of the email	RECIPIENT
From	The person who authored the email	FROM
CC	Person(s) copied on the email	CC
BCC	Person(s) blind copied on the email	BCC
Date Sent	Date the email was sent	DATESENT
Time Sent	Time the email was sent	TIMESENT
Subject	Subject line of email	SUBJECT
Date Received	Date the email was received	DATERCVD
Time Received	Time the email was received	TIMERCVD
Child records (attachments)	The beginning bates number(s) of attachments delimited by comma	ATTACHMENTID
Location or "Path"	Location of email in personal folders/Deleted Items/Sent Items	FILEPATH
Message ID	MS Outlook Message ID or similar number in other message systems	MESSAGEID

c. Email Attachments

Document Info / Metadata	Description	Concordance Field Name
Beginning Bates number	The beginning bates number for the document	BEGBATES
Ending Bates number	The ending bates number for the document	ENDBATES
Page Count	The total number of pages in the document	PGCOUNT
Custodian	The name of the original custodian of the file	CUSTODIAN
Parent Record	Beginning bates number of parent email	PARENTID
Creation Date	The date attachment was saved at the location on the electronic media for the first time	CREATEDATE
Creation Time	The time the attachment was saved at the location on the electronic media for the first time	CREATETIME
Modified Date	The date/time the attachment was last changed, and then saved	MODDATE
Modified Time	The time the attachment was last changed, and then saved	MODTIME

Last Accessed Date	The time the attachment was last opened, scanned, or even "touched" by a user or software activity	LASTACCDATE
Last Accessed Time	The time the attachment was last opened, scanned, or even "touched" by a user or software activity	LASTACCTIME
Size	The amount of space the file takes up on the electronic media. Usually recorded in kilobytes, however may be reported in single bytes	FILESIZE
File Name	The name of the attachment including the extension denoting the application in which the file was created	FILENAME
Native link	Relative path of submitted native files such as Excel spreadsheets	NATIVELINK
Hash	The SHA (Secure Hash Algorithm) or MDS (Message Digest) hash for the original native file if available	HASH

d. Native Files

Document Info / Metadata	Description	Concordance Field Name
Beginning Bates number	The beginning bates number for the document	BEGBATES
Ending Bates number	The ending bates number for the document	ENDBATES
Page Count	The total number of pages in the document	PGCOUNT
Custodian	The name of the original custodian of the file	CUSTODIAN
Creation Date	The date attachment was saved at the location on the electronic media for the first time	CREATEDATE
Creation Time	The time the attachment was saved at the location on the electronic media for the first time	CREATETIME
Modified Date	The date/time the attachment was last changed, and then saved	MODDATE
Modified Time	The time the attachment was last changed, and then saved	MODTIME
Last Accessed Date	The time the attachment was last opened, scanned, or even "touched" by a user or software activity	LASTACCDATE
Last Accessed Time	The time the attachment was last opened, scanned, or even "touched" by a user or software activity	LASTACCTIME
Size	The amount of space the file takes up on the electronic media. Usually recorded in kilobytes	FILESIZE
File Name	The name of the file including the extension denoting the application in which the file was created	FILENAME
Native link	Relative path of submitted native files	NATIVELINK

Hash	The SHA (Secure Hash Algorithm) or MD5 Hash for the original native file if available	HASH
------	---	------

10. Use these delimiters in delimited data load files:

Description	Symbol	ASCII Character
Field Separator	<	20
Quote Character	␣	254
Multi Entry delimiter	@	174
<Return> Value in data	~	126

11. Submit date and time data in separate fields so Concordance can load it.

Production Media and Submission

12. Prior to production, scan all media and data contained therein for viruses and confirm the media and data is virus free.
13. For productions smaller than 50 GB, the FTC can accept electronic file transfer via FTC-hosted secure file transfer protocol. Contact the FTC to request this option. The FTC cannot accept files via Dropbox, Google Drive, or other third-party file transfer sites.
14. Use the least amount of media necessary for productions. Acceptable media formats are optical discs (CD, DVD), flash drives, and hard drives. Format all media for use with Windows 7.
15. Data encryption tools may be employed to protect privileged or other personal or private information. Discuss encryption formats with the FTC prior to production. Provide encryption passwords in advance of delivery, under separate cover.
16. Postal delivery to the FTC is subject to delay due to heightened security precautions. Mark the exterior of all packages containing electronic media sent through the U.S. Postal Service or other delivery services as follows:

MAGNETIC MEDIA – DO NOT X-RAY
MAY BE OPENED FOR POSTAL INSPECTION.

17. Provide a production transmittal letter with all productions that includes:
 - a. Production volume name (e.g., Volume 1),
 - b. Date of production,
 - c. The numeric DocID number range of all documents included in the production,
 - d. List of custodians and the DocID number range for each,
 - e. Total number of records and all underlying images, emails, and associated attachments, native files, and databases in the production;
 - f. List of load file fields in the order in which they are organized in the data file.

Pet. Exh. 4

STATE OF NEVADA



BARBARA K. CEGAVSKE
Secretary of State

KIMBERLEY PERONDI
Deputy Secretary
for Commercial Recordings

Commercial Recordings Division
202 N. Carson Street
Carson City, NV 89701-4201
Telephone (775) 684-5708
Fax (775) 684-7138

OFFICE OF THE
SECRETARY OF STATE

Copy Request

December 7, 2016

Job Number: C20161206-0823
Reference Number: 00010486319-42
Expedite:
Through Date:

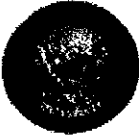
Document Number(s)	Description	Number of Pages
00001986416-15	Articles of Incorporation	1 Pages/1 Copies
20080583782-73	Initial List	1 Pages/1 Copies
20080630394-85	Amended List	1 Pages/1 Copies
20090725789-89	Annual List	1 Pages/1 Copies
20100302180-07	Amended List	1 Pages/1 Copies
20100503747-19	Annual List	1 Pages/1 Copies
20100876718-50	Registered Agent Change	1 Pages/1 Copies
20120086774-27	Annual List	1 Pages/1 Copies
20120743740-60	Annual List	1 Pages/1 Copies
20130218930-59	Amended List	1 Pages/1 Copies
20130575732-15	Annual List	1 Pages/1 Copies
20140083318-80	Amended List	1 Pages/1 Copies
20140261079-62	Amended List	1 Pages/1 Copies
20140264663-04	Amended List	1 Pages/1 Copies
20140498244-88	Registered Agent Resignation	1 Pages/1 Copies
20150372153-49	Annual List	1 Pages/1 Copies
20150372154-50	Annual List	1 Pages/1 Copies
20150372155-61	Registered Agent Change	1 Pages/1 Copies
20160317379-29	Certificate of Dissolution	1 Pages/1 Copies

Commercial Recording Division
202 N. Carson Street
Carson City, Nevada 89701-4201
Telephone (775) 684-5708
Fax (775) 684-7138

Respectfully,

A handwritten signature in black ink that reads "Barbara K. Cegavske". The signature is written in a cursive style with a large initial 'B'.

BARBARA K. CEGAVSKE
Secretary of State



ROSS MILLER
 Secretary of State
 206 North Carson Street
 Carson City, Nevada 89701-4299
 (775) 684 5708
 Website: www.nvsos.gov

Articles of Incorporation
 (PURSUANT TO NRS CHAPTER 78)

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 00001986416-15
	Filing Date and Time 08/21/2008 1:26 PM
	Entity Number E0534022008-9

USE BLACK INK ONLY - DO NOT HIGHLIGHT

ABOVE SPACE IS FOR OFFICE USE ONLY

1. Name of Corporation:	EMP Media, Inc
2. Registered Agent for Service of Process: (check only one box)	<input type="checkbox"/> Commercial Registered Agent: _____ Name <input type="checkbox"/> Noncommercial Registered Agent (name and address below) OR <input checked="" type="checkbox"/> Office or Position with Entity (name and address below) Name of Noncommercial Registered Agent OR Name of Title of Office or Other Position with Entity Neil Infante President Street Address: 6130 Flamingo Road City: Las Vegas Nevada 89103 Mailing Address (if different from street address) _____ City _____ Nevada _____ Zip Code _____
3. Authorized Stock: (number of shares corporation is authorized to issue)	Number of shares with par value: 35,000 Par value per share: \$.10 Number of shares without par value: 35,000
4. Names and Addresses of the Board of Directors/Trustees: (each Director/Trustee must be a natural person at least 18 years of age; attach additional page if more than two directors/trustees)	1) Name: Neil Infante Street Address: 6130 Flamingo Road City: Las Vegas State: NV Zip Code: 89103 2) Name: _____ Street Address: _____ City: _____ State: _____ Zip Code: _____
5. Purpose: (optional; see instructions)	The purpose of the corporation shall be: _____ _____
6. Name, Address and Signature of Incorporator: (attach additional page if more than one Incorporator)	Name: Neil Infante <input checked="" type="checkbox"/> Neil Infante Address: 6130 Flamingo Road City: Las Vegas State: NV Zip Code: 89103 _____ _____
7. Certificate of Acceptance of Appointment of Registered Agent:	I hereby accept appointment as Registered Agent for the above named Entity. <input checked="" type="checkbox"/> _____ Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity Date: 8-21-08

This form must be accompanied by appropriate fees.

(PROFIT) INITIAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT OF

FILE NUMBER

EMP MEDIA, INC

E0534022008-9


(Name of Corporation)

FOR THE FILING PERIOD OF: 8/2008

TO: 8/2009

The corporation's duly appointed registered agent in the State of Nevada upon whom process can be served is:

EMP MEDIA, INC C/O NEIL INFANTE, PRESIDENT
6130 FLAMINGO ROAD
LAS VEGAS, NV 89103 USA

Filed in the office of  Ross Miller Secretary of State State of Nevada	Document Number
	20080583782-73
	Filing Date and Time
	09/02/2008 10:30 AM
	Entity Number
	E0534022008-9

CHECK BOX IF YOU REQUIRE A FORM TO UPDATE YOUR REGISTERED AGENT INFORMATION

(This document was filed electronically.)

THE ABOVE SPACE IS FOR OFFICE USE ONLY

Important: Read instructions before completing and returning this form.

- Print or type names and addresses either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. Have an officer sign the form **FORM WILL BE RETURNED IF UNSIGNED**
- If there are additional directors attach a list of them to this form.
- Return the completed form with the \$125.00 filing fee. A \$75.00 penalty must be added for failure to file this form by the last day of first month following the incorporation/initial registration with this office.
- Make your check payable to the Secretary of State. Your cancelled check will constitute a certificate to transact business per NRS 78.155. To receive a certified copy, enclose an additional \$30.00 and appropriate instructions.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, NV 89701 4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the first month following the incorporation/initial registration date. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties.

FILING FEE \$125.00 LATE PENALTY \$75.00

CHECK ONLY IF APPLICABLE

- This corporation is a publicly traded corporation. The Central Index Key number is: _____
- This publicly traded corporation is not required to have a Central Index Key number.

NAME	TITLE(S)		
NEIL INFANTE	PRESIDENT (OR EQUIVALENT OF)		
ADDRESS	CITY	ST	ZIP
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109
NAME	TITLE(S)		
NEIL INFANTE	SECRETARY (OR EQUIVALENT OF)		
ADDRESS	CITY	ST	ZIP
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109
NAME	TITLE(S)		
NEIL INFANTE	TREASURER (OR EQUIVALENT OF)		
ADDRESS	CITY	ST	ZIP
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109
NAME	TITLE(S)		
NEIL INFANTE	DIRECTOR		
ADDRESS	CITY	ST	ZIP
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109

I declare, to the best of my knowledge under penalty of perjury that the above mentioned entity has complied with the provisions of NRS 330.780 and acknowledge that pursuant to NRS 239.330 it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X Signature of Officer NEIL INFANTE

Title PRESIDENT

Date 9/2/2008 10:45:06 AM

FILE NUMBER

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT OF

EMP MEDIA, INC

E0534022008-9

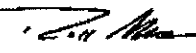
(Name of Corporation)

FOR THE FILING PERIOD OF 8/2008

TO 8/2009

The corporation's duly appointed registered agent in the State of Nevada upon whom process can be served is:

EMP MEDIA, INC C/O NEIL INFANTE, PRESIDENT
6130 FLAMINGO ROAD
LAS VEGAS, NV 89103 USA

Filed in the office of  Ross Miller Secretary of State State of Nevada	Document Number
	20080630394-85
	Filing Date and Time
	09/23/2008 6:10 PM
	Entity Number
	E0534022008-9

CHECK BOX IF YOU REQUIRE A FORM TO UPDATE YOUR REGISTERED AGENT INFORMATION

(This document was filed electronically.)
THE ABOVE SPACE IS FOR OFFICE USE ONLY

Important: Read instructions before completing and returning this form.

1. Print or type names and addresses either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors and all directors must be named. Have an officer sign the form. FORM WILL BE RETURNED IF UNSIGNED.
2. If there are additional directors attach a list of them to this form.
3. Return the completed form with the filing fee. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
4. Make your check payable to the Secretary of State. Your canceled check will constitute a certificate to transact business per NRS 78.155. To receive a certified copy, enclose an additional \$30.00 and appropriate instructions.
5. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, NV 897014201, (775) 684-5708.
6. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due, (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties.

CHECK ONLY IF APPLICABLE

- This corporation is a publicly traded corporation. The Central Index Key number is: _____
- This publicly traded corporation is not required to have a Central Index Key number.

NAME	TITLE(S)		
BURAK BASKAN	PRESIDENT (OR EQUIVALENT OF)		
ADDRESS	CITY	St	Zip
2595 FREMONT STREET , USA	LAS VEGAS	NV	89103
NAME	TITLE(S)		
NEIL INFANTE	SECRETARY (OR EQUIVALENT OF)		
ADDRESS	CITY	St	Zip
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109
NAME	TITLE(S)		
NEIL INFANTE	TREASURER (OR EQUIVALENT OF)		
ADDRESS	CITY	St	Zip
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109
NAME	TITLE(S)		
NEIL INFANTE	DIRECTOR		
ADDRESS	CITY	St	Zip
2700 LAS VEGAS BLVD , USA	LAS VEGAS	NV	89109

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of NRS 380.700 and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X Signature of Officer
BURAK BASKAN

Title: PRESIDENT Date: 9/23/2008 6:23:10 PM

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/2009 TO 8/2010

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****



110101

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

EMP MEDIA, INC C/O NEIL INFANTE, PRESIDENT
6130 FLAMINGO ROAD
LAS VEGAS, NV 89103 USA

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20090725789-89
	Filing Date and Time
	10/05/2009 2:38 PM
	Entity Number
	E0534022008-9

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

(This document was filed electronically.)
ABOVE SPACE IS FOR OFFICE USE ONLY

USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the complete form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

CHECK ONLY IF APPLICABLE

- Pursuant to NRS, this corporation is exempt from the business license fee. Exemption code:
- Month and year your State Business License expires: 20
- This corporation is a publicly traded corporation. The Central Index Key number is:
- This publicly traded corporation is not required to have a Central Index Key number.

Section 7(2) Exemption Codes

- 001 - Governmental Entity
- 002 - 501(c) Nonprofit Entity
- 003 - Home-based Business
- 004 - Natural Person with 4 or less rental dwelling units
- 005 - Motion Picture Company

NAME BURAK BASKAN	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 2595 FREMONT STREET , USA	CITY STATE ZIP CODE LAS VEGAS NV 89104
NAME NEIL INFANTE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109
NAME NEIL INFANTE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109
NAME NEIL INFANTE	TITLE(S) DIRECTOR
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X BURAK BASKAN

Title PRESIDENT Date 10/5/2009 2:36:01 PM

Signature of Officer

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/2009 TO 8/2010



110101

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

EMP MEDIA, INC C/O NEIL INFANTE, PRESIDENT
 6130 FLAMINGO ROAD
 LAS VEGAS, NV 89103 USA

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20100302180-07
	Filing Date and Time
	05/03/2010 4:42 PM
	Entity Number
	E0534022008-9

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USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the complete form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
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CHECK ONLY IF APPLICABLE		Section 7(2) Exemption Codes
<input type="checkbox"/>	Pursuant to NRS, this corporation is exempt from the business license fee. Exemption code: <input type="text"/>	001 - Governmental Entity
<input type="checkbox"/>	Month and year your State Business License expires: <input type="text"/> 20 <input type="text"/>	002 - 501(c) Nonprofit Entity
<input type="checkbox"/>	This corporation is a publicly traded corporation. The Central Index Key number is: <input type="text"/>	003 - Home-based Business
<input type="checkbox"/>	This publicly traded corporation is not required to have a Central Index Key number.	004 - Natural Person with 4 or less rental dwelling units
		005 - Motion Picture Company
		006 - NRS 680B.020 Insurance Co.

NAME BURAK BASKAN	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 2595 FREMONT STREET , USA	CITY STATE ZIP CODE LAS VEGAS NV 89104

NAME NEIL INFANTE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

NAME SHAD APPELEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME NEIL INFANTE	TITLE(S) DIRECTOR
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X BURAK BASKAN Title PRESIDENT Date 5/3/2010 4:41:04 PM

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/2010 TO 8/2011

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****



110101

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

EMP MEDIA, INC C/O NEIL INFANTE, PRESIDENT
6130 FLAMINGO ROAD
LAS VEGAS, NV 89103 USA

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 20100503747-19
	Filing Date and Time 07/08/2010 3:35 PM
	Entity Number E0534022008-9
	(This document was filed electronically.)

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
2. If there are additional officers, attach a list of them to this form.
3. Return the complete form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
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8. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

CHECK ONLY IF APPLICABLE

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- Month and year your State Business License expires: 20
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- This publicly traded corporation is not required to have a Central Index Key number.

Section 7(2) Exemption Codes

- 001 - Governmental Entity
- 002 - 501(c) Nonprofit Entity
- 003 - Home-based Business
- 004 - Natural Person with 4 or less rental dwelling units
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NAME BURAK BASKAN	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 2595 FREMONT STREET , USA	CITY STATE ZIP CODE LAS VEGAS NV 89104

NAME NEIL INFANTE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

NAME SHAD APPEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMKINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME NEIL INFANTE	TITLE(S) DIRECTOR
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

BURAK BASKAN

X

Signature of Officer

Title PRESIDENT	Date 7/8/2010 3:28:47 PM
--------------------	-----------------------------



ROSS MILLER
Secretary of State
202 North Carson Street
Carson City, Nevada 89701-4201
(775) 684-5708
Website: www.nvsos.gov



181002

**Statement of Change of
Registered Agent
by Represented Entity**
(PURSUANT TO NRS 77.340)

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 20100876718-50
	Filing Date and Time 11/22/2010 4:03 PM
	Entity Number E0534022008-9

This form may be submitted by: the Represented Entity to appoint a new Registered Agent or amend own service of process info. For more information please visit <http://www.nvsos.gov/index.aspx?page=141>

USE BLACK INK ONLY - DO NOT HIGHLIGHT

ABOVE SPACE IS FOR OFFICE USE ONLY

1. Name of Represented Entity:

EMP MEDIA, INC

2. Entity File Number: E0534022008-9

3. This statement of change will have the following effect: (check only one)

- Appoints a new agent for service of process (complete 4a or 4b)
- Updates contact information of the Represented Entity acting as own agent (complete 4c)

4. Information in effect upon the filing of this statement: (complete only one section)

a) Commercial Registered Agent:

Name

b) Noncommercial Registered Agent:

KEITH E. GREGORY & ASSOCIATES
Name

2300 W. SAHARA AVENUE, STE. 680, BOX 23 LAS VEGAS Nevada 89102-4368
Street Address City Zip Code

Mailing Address (if different from street address) City Nevada Zip Code

c) Title of Office or Other Position within Represented Entity:

Name of Title or Position

Street Address City Nevada Zip Code

Mailing Address (if different from street address) City Nevada Zip Code

5. Signature of Represented Entity: (required)

X
Authorized Signature

11/22/10
Date

6. Registered Agent Acceptance: (required)

I hereby accept appointment as Registered Agent for the above named Entity.

X
Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity

11/22/10
Date

FEE: \$60.00

This form must be accompanied by appropriate fees.

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/2011 TO 8/2012

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

KEITH GREGORY & ASSOCIATES
 2300 WEST SAHARA AVE
 STE. 680 BOX 23
 LAS VEGAS, NV 89102 USA

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov



110101

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20120086774-27
	Filing Date and Time
	02/06/2012 12:43 PM
	Entity Number
	E0534022008-9

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Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the complete form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

CHECK ONLY IF APPLICABLE

- Pursuant to NRS, this corporation is exempt from the business license fee. Exemption code:
- Month and year your State Business License expires: 20
- This corporation is a publicly traded corporation. The Central Index Key number is:
- This publicly traded corporation is not required to have a Central Index Key number.

Section 7(2) Exemption Codes

- 001 - Governmental Entity
- 002 - 501(c) Nonprofit Entity
- 003 - Home-based Business
- 004 - Natural Person with 4 or less rental dwelling units
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NAME BURAK BASKAN	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 2595 FREMONT STREET , USA	CITY STATE ZIP CODE LAS VEGAS NV 89104

NAME NEIL INFANTE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

NAME SHAD APPELEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMKINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME NEIL INFANTE	TITLE(S) DIRECTOR
ADDRESS 2700 LAS VEGAS BLVD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89109

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

SHAD APPELEGATE

X
 Signature of Officer

Title Date
 TREASURER 2/6/2012 12:40:53 PM

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/2012 TO 8/2013

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****



110101

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

KEITH GREGORY & ASSOCIATES
2300 WEST SAHARA AVE STE. 680 BOX 23
LAS VEGAS, NV 89102 USA

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20120743740-60
	Filing Date and Time
	10/31/2012 1:00 PM
	Entity Number
	E0534022008-9

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

(This document was filed electronically.)
ABOVE SPACE IS FOR OFFICE USE ONLY

USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An **Officer** must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
2. If there are additional officers, attach a list of them to this form.
3. Return the complete form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
4. State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
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CHECK ONLY IF APPLICABLE

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- This publicly traded corporation is not required to have a Central Index Key number.

Section 7(2) Exemption Codes

- 001 - Governmental Entity
- 002 - 501(c) Nonprofit Entity
- 003 - Home-based Business
- 004 - Natural Person with 4 or less rental dwelling units
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NAME SHAD APPEGATE	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPEGATE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPEGATE	TITLE(S) DIRECTOR
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

SHAD APPEGATE

X

Signature of Officer

Title: PRESIDENT Date: 10/31/2012 12:58:36 PM

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC
NAME OF CORPORATION

E0534022008-9

FOR THE FILING PERIOD OF AUG, 2012 TO AUG, 2013



110103

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

KEITH GREGORY & ASSOCIATES
2300 WEST SAHARA AVE STE. 680 BOX 23
LAS VEGAS, NV 89102

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20130218930-59
	Filing Date and Time
	04/01/2013 3:09 PM
	Entity Number
	E0534022008-9

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USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

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- If there are additional officers, attach a list of them to this form.
- Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
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CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

NRS 76.020 Exemption Codes

- 001 - Governmental Entity
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

This corporation is a publicly traded corporation. The Central Index Key number is:

This publicly traded corporation is not required to have a Central Index Key number.

NAME DENA RENEE WRIGHT	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPELEGATE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPELEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103
NAME SHAD APPELEGATE	TITLE(S) DIRECTOR
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of NRS Chapter 76 and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

NEIL INFANTE

X
Signature of Officer

Title: CEO Date: 4/1/2013 3:09:10 PM

(PROFIT) ANNUAL LIST OF OFFICERS, DIRECTORS AND REGISTERED AGENT AND STATE BUSINESS LICENSE APPLICATION OF:

FILE NUMBER

EMP MEDIA, INC
NAME OF CORPORATION

E0534022008-9

FOR THE FILING PERIOD OF AUG, 2013 TO AUG, 2014



110105

****YOU MAY FILE THIS FORM ONLINE AT www.nvsos.gov****

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:

KEITH GREGORY & ASSOCIATES
2300 WEST SAHARA AVE STE. 680 BOX 23
LAS VEGAS, NV 89102

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: www.nvsos.gov

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 20130575732-15 Filing Date and Time 08/30/2013 3:29 PM Entity Number E0534022008-9
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(This document was filed electronically.)
ABOVE SPACE IS FOR OFFICE USE ONLY

USE BLACK INK ONLY - DO NOT HIGHLIGHT

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

- Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code: **NRS 76.020 Exemption Codes**
 NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.
 001 - Governmental Entity
 005 - Motion Picture Company
 006 - NRS 680B.020 Insurance Co.
- This corporation is a publicly traded corporation. The Central Index Key number is:
- This publicly traded corporation is not required to have a Central Index Key number.

NAME DENA RENEE WRIGHT	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME SHAD APPELEGATE	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME SHAD APPELEGATE	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

NAME SHAD APPELEGATE	TITLE(S) DIRECTOR
ADDRESS 6130 FLAMINGO RD , USA	CITY STATE ZIP CODE LAS VEGAS NV 89103

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of NRS Chapter 76 and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X SHAD APPELEGATE

Title SECRETARY	Date 8/30/2013 3:29:02 PM
--------------------	------------------------------

Signature of Officer

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

EMP MEDIA, INC
NAME OF CORPORATION

E0534022008-9

FOR THE FILING PERIOD OF AUG, 2013 TO AUG, 2014



100101

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverflume.gov****

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**

2. If there are additional officers, attach a list of them to this form.

3. Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.

4. State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.

5. Make your check payable to the Secretary of State.

6. **Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.

7. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.

8. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number
	20140083318-80
	Filing Date and Time
	02/03/2014 11:47 AM
	Entity Number
	E0534022008-9

(This document was filed electronically.)
ABOVE SPACE IS FOR OFFICE USE ONLY

CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

NRS 76.020 Exemption Codes

NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

001 - Governmental Entity

005 - Motion Picture Company

006 - NRS 680B.020 Insurance Co.

This corporation is a publicly traded corporation. The Central Index Key number is:

This publicly traded corporation is not required to have a Central Index Key number.

NAME	TITLE(S)		
<u>BOGDAN PRUNES</u>	<u>PRESIDENT (OR EQUIVALENT OF)</u>		
ADDRESS	CITY	STATE	ZIP CODE
<u>1244 E. HARMON , USA</u>	<u>LAS VEGAS</u>	<u>NV</u>	<u>89103</u>

NAME	TITLE(S)		
<u>SHAD APPLGATE</u>	<u>SECRETARY (OR EQUIVALENT OF)</u>		
ADDRESS	CITY	STATE	ZIP CODE
<u>6130 FLAMINGO RD , USA</u>	<u>LAS VEGAS</u>	<u>NV</u>	<u>89103</u>

NAME	TITLE(S)		
<u>DENA RENEE WRIGHT</u>	<u>TREASURER (OR EQUIVALENT OF)</u>		
ADDRESS	CITY	STATE	ZIP CODE
<u>6130 FLAMINGO RD , USA</u>	<u>LAS VEGAS</u>	<u>NV</u>	<u>89103</u>

NAME	TITLE(S)		
<u>SHAD APPLGATE</u>	<u>DIRECTOR</u>		
ADDRESS	CITY	STATE	ZIP CODE
<u>6130 FLAMINGO RD , USA</u>	<u>LAS VEGAS</u>	<u>NV</u>	<u>89103</u>

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X NEIL INFANTE

Signature of Officer or Other Authorized Signature

Title DIRECTOR Date 2/3/2014 11:47:32 AM

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

EMP MEDIA, INC
NAME OF CORPORATION

E0534022008-9

FOR THE FILING PERIOD OF **AUG, 2013** TO **AUG, 2014**



100101

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverflume.gov****

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 20140261079-62
	Filing Date and Time 04/08/2014 12:24 PM
	Entity Number E0534022008-9

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

(This document was filed electronically.)
ABOVE SPACE IS FOR OFFICE USE ONLY

CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

NRS 76.020 Exemption Codes

- 001 - Governmental Entity
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

This corporation is a publicly traded corporation. The Central Index Key number is:

This publicly traded corporation is not required to have a Central Index Key number.

NAME B. LAMBERT	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 1285 BARING BLVD , USA	CITY STATE ZIP CODE SPARKS NV 89434
NAME B. LAMBERT	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 1285 BARING BLVD , USA	CITY STATE ZIP CODE SPARKS NV 89434
NAME B. LAMBERT	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 1285 BARING BLVD , USA	CITY STATE ZIP CODE SPARKS NV 89434
NAME B. LAMBERT	TITLE(S) DIRECTOR
ADDRESS 1285 BARING BLVD , USA	CITY STATE ZIP CODE SPARKS NV 89434

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X **B. LAMBERT**
Signature of Officer or Other Authorized Signature

Title: **PRESIDENT** Date: **4/8/2014 12:24:08 PM**

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

EMP MEDIA, INC
NAME OF CORPORATION

E0534022008-9

FOR THE FILING PERIOD OF AUG, 2013 TO AUG, 2014



100101

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverflume.gov****

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
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- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

Filed in the office of Ross Miller Secretary of State State of Nevada	Document Number 20140264663-04
	Filing Date and Time 04/09/2014 2:53 PM
	Entity Number E0534022008-9

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CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

- Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code: **NRS 76.020 Exemption Codes**
- NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.**
- This corporation is a publicly traded corporation. The Central Index Key number is:
- This publicly traded corporation is not required to have a Central Index Key number.

- 001 - Governmental Entity
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NAME		TITLE(S)	
<u>B. LAMBERT</u>		<u>PRESIDENT (OR EQUIVALENT OF)</u>	
ADDRESS	CITY	STATE	ZIP CODE
<u>1285 BARING BLVD , USA</u>	<u>SPARKS</u>	<u>NV</u>	<u>89434</u>
NAME		TITLE(S)	
<u>SHAD APPLGATE</u>		<u>SECRETARY (OR EQUIVALENT OF)</u>	
ADDRESS	CITY	STATE	ZIP CODE
<u>6130 FLAMINGO , USA</u>	<u>LAS VEGAS</u>	<u>NV</u>	<u>89103</u>
NAME		TITLE(S)	
<u>B. LAMBERT</u>		<u>TREASURER (OR EQUIVALENT OF)</u>	
ADDRESS	CITY	STATE	ZIP CODE
<u>1285 BARING BLVD , USA</u>	<u>SPARKS</u>	<u>NV</u>	<u>89434</u>
NAME		TITLE(S)	
<u>B. LAMBERT</u>		<u>DIRECTOR</u>	
ADDRESS	CITY	STATE	ZIP CODE
<u>1285 BARING BLVD , USA</u>	<u>SPARKS</u>	<u>NV</u>	<u>89434</u>

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X SHAD APPLGATE
 Signature of Officer or
 Other Authorized Signature

Title SECRETARY Date 4/9/2014 2:52:59 PM

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

EMP Media, Inc. E0534022008-9
 NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/31/14 TO 8/31/15



100103

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverflume.gov****

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional officers, attach a list of them to this form.
- Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$500.00/\$200.00 for Professional Corporations filed pursuant to NRS Chapter 89. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

Filed in the office of <i>Barbara K. Cegavske</i> Barbara K. Cegavske Secretary of State State of Nevada	Document Number 20150372153-49
	Filing Date and Time 08/20/2015 10:26 AM
	Entity Number E0534022008-9

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CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code: **NRS 76.020 Exemption Codes**
 001 - Governmental Entity
 005 - Motion Picture Company
 006 - NRS 680B.020 Insurance Co.

NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

This corporation is a publicly traded corporation. The Central Index Key number is:

This publicly traded corporation is not required to have a Central Index Key number.

NAME Neil Infante	TITLE(S) PRESIDENT (OR EQUIVALENT OF)		
ADDRESS 6130 Flamingo Rd. #732	CITY Las Vegas	STATE NV	ZIP CODE 89103
NAME Neil Infante	TITLE(S) SECRETARY (OR EQUIVALENT OF)		
ADDRESS 6130 Flamingo Rd. #732	CITY Las Vegas	STATE NV	ZIP CODE 89103
NAME Neil Infante	TITLE(S) TREASURER (OR EQUIVALENT OF)		
ADDRESS 6130 Flamingo Rd. #732	CITY Las Vegas	STATE NV	ZIP CODE 89103
NAME Neil Infante	TITLE(S) DIRECTOR		
ADDRESS 6130 Flamingo Rd. #732	CITY Las Vegas	STATE NV	ZIP CODE 89103

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

Title: President Date: 8/20/15

Signature of Officer or Other Authorized Signature

(PROFIT) INITIAL/ANNUAL LIST OF OFFICERS, DIRECTORS AND STATE BUSINESS LICENSE APPLICATION OF:

ENTITY NUMBER

EMP Media, Inc.

E0534022008-9

NAME OF CORPORATION

FOR THE FILING PERIOD OF 8/31/15 TO 8/31/16



100103

USE BLACK INK ONLY - DO NOT HIGHLIGHT

****YOU MAY FILE THIS FORM ONLINE AT www.nvsilverfume.gov****

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

IMPORTANT: Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all officers and directors. A President, Secretary, Treasurer, or equivalent of and all Directors must be named. There must be at least one director. An Officer must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**

2. If there are additional officers, attach a list of them to this form.

3. Return the completed form with the filing fee. Annual list fee is based upon the current total authorized stock as explained in the Annual List Fee Schedule For Profit Corporations. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.

4. State business license fee is \$500.00/\$200.00 for Professional Corporations filed pursuant to NRS Chapter 89. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.

5. Make your check payable to the Secretary of State.

6. **Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.

7. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-6708.

8. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

ABOVE SPACE IS FOR OFFICE USE ONLY

Filed in the office of <i>Barbara K. Cegavske</i> Barbara K. Cegavske Secretary of State State of Nevada	Document Number 20150372154-50 Filing Date and Time 08/20/2015 10:26 AM Entity Number E0534022008-9
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CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW

- Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code: **NRS 76.020 Exemption Codes**
 NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.
 001 - Governmental Entity
 005 - Motion Picture Company
 006 - NRS 680B.020 Insurance Co.
 This corporation is a publicly traded corporation. The Central Index Key number is:
 This publicly traded corporation is not required to have a Central Index Key number.

NAME Neil Infante	TITLE(S) PRESIDENT (OR EQUIVALENT OF)
ADDRESS 6130 Flamingo Rd. #732	CITY STATE ZIP CODE Las Vegas NV 89103

NAME Neil Infante	TITLE(S) SECRETARY (OR EQUIVALENT OF)
ADDRESS 6130 Flamingo Rd. #732	CITY STATE ZIP CODE Las Vegas NV 89103

NAME Neil Infante	TITLE(S) TREASURER (OR EQUIVALENT OF)
ADDRESS 6130 Flamingo Rd. #732	CITY STATE ZIP CODE Las Vegas NV 89103

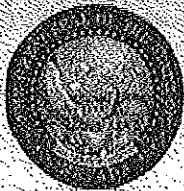
NAME Neil Infante	TITLE(S) DIRECTOR
ADDRESS 6130 Flamingo Rd. #732	CITY STATE ZIP CODE Las Vegas NV 89103

None of the officers or directors identified in the list of officers has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of an officer or director in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X
 Signature of Officer or
 Other Authorized Signature

Title: President Date: 8/20/15



BARBARA K. CEGAUSKE
Secretary of State
202 North Carson Street
Carson City, Nevada 89701-4201
(776) 684-6708
Website: www.nvsos.gov



181004

Statement of Change of Registered Agent by Represented Entity
(PURSUANT TO NRS 77.340)

Filed in the office of <i>Barbara K. Cegavske</i>	Document Number 20150372155-61
Barbara K. Cegavske Secretary of State State of Nevada	Filing Date and Time 08/20/2015 10:26 AM
	Entity Number E0534022008-9

This form may be submitted by: the Represented Entity to appoint a new Registered Agent or amend own service of process info. For more information please visit <http://www.nvsos.gov/index.aspx?page=141>

USE BLACK INK ONLY - DO NOT HIGHLIGHT

ABOVE SPACE IS FOR OFFICE USE ONLY

1. Name of Represented Entity:

EMP Media, Inc.

2. Entity File Number: E0534022008-9

3. This statement of change will have the following effect: (check only one)

- Appoints a new agent for service of process (complete 4a or 4b)
- Updates contact information of the Represented Entity acting as own agent (complete 4c)

4. Information in effect upon the filing of this statement: (complete only one section)

a) Commercial Registered Agent:

Name

b) Noncommercial Registered Agent:

Name

Street Address City Nevada Zip Code

Mailing Address (if different from street address) City Nevada Zip Code

c) Title of Office or Other Position within Represented Entity:

Neil Infante / President
Name of Title or Position

6130 Flamingo Rd. #732 Las Vegas Nevada 89103
Street Address City Zip Code

Mailing Address (if different from street address) City Nevada Zip Code

5. Signature of Represented Entity: (required)

[Signature] Date 8/20/15
Authorized Signature

6. Registered Agent Acceptance: (required)

I hereby accept appointment as Registered Agent for the above named Entity.

[Signature] Date 8/20/15
Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity

FEE: \$60.00

This form must be accompanied by appropriate fees.



130205



BARBARA K. CEGAVSKE
Secretary of State
202 North Carson Street
Carson City, Nevada 89701-4201
(775) 684-5708
Website: www.nvsos.gov

Filed in the office of <i>Barbara K. Cegavske</i>	Document Number 20160317379-29
Barbara K. Cegavske Secretary of State State of Nevada	Filing Date and Time 07/18/2016 2:11 PM
	Entity Number E0534022008-9

Certificate of Dissolution
(PURSUANT TO NRS 78.580)

USE BLACK INK ONLY - DO NOT HIGHLIGHT

ABOVE SPACE IS FOR OFFICE USE ONLY

Certificate of Dissolution
For a Nevada Profit Corporation
Before or After Issuance of Stock and After Beginning of Business
(Pursuant to NRS 78.580)

1. Name of corporation:

EMP MEDIA, INC.

2. Entity or NV I.D. number: E0534022008-9

3. The resolution to dissolve said corporation has been approved by the directors or both the directors and stockholders as provided in NRS 78.580(1) and (2). The names and addresses of the president, secretary, treasurer and all directors* are:

Neil Infante 6130 Flamingo Rd. #732, Las Vegas, NV 89103
Name of president Address

Neil Infante 6130 Flamingo Rd. #732, Las Vegas, NV 89103
Name of secretary Address

Neil Infante 6130 Flamingo Rd. #732, Las Vegas, NV 89103
Name of treasurer Address

Neil Infante 6130 Flamingo Rd. #732, Las Vegas, NV 89103
Name of director Address

Name of additional director, if any Address

3. Effective date and time of dissolution: (optional) Date: 7/7/16 Time: 5 pm PST
(must not be later than 90 days after the certificate is filed)

4. Signature: (required)

X *Neil Infante*
Signature of Officer

7/7/16
Date

*attach a plain 8 1/2" x 11" sheet to list additional directors.

FILING FEE: \$100.00

IMPORTANT: Failure to include any of the above information and submit with the proper fees may cause this filing to be rejected.

This form must be accompanied by appropriate fees.

Pet. Exh. 5

MY EX GET REVENGE!

EXES

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SEARCH FOR YOUR EX

Gender *

First Name *

Last Name *

SEARCH

Advanced Search

MYEX PRIVACY POLICY

EMP Media, Inc. dba MyEx ("MyEx" or "We" or "Us" or the "Company") has created this privacy statement (this "Statement") in order to demonstrate its commitment to customer privacy. Privacy on MyEx' website (the "Website") is of great importance to Us. Because We and our third party providers ("TPPs") may gather important information via the Website from our visitors (collectively "Customer" or "You" or "Your"), We have established this Statement as a means to communicate our information gathering and dissemination practices. We reserve the right to change this Statement at any time and will provide notification of any material change on the Website.

COLLECTED INFORMATION

We, or our TPPs, may require Customers to be on our e-mail list, or generally to use our services on the Website (collectively, the "Service" or "Services") to give Us or our TPPs contact and other information, which may include but is not limited to Your name, company name, address, phone number, email address, cookies, IP address (collectively "Personal Information"). You can opt out of providing said information by not entering it when asked or not visiting the Website (or not "socializing" with us on any social networks), although not providing it may hinder Your ability to use the Website or Service. You can opt out of any correspondence from Us by following the applicable opt out procedures listed on any correspondence, but You should be aware that archival or back-up copies of said Personal Information will not cease to exist and your Personal Information may still be included in the aggregate and in the Company history files. Further, We are under no obligation to remove said information or make any edits to your Personal Information and shall not be held liable for failing to do so nor for any of our TPPs failure to do so.

We may use the information that we collect to enhance the Services for You. We or our TPPs may also use the information to contact you to further discuss interest in our company, the Website, or in any way that We, in our sole discretion, deem to be reasonable. Your email address and any Personal Information will not be distributed or shared with third parties unless it is to transact such business as You have contracted us to do, to comply with any legal processes and/or law enforcement requests, or in order to conduct business as We, in our sole discretion, deem reasonable. You can opt out of being contacted by Us, or receiving such information from Us, at any time by sending an email to admin@myex.com or by using the applicable opt out process. We may also email information regarding updates to the System, Service or company, and may send a customer newsletter, advertisement, or other correspondence. Any opt-out by You is not deemed valid until processed by Us. It is your obligation to verify that you have been opted-out. The Company shall not be liable for problems with the opt-out procedures.

Except as We explicitly state at the time We request information, or as provided for herein or in the MyEx Terms of Use Agreement, We do not disclose to third parties the information provided. Any billing information you provide Us is not used by Us for marketing or promotional purposes, except as provided for herein.

THIRD-PARTY WEBSITES

FTC-EX-000001

The Website contains links to other websites. We are not responsible for the privacy practices or the content of these other websites. You will need to check the policy statement of these others websites to understand their policies. When you access a linked site you may be disclosing your Personal Information. It is your responsibility to keep such information private and confidential.

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Pet. Exh. 6

From: trackingupdates@fedex.com
To: [Wade, Fenice](#)
Subject: FedEx Shipment 776993058891 Delivered
Date: Wednesday, August 17, 2016 1:08:45 PM

This tracking update has been requested by:

Company Name: Federal Trade Commission
Name: Fenice Wade
E-mail: fwade@ftc.gov

Our records indicate that the following shipment has been delivered:

Purchase order number: 0612
Reference: 1623052/583594
Ship date: Aug 15, 2016
Delivery date: Aug 17, 2016 1:07 pm
Signed for by: C.INFANTI
Delivery location: YOUNGSTOWN, OH
Delivered to: Residence
Delivery date: Wed, 8/17/2016 1:07 pm
Service type: FedEx 2Day
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Direct Signature Required
Deliver Weekday
Residential Delivery
Standard transit: 8/17/2016 by 8:00 pm
Tracking number: 776993058891

Shipper Information	Recipient Information
Fenice Wade	Aniello 'Neil' Infante
Federal Trade Commission	3016 Spring Meadow Circle
400 7th Street SW	YOUNGSTOWN
Suite 5610	OH
Washington	US
DC	44515
US	
20024	

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 12:10 PM CDT on 08/17/2016.

All weights are estimated.

The shipment is scheduled for delivery on or before the scheduled delivery displayed above. FedEx does not determine money-back guarantee or delay claim requests based on the scheduled delivery. Please see the FedEx Service Guide for terms

and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx customer support representative.

To track the status of this shipment online, please use the following:

<https://www.fedex.com/apps/fedextrack/?>

[action=track&tracknumbers=776993058891&language=en&opco=FX&clientype=ivothet](https://www.fedex.com/apps/fedextrack/?action=track&tracknumbers=776993058891&language=en&opco=FX&clientype=ivothet)

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of

service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

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Thank you for your business.

Pet. Exh. 7



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Bureau of Consumer Protection
Division of Privacy and Identity Protection

October 28, 2016

By FedEx

Aniello Infante
3016 Spring Meadow Circle
Youngstown, OH 44515-4953

Re: MyEx.com, FTC File No. 1623052

Dear Mr. Infante:

I write regarding the Civil Investigative Demand ("CID"), issued to you by the Federal Trade Commission on August 12, 2016. This CID called for you to produce documents and information by September 12, 2016 and to appear for an investigational hearing on November 17, 2016. Our records indicate that this CID was delivered to you on August 17, 2016. To date, however, we have not received a response or any production of documents from you.

Indeed, although we have attempted to meet and confer with you or with an attorney you have claimed represents you, these attempts have been entirely unsuccessful. We first tried to reach you on August 30, but only exchanged voicemails until September 12, the first of the CID's deadlines. On that day, you acknowledged receiving the CID and informed us that you were represented in this matter and that your attorney was Jason Fisher. We asked you to have Mr. Fisher contact us as soon as possible to meet and confer about the CID.

Mr. Fisher did not call us directly, however. Instead, we located a phone number for Mr. Fisher and called him on September 15, at which time he requested we send him an email. We did so that same day explaining that we wished to discuss your compliance with the CID and whether you would require any extensions or modifications. Mr. Fisher responded by email on that same day only to report that he had a copy of the CID, but was still working out the details of the potential engagement. We attempted to reach him again by phone and email on September 28, to confirm that he represents you, only to be told in an email that he was traveling and would be unable to confirm the representation until October 23.

As a result of the difficulties in reaching Mr. Fisher, we called you on September 29 and October 4 and left messages informing you that we would be proceeding with the investigational hearing on November 17 and asking you to call us regarding the overdue CID response and documents. You never responded. Further we emailed Mr. Fisher again on October 24 but to date have received no response from him nor any confirmation that you have actually retained him.

Aniello Infante
October 28, 2016
Page 2 of 2

Your obligation to respond to the CID does not depend on whether you have retained counsel. As a result, at this time, you are in default of the CID's specifications calling for the production of documents and information on September 12, 2016. Further, you have not confirmed that you will appear for testimony as required by the CID. Your failure to comply with the terms of the CID provides grounds for our Office of General Counsel to seek judicial enforcement in federal district court. We are willing to forebear from recommending that OGC commence such a proceeding *provided that* (1) you produce all responsive documents and information as soon as possible, and, in any event, no later than November 10, and (2) you appear for testimony on November 17 at 10:00 a.m. at the Office of the United State Attorney, located at 100 Federal Plaza East, Youngstown, Ohio 44503. This does not modify the CID, which is unmodified since it was issued.

In addition, you should be aware that, absent any communication from you or any counsel you may retain, we are preparing to travel to Youngstown for the November 17 testimony at government expense. In addition, we will arrange for a court reporter to be present and to record your testimony, also at government expense. Thus, should you fail to appear without contacting us, you will not only have defaulted on the testimonial specifications of the CID, but you will have caused unnecessary waste of government resources. In that event, we will have no choice but to recommend that this matter be referred to the Office of General Counsel for enforcement.

Please reply by email at mcox1@ftc.gov or alefrak@ftc.gov, or call one of us as soon as possible at (202) 326-2282 or (202) 326-2804.

Sincerely,

Megan Cox and Allison Lefrak
Megan Cox and Allison Lefrak
Division of Privacy and Identity Protection

CID

CC: Jason Fisher, Esq. (via email jfisher@fisherlg.com)

Pet. Exh. 8



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Bureau of Consumer Protection
Division of Privacy and Identity Protection

November 9, 2016

By FedEx

Aniello Infante
3016 Spring Meadow Circle
Youngstown, OH 44515-4953

Re: MyEx.com, FTC File No. 1623052

Dear Mr. Infante:

I write regarding the Civil Investigative Demand ("CID"), issued to you by the Federal Trade Commission on August 12, 2016. This CID called for you to produce documents and information by September 12, 2016 and to appear for an investigational hearing on November 17, 2016. After you defaulted on the CID's specifications calling for the production of documents and information by September 12, 2016, and after several unsuccessful attempts to reach you via phone, we informed you by letter dated October 28, 2016 of our intent to take your testimony on November 17 in Youngstown, Ohio. You left a voicemail for Ms. Megan Cox on November 8, 2016 stating, among other things, that you do not have an attorney and will not be appearing to provide testimony at the investigational hearing set for November 17. You also stated you do not have time to get off work for this; that you do not have any responsive documents, and you were "just a CFO for the company."

As we noted in our previous letter, your obligation to respond to the CID does not depend on whether you have retained counsel. Nor is your obligation satisfied by the information you provided in the voicemail message to Ms. Cox on November 8. As noted in the CID's Instruction H, "You shall certify that the response to this CID is complete" by (1) completing the Form of Certificate of Compliance, which certifies that "all documents, information and tangible things required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein," or (2) "by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746." If you do not possess or control any responsive documents and have no knowledge of the matters in the CID, you must make the aforementioned declaration or complete the certificate, another copy of which is attached to this letter for your convenience. A voicemail is deficient as a response to the document requests and interrogatories, and therefore you continue to be in default of your obligations to comply with the CID.

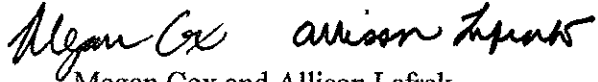
As to the hearing scheduled for November 17, 2016, although you may not have documents to produce, we seek to take your testimony about the topics noted in the CID

Aniello Infante
November 9, 2016
Page 2 of 2

specifications for oral testimony at pages 11-12 of the CID, as well as other documents. We understand you have limited availability and we are willing to work with you to hold the hearing on a date that is mutually convenient for you and Commission staff. Please provide us your dates and times of availability between November 28, 2016 and December 16, 2016, by November 17, 2016. If you do not respond, Commission staff will select another date for the investigational hearing. If at that time you do not appear to provide testimony, Commission staff will recommend that this matter be immediately referred to the Office of General Counsel for enforcement in federal district court.

Please reply by email at mcox1@ftc.gov or alefrak@ftc.gov, or call one of us as soon as possible at (202) 326-2282 or (202) 326-2804.

Sincerely,



Megan Cox and Allison Lefrak
Division of Privacy and Identity Protection

Pet. Exh. 9



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Bureau of Consumer Protection
Division of Privacy and Identity Protection

November 22, 2016

By FedEx

Aniello Infante
3016 Spring Meadow Circle
Youngstown, OH 44515-4953

Re: MyEx.com, FTC File No. 1623052

Dear Mr. Infante:

I write regarding the Civil Investigative Demand ("CID"), issued to you by the Federal Trade Commission on August 12, 2016. This CID called for you to produce documents and information by September 12, 2016 and to appear for an investigational hearing on November 17, 2016. This letter follows staff's letter of November 9, 2016, in which staff requested you provide dates and times of availability by November 17, 2016. Because staff has not heard from you, staff has selected **Tuesday, December 13, 2016 at 10:00 a.m.** for the investigational hearing at the Office of the United State Attorney, located at 100 Federal Plaza East, Youngstown, Ohio 44503. No other modifications of dates or terms set forth in the CID are intended or offered. We continue to reserve all rights of the Commission with respect to the CID as originally propounded.

As noted in staff's previous letter, you continue to be in default of your obligations to produce documents in response to the CID. Your obligation to respond to the CID does not depend on whether you have retained counsel and was not satisfied by the information you provided in your voicemail of November 8, 2016. As noted in the CID's Instruction H, "You shall certify that the response to this CID is complete" by (1) completing the Form of Certificate of Compliance, which certifies that "all documents, information and tangible things required by the attached Civil Investigative Demand which are in the possession, custody, control, or knowledge of the person to whom the demand is directed have been submitted to a custodian named herein," or (2) "by a declaration under penalty of perjury as provided by 28 U.S.C. § 1746."

If you do not appear to provide testimony and do not provide a certification or declaration, Commission staff will recommend that this matter be immediately referred to the Office of General Counsel for enforcement in federal district court.

Please contact Megan Cox or Allison Lefrak with questions by email at mcox1@ftc.gov or alefrak@ftc.gov, or via phone at (202) 326-2282 or (202) 326-2804.

Aniello Infante
November 22, 2016
Page 2 of 2

Sincerely,

Maneesha Mithal
LMK

Maneesha Mithal
Associate Director
Division of Privacy and Identity Protection

Pet. Exh. 10

In the Matter of:

MyEx.com

December 13, 2016
Statement of Non-Appearance

Condensed Transcript with Word Index



For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

Statement of Non-Appearance

MyEx.com

12/13/2016

1

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 3
 4 WITNESS: EXAMINATION:
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 13 Number 2 Letter, 11/22/16, Mithal to 4
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 17 EXHIBITS RETAINED BY MS. COX
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3

1 APPEARANCES:
 2
 3 ON BEHALF OF THE FEDERAL TRADE COMMISSION:
 4 Megan E. Cox, Attorney
 5 Allison Lefrak, Attorney (Via Telephone)
 6 Federal Trade Commission
 7 600 Pennsylvania Avenue, NW
 8 Mail Stop: 8100
 9 Washington, DC 20580
 10 (202) 326-2282
 11 mcox1@ftc.gov
 12
 13 Jonathan L. Kessler, Attorney
 14 Federal Trade Commission
 15 Eaton Center, Suite 200
 16 1111 Superior Avenue
 17 Cleveland, Ohio 44114
 18 (216) 263-3436
 19 jkessler@ftc.gov
 20
 21
 22
 23
 24
 25

2

1 FEDERAL TRADE COMMISSION
 2
 3
 4 IN THE MATTER OF) Matter No.
 5 MYEX.COM) 1623052
 6 -----)
 7
 8
 9 Tuesday, December 13, 2016
 10
 11 Office of the United States Attorney
 12 100 Federal Plaza East
 13 Suite 325
 14 Youngstown, Ohio 44503
 15
 16 The above-entitled matter came on for
 17 investigational hearing, pursuant to notice, at 10:00 a.m.
 18
 19
 20
 21
 22
 23
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4

1 MS. COX: So let the record reflect that
 2 this proceeding was convened at 11:12 a.m. on December
 3 13th, 2016 at the offices of the Assistant United States
 4 Attorney in Youngstown, Ohio. This is a nonpublic
 5 proceeding of the Federal Trade Commission. I am Megan
 6 Cox, and I am a staff attorney at the Federal Trade
 7 Commission in the Division of Privacy and Identity
 8 Protection. With me today is John Kessler, also a staff
 9 attorney at the FTC. Also on the phone is Allison Lefrak,
 10 also an attorney with the FTC.
 11 I will hand the court reporter a document that has
 12 been marked as Exhibit 1. I'll represent that Exhibit 1
 13 is the civil investigative demand issued to Aniello Neil
 14 Infante by the FTC in the Commission's investigation. I
 15 will hand the court reporter a document that has been
 16 marked as Exhibit 2. It is a letter dated November 22nd,
 17 2016.
 18 I'll represent for the record that Exhibit 2 is a
 19 letter from Maneesha Mithal, Associate Director of the
 20 Division of Privacy and Identity Protection at the FTC.
 21 This letter set the date, time, and place of the
 22 investigational hearing in this matter to be held today as
 23 December 13th, 2016, at 10:00 a.m. at the office of the US
 24 Attorney, 100 Federal Plaza East, Youngstown, Ohio.
 25 Pursuant to Exhibit 1, the civil investigative demand, and

Statement of Non-Appearance

MyEx.com

12/13/2016

5

1 Exhibit 2, the letter of November 22nd, 2016, counsel for
 2 the Commission is present.
 3 It is now 11:14, a.m., and Mr. Infante has not
 4 appeared to provide testimony and has not contacted
 5 counsel for the Commission regarding his inability to
 6 appear today. Further, counsel for the commission called
 7 and left a voice mail for Mr. Infante at 10:25 a.m.,
 8 informing him we were waiting here today, provided our
 9 contact information again, and we have not heard from Mr.
 10 Infante.
 11 Mr. Infante has not responded, nor has he produced
 12 documents or responses to interrogatories, and has not
 13 certified his response to the CID as complete by
 14 completing the certificate of the compliance or
 15 declaration under penalty of perjury. Therefore, we are
 16 leaving the record open to allow the commission the
 17 opportunity to seek to compel additional testimony if we
 18 decide that is the appropriate course. And with that,
 19 close the record.
 20 (Whereupon, at 11:15 a.m., the hearing was
 21 concluded.)
 22
 23
 24
 25

6

1 CERTIFICATION OF REPORTER
 2 DOCKET/FILE NUMBER: 1623052
 3 CASE TITLE: MYEX.COM
 4 DATE: DECEMBER 13, 2016
 5
 6 I HEREBY CERTIFY that the transcript contained
 7 herein is a full and accurate transcript of the notes
 8 taken by me at the hearing on the above cause before the
 9 FEDERAL TRADE COMMISSION to the best of my knowledge and
 10 belief.
 11
 12 DATED: 12/28/2016
 13
 14
 15 _____
 16 BRENDA J. BRINK, RPR, CRR
 17
 18 CERTIFICATION OF PROOFREADER
 19
 20 I HEREBY CERTIFY that I proofread the transcript
 21 for accuracy in spelling, hyphenation, punctuation, and
 22 format.
 23
 24 _____
 25 BRENDA J. BRINK

Statement of Non-Appearance

MyEx.com

12/13/2016

[7]

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