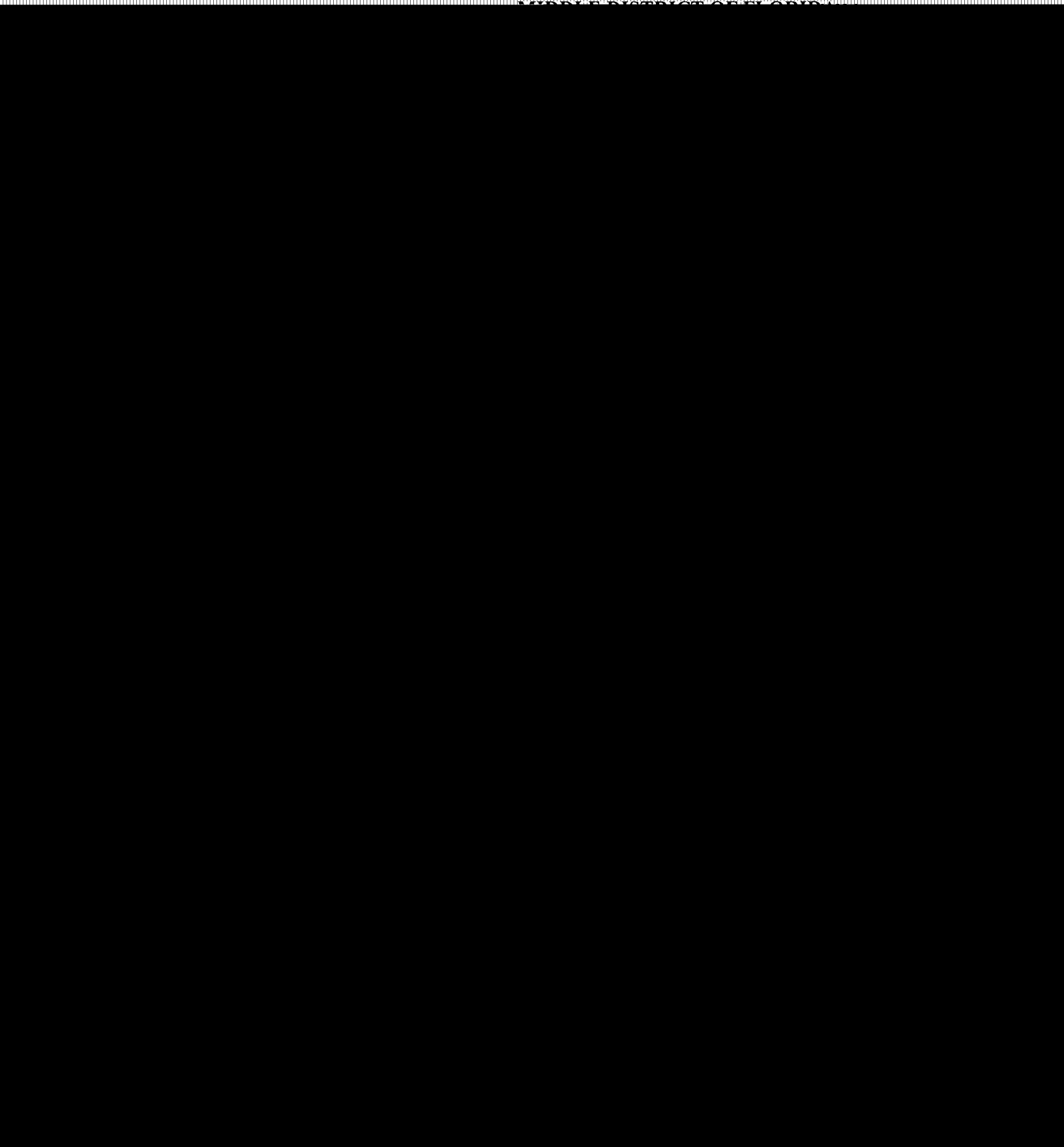


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



U.S.C. §§ 45(a), 52, and 53(b), and 28 U.S.C. §§ 1331, 1337(a) and 1345.

3 Venue in the United States District Court for the Middle District of Florida is

proper under 28 U.S.C. § 1331, and 28 U.S.C. § 1345.

THE PARTIES

[The following text is extremely faint and largely illegible due to heavy noise and scanning artifacts. It appears to be the beginning of the parties section, possibly mentioning a Plaintiff and a Defendant.]

IMERCE

COM

DEFENDANT'S BUSINESS PRACTICES

... 7 ... 1999 ...
the United States ... 1/2 Whole Blood Tests" ("HIV test kits") on the Internet to consumers throughout the

...
syndrome ("AIDS"), ("HIV") in humans. HIV is the virus that causes acquired immunodeficiency syndrome ("AIDS"), an infectious disease characterized by immune system failure. To date, five types of HIV have been identified: Type 1 and Type 2 ...

... For purposes of Section 12 of the FTC Act, 15 U.S.C. § 52, defendant's Internet Web site is ... 9. The Uniform Resource Locator ("URL") of defendant's Internet Web site is registered to ... "www.medimaxrx.com." The Web site, www.medimaxrx.com, is a Web site r...

... defendant. Order forms submitted through the Web site are transmitted to defen...

... contain the following statements: ... Provide accurate results. Defendant's Web site...

... Fast ... This test is a chromatographic immunoassay (CIA) which i ... Accurate and F...

... test kits, defendant made the following stat ... in the course of ma ... test kits in November 1999. ... statements in response to an inquiry about his "HIV...

... INVESTIGATOR ...

DOTUBART: The 2-mercaptopyridone. The documented sensitivity and specificity of the test is about 99 percent.

INVESTIGATOR: M. J. O'Connell

PRAYER FOR RELIEF

submit to Section 1711 of the FTC Act, 15 U.S.C. § 5711, and the Commission's rules under Sections 1711 and 1712 of the FTC Act, 15 U.S.C. §§ 5711 and 5712, and the Commission's rules under Sections 1711 and 1712 of the FTC Act, 15 U.S.C. §§ 5711 and 5712, and the Commission's rules under Sections 1711 and 1712 of the FTC Act, 15 U.S.C. §§ 5711 and 5712.

and to preserve the possibility of effective final relief
or other promotion or distribution of HIV test kits

to consumers (3) Award such relief as the Court finds necessary to redress injur

management and the amount of any monetary relief obtained by consumers

Respectfully submitted,

DEBRA A. VAENTINE
General Counsel

Sewell

Dona H.

DARREN ATBOWIE

KAREN JAQUELSKI
TRIAL COUNSEL
Federal Trade Commission