

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 53(b) and 57b. This action arises under 15 U.S.C. § 45(a)(1).

3. Venue in the United States District Court for the Southern District of Florida is proper under 28 U.S.C. §§ 1391(b) and (c), and 15 U.S.C. § 53(b).



For instance, the defendants' spam states, in part:

With our Sweet Tooth Sam Vending Program you
will have an incredible all cash vending business
with:
* No Selling

4-555-888-8888

1-800-888-8888

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Plan, complete with machines, candy, shipping, and locating fees, for the total upfront cost of approximately \$14,000.

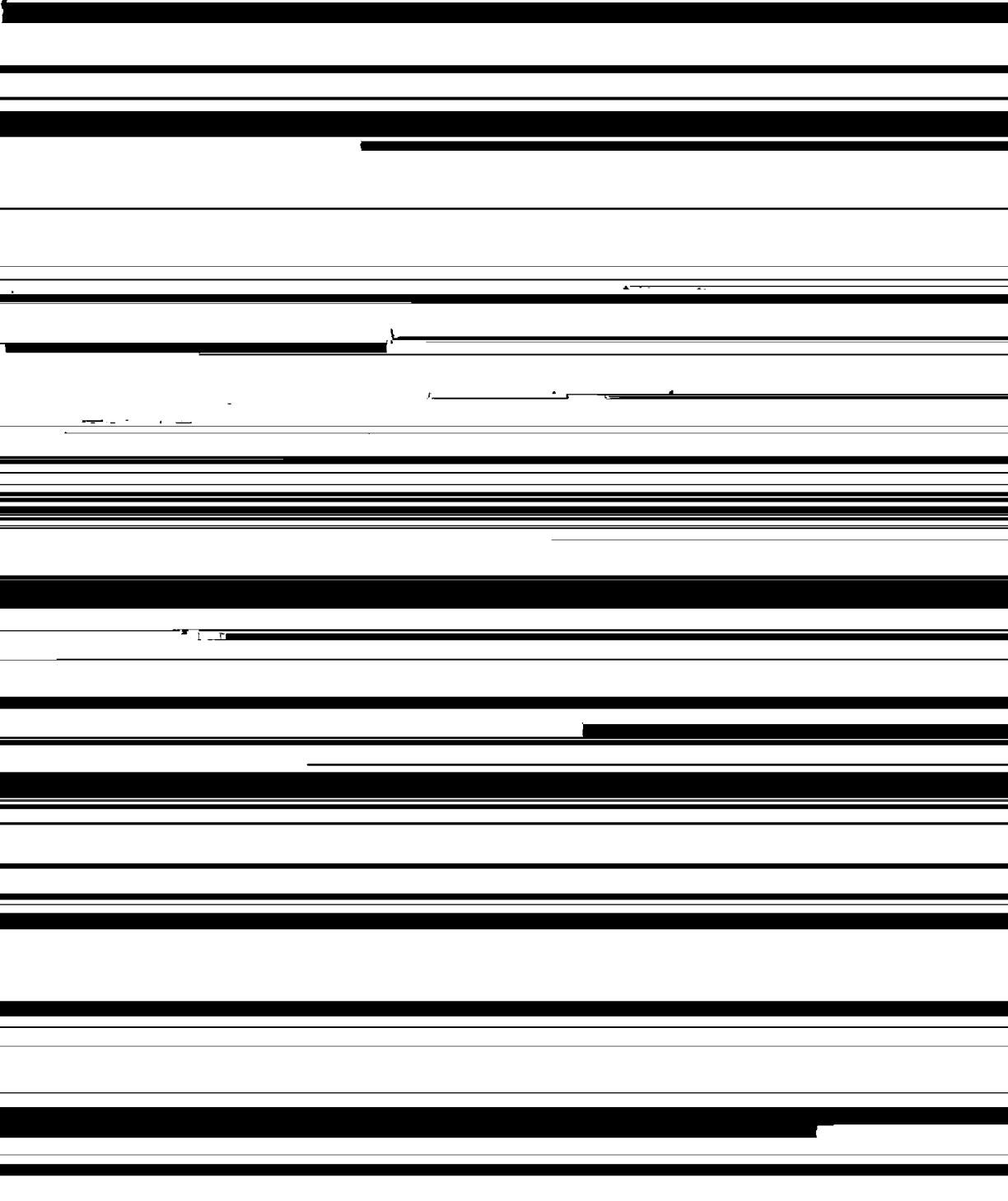
13. During the initial sales pitch or subsequent telephone conversations, the defendants make oral representations about prospective purchasers' income earning potential in the business ventures as well as the actual earnings of prior purchasers. For example, Victor

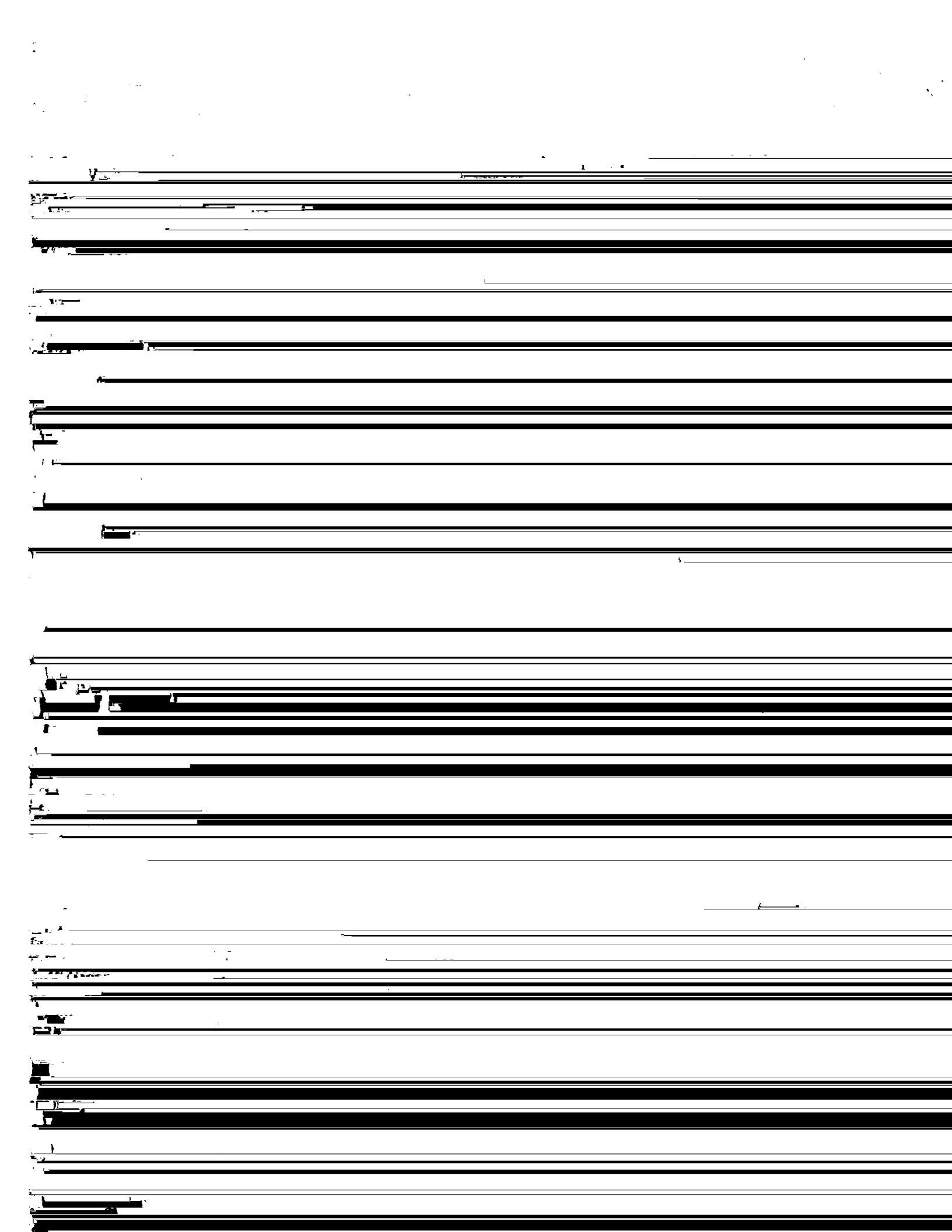
invested \$14,000 and has represented that

brochure begins with "A Message from The President" which bears Jesse Alner's stylized

Circular states:

Inspired Ventures, Inc. does not furnish or authorize its salespersons to furnish any oral or written information concerning the actual or potential sales, costs, income or profits of an Inspired Ventures, Inc. business opportunity. Actual results vary from unit to unit and Inspired Ventures, Inc. cannot estimate the results of ~~any particular business opportunity.~~





35. Item 19 of the UFOC Guidelines requires the franchisor to disclose whether or not

[REDACTED]

prescribed by the Rule, and/or earnings disclosures, as prescribed by Item 19 of the UFOC

Guidelines.

COUNT V

Advertising Disclosure Violations

47. Section 19 of the FTC Act, 15 U.S.C. § 57b, authorizes this Court to grant such relief as the Court finds necessary to redress injury to consumers or other persons resulting from the defendants' violations of the Franchise Rule, including the rescission and reformation of contracts, and the refund of money.

48. This Court, in the exercise of its equitable jurisdiction, may award ancillary relief

1. Injuries caused by the defendants' law violations...

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