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9 UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF ARIZONA

11 United States of America,

12 Plaintiff,

13 v.

14 Cutting Edge Marketing, LLC, an  
15 Arizona limited liability company; Cutting  
Edge Travel, LLC, an Arizona limited liability  
16 company; and Jeffrey Cope, individually and  
as an officer of Cutting Edge Marketing, LLC,  
17 and Cutting Edge Travel, LLC,

18 Defendants.  
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**COMPLAINT FOR CIVIL  
PENALTIES, PERMANENT  
INJUNCTION, AND  
OTHER RELIEF**

20 Plaintiff, the United States of America, acting upon notification and authorization to the  
21 Attorney General by the Federal Trade Commission (“FTC” or “Commission”), pursuant to  
22 Section 16(a)(1) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 56(a)(1), for  
23 its complaint alleges:

- 24 1. Plaintiff brings this action under Sections 5(a), 5(m)  
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1 FTC's Telema

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1 Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of the TSR constitutes an  
2 unfair or deceptive act or practice in or affecting commerce, in violation of Section 5(a) of the  
3 FTC Act, 15 U.S.C. § 45(a).

#### 4 **DEFENDANTS' BUSINESS ACTIVITIES**

5 14. Defendants are “sellers” or “telemarketers” engaged in “telemarketing,” as  
6 defined by the Amended TSR, 16 C.F.R. § 310.2.

7 15. Cutting Edge Marketing is a seller of travel and vacation services to consumers.  
8 Cutting Edge Marketing has caused telemarketers, such as Defendant Cutting Edge Travel, to  
9 call consumers in the United States to induce the purchase of travel and vacation services from  
10 Cutting Edge Marketing.

11 16. Cutting Edge Travel is a telemarketer that initiates outbound telephone calls to  
12 consumers in the United States to induce the purchase of Cutting Edge Marketing’s services.

13 17. Defendants have engaged in telemarketing by a plan, program, or campaign  
14 conducted to induce the purchase of travel and vacation services by use of one or more  
15 telephones and which involves more than one interstate telephone call.

16 18. On or after October 17, 2003, defendants have called hundreds of thousands of  
17 consumers’ telephone numbers that are on the National Do Not Call Registry.

18 19. At all times relevant to this complaint, defendants have maintained a substantial  
19 course of trade or business in the offering for sale and sale of goods or services via the  
20 telephone, in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15  
21 U.S.C. § 44.

#### 22 **VIOLATIONS OF THE TELEMARKETING SALES RULE**

##### 23 **Violating the National Do Not Call Registry**

24 20. In numerous instances, in connection with telemarketing, defendants engaged in  
25 or caused others to engage in initiating an outbound telephone call to a person’s telephone  
26 number on the National Do Not Call Registry in violation of the TSR, 16 C.F.R.  
27 § 310.4(b)(1)(iii)(B).

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1            Respectfully submitted this 22<sup>nd</sup> day of September, 2005.

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3        OF COUNSEL:

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6        Western Region  
7        FEDERAL TRADE COMMISSION

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