

1 WILLIAM BLUMENTHAL
General Counsel

2 KENNETH H. ABBE (Cal. Bar No. 172416)

3 kabbe@ftc.gov

JENNIFER M. BRENNAN (Cal. Bar No. 225473)

4 jmbrennan@ftc.gov

Federal Trade Commission

5 10877 Wilshire Blvd., Suite 700

Los Angeles, CA 90024

6 (310) 824-4343; Fax (310) 824-4380

7 Attorneys for Plaintiff

FEDERAL TRADE COMMISSION

Priority _____
Send _____
Enter _____
Closed _____
JS-5/JS-6
JS-2/JS-3
Scan Only

FILED
CLERK, U.S. DISTRICT COURT
SEP 19 2005
CENTRAL DISTRICT OF CALIFORNIA
BY DA DEPUTY

8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

CV05-6823

APC (R7v)

LOGGED

SEP 16 PM 3:00
[Handwritten signature]

SCANNED

1 of fact or law and without Defendants admitting liability for any
2 of the matters alleged in the Complaint;

3 THEREFORE, upon stipulation of Plaintiff and Defendants, it
4 is hereby ORDERED, ADJUDGED, and DECREED as follows:

5

6

FINDINGS

7

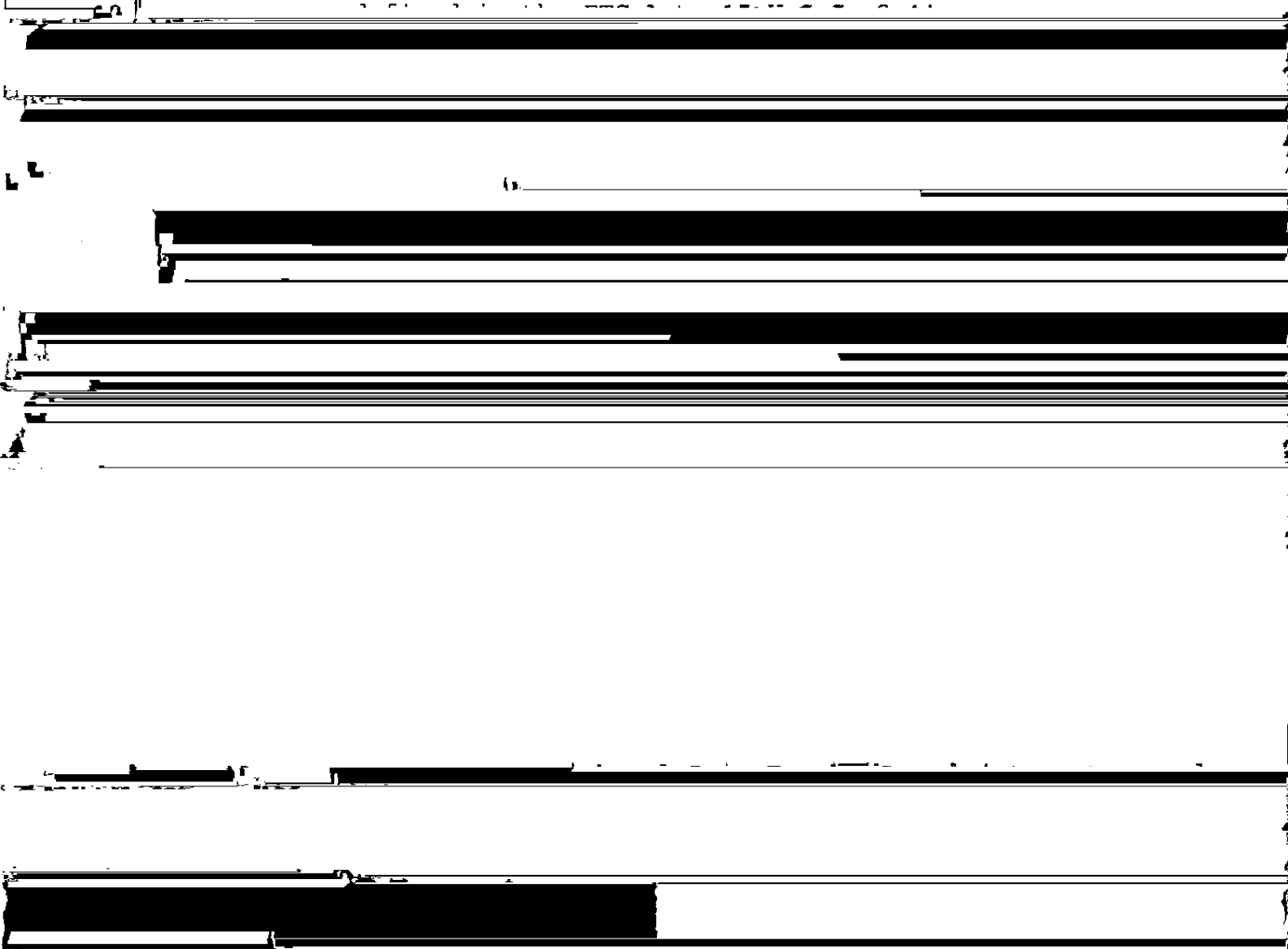
A. This Court has jurisdiction over the subject matter of
8 this case and jurisdiction over all parties.

9

B. Venue in the Central District of California is proper
10 under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b).

11

C. The activities of Defendants are in or affecting



1 concerning the prosecution of this action to the date of this

2 Order

3

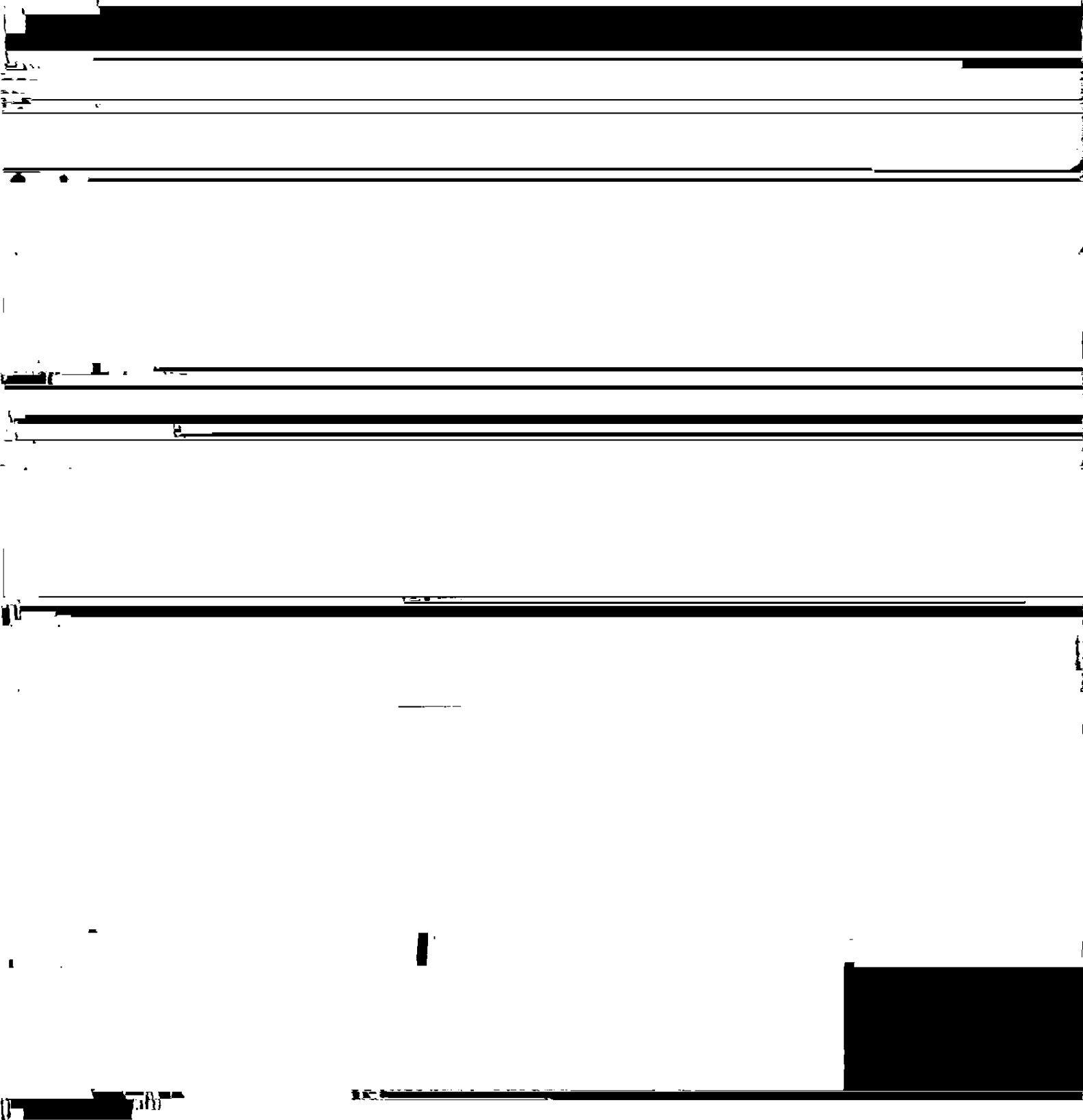
2 tests, analyses, research, studies, or other evidence based on
3 the expertise of professionals in the relevant area that have

01000001

1 service.

2 J. The terms "and" and "or" in this Order shall be
3 construed conjunctively or disjunctively as necessary, to make
4 the applicable phrase or sentence inclusive rather than

SCANNED



SCANNED

1 by blocking the absorption of fat; or

2 C. the Svelt Body Complete or Imagen Enlínea package, or
3 any similar product, causes permanent weight loss.

4 II.

5 REPRESENTATIONS PROHIBITED UNLESS TRUE AND SUBSTANTIATED

6 IT IS FURTHER ORDERED that Defendants, and their officers,
7 agents, servants, employees, and representatives, and all persons
8 and entities in active concert or participation with them who
9 receive actual notice of this Order by personal service or
10 otherwise, whether acting directly or through any corporation,
11 subsidiary, division, or other entity, in connection with the
12 manufacturing, labeling, advertising, promotion, offering for
13 sale, sale, or distribution of any health-related service or
14 program, weight loss product, dietary supplement, food, drug, or
15 device, in or affecting commerce, are hereby permanently enjoined
16 from making, or assisting others in making, any representation,
17 expressly or by implication, including through the use of
18 endorsements or a trade name:

19 A. That any such product or service:

20 1. causes weight loss;

21 2. causes permanent weight loss.

1 day; or

2 B. About the health benefits, performance, efficacy,
3 safety or side effects of such product or service;
4 unless, at the time the representation is made, the

SCANNED

1 participation with them who receive actual notice of this Order

1 thousand dollars) as consumer restitution upon the entry of this
2 Final Judgment. For purposes of this Paragraph, and any
3 subsequent proceedings to enforce payment, including but not
4 limited to a non-dischargeability complaint filed in a bankruptcy

SCANNED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SCANNED

1 from taxing authorities, within ten (10) days of each such
2 payment being made, each such tax return or amended tax return
3 being filed, or each such check being sent or received. In the
4 event that Defendants receive or become entitled to receive any
5 refund or partial refund of any amount paid for the owed taxes,
6 the Defendants shall pay the monetary equivalent to the
7 Commission within thirty (30) days.

8 D. All funds paid pursuant to this Paragraph shall be
9 deposited into a fund administered by the Commission or its agent
10 to be used for equitable relief, including but not limited to
11 resources, redress and any attendant expenses for the

1
2
3
4
5
6

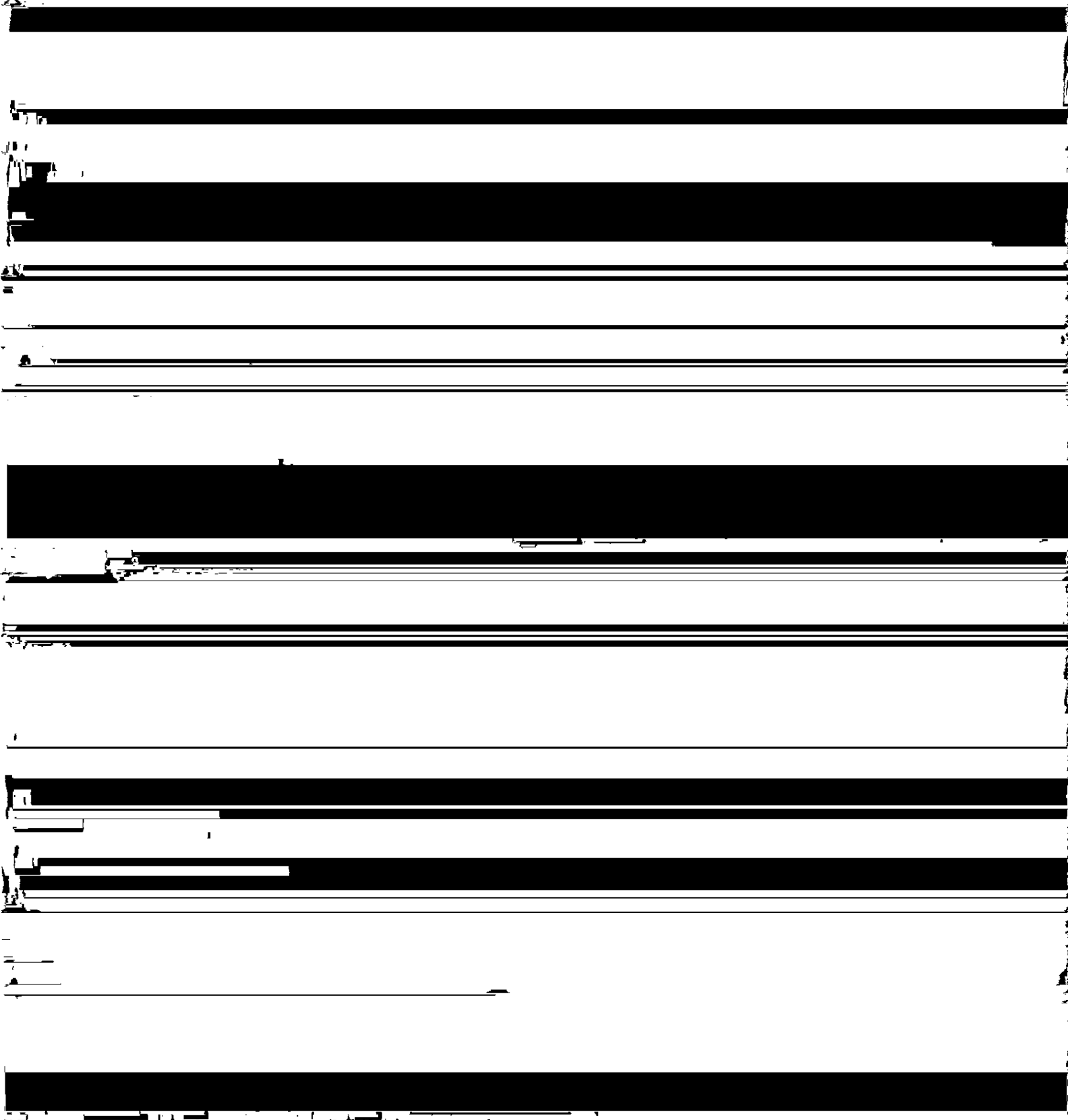
terms of such programs; and

3. Delegate any and all tasks connected with such redress program to any individual, partnerships, or corporations; and pay reasonable fees, salaries, and expenses incurred thereby from the payments made pursuant to this Order;

SCANNED

1 the Court, the Court finds that Defendants (a) failed to disclose
2 any asset with a value in excess of \$1,000, materially
3 misrepresented the value of any asset, or made any other material
4 misrepresentation or omission in their above-referenced financial
statements and information, or (b) failed to make timely payment

SCANNED



1 number, e-mail address, or other identifying information of any

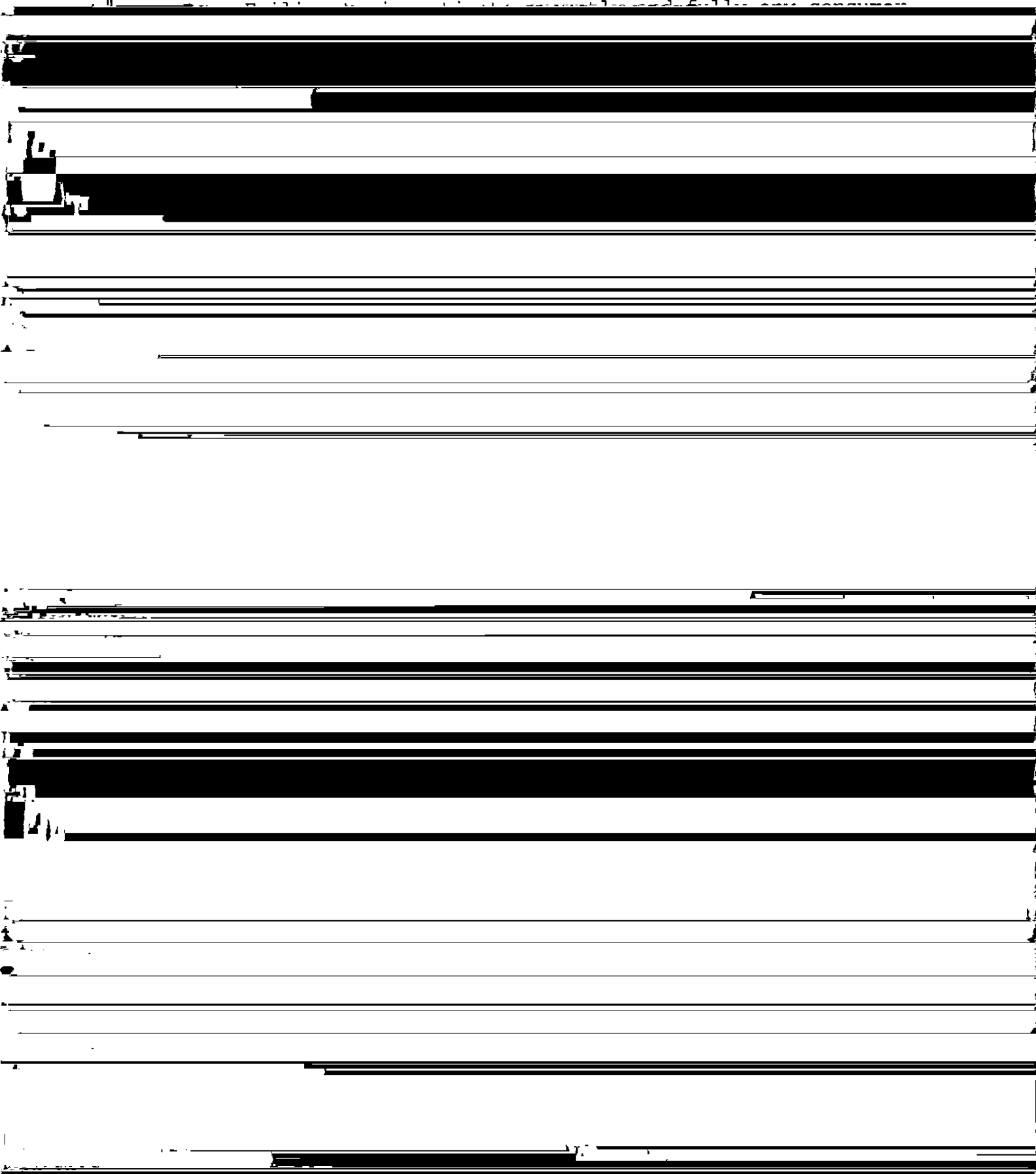
2 person who paid any money to any of the Defendants at any time.

b6
b7C

[REDACTED]

1 contractor is involved; provided that this Paragraph does not
2 authorize or require Defendants to take any steps that violate
3 any federal, state, or local laws;

STRIKES



1 compliance with this Order by all other lawful means, including
2 but not limited to the following:

10

[REDACTED]

XI.

COMPLIANCE REPORTING BY DEFENDANTS

IT IS FURTHER ORDERED that, in order that compliance with the provisions of this Order may be monitored:

A. For a period of five (5) years from the date of entry of this Order:

1. Carlos Iñiguez and Claudia Iñiguez shall each notify the Commission of the following:

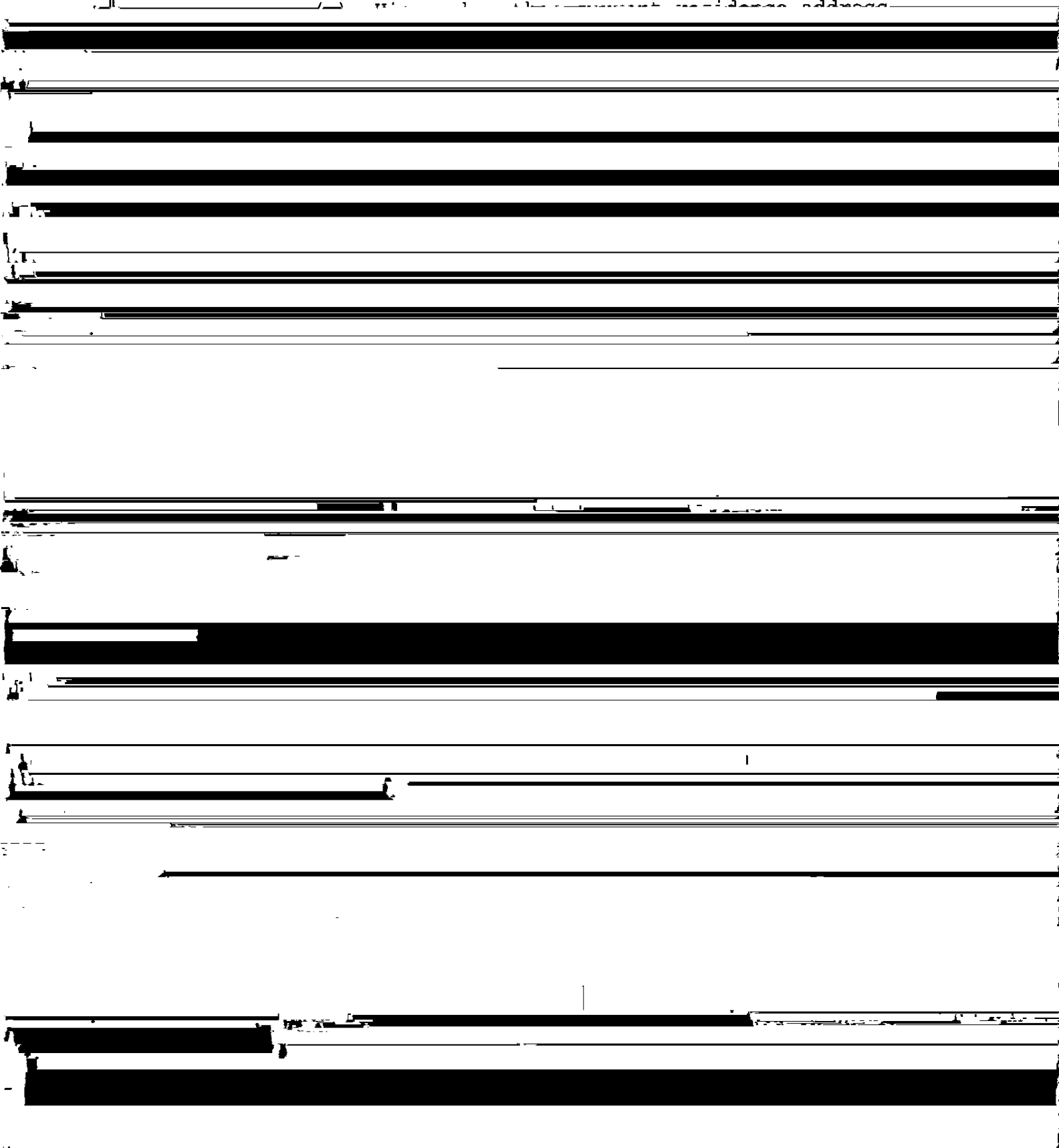
[REDACTED]

1 with this Order. This report shall include, but not be limited

2 to:

3 1. For Carlos Iñiguez and Claudia Iñiguez:

SCANNED



1
2
3
4
5

Assistant Regional Director
Western Region - Los Angeles
Federal Trade Commission
10877 Wilshire Blvd., Suite 700
Los Angeles, California 90024
Re: FTC v. La Grana, LLC, et al.

SCANNED

D. For purposes of the compliance reporting and monitoring

SCANNED

1 independent contractor; that person's job title or
2 position; the date upon which the person commenced
3 work; and the date and reason for the person's
4 termination, if applicable;

5 C. Customer files containing the names, addresses, phone
6 numbers, dollar amounts paid, quantity of items or
7 services purchased, and description of items or
8 services purchased, to the extent such information is
9 obtained in the ordinary course of business;

10 D. Complaints and refund requests (whether received
11 directly, indirectly or through any third party) and
12 any responses to those complaints or requests; and

1

A. Each of the Corporate Defendants must deliver a copy of

[REDACTED]

1 otherwise engaged in conduct related to the subject

[REDACTED]

1
2
3
4
5

XV.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for purposes of construction, modification and enforcement of this Order.

SCANNED

