

~~Sealed~~

1. Plaintiff brings this action under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), to secure a permanent injunction, rescission of contracts, restitution, disgorgement of ill-gotten gains, and other equitable relief against Defendants for engaging in unfair or deceptive acts or practices in connection with the marketing and sale of Internet "website" services in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

JURISDICTION AND VENUE

2. Subject matter jurisdiction is conferred upon this Court by 15 U.S.C. §§ 45(a) and 53(b), and 29 U.S.C. §§ 1331, 1337(a), and 1345.

3. Venue is proper in the Southern District of Texas under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b) and (c).

PLAINTIFF

4. Plaintiff Federal Trade Commission is an independent agency of the United States

WebPoint USA Defendant WebSource prospects or has prospect business in the Southern

District of Texas.

6. Defendant BizSitePro, L.L.C. ("BizSitePro") is a Texas limited liability company

with its office and principal place of business located at 16602 Ross Drive, Dallas, Texas

member, and director of WebSource. At times material to this complaint, acting alone or in concert with others, she has formulated, directed, controlled, or participated in the acts and practices of Defendant WebSource, including the various acts and practices set forth in this complaint. Defendant Smalley resides in and transacts or has transacted business in the Southern District of Texas.

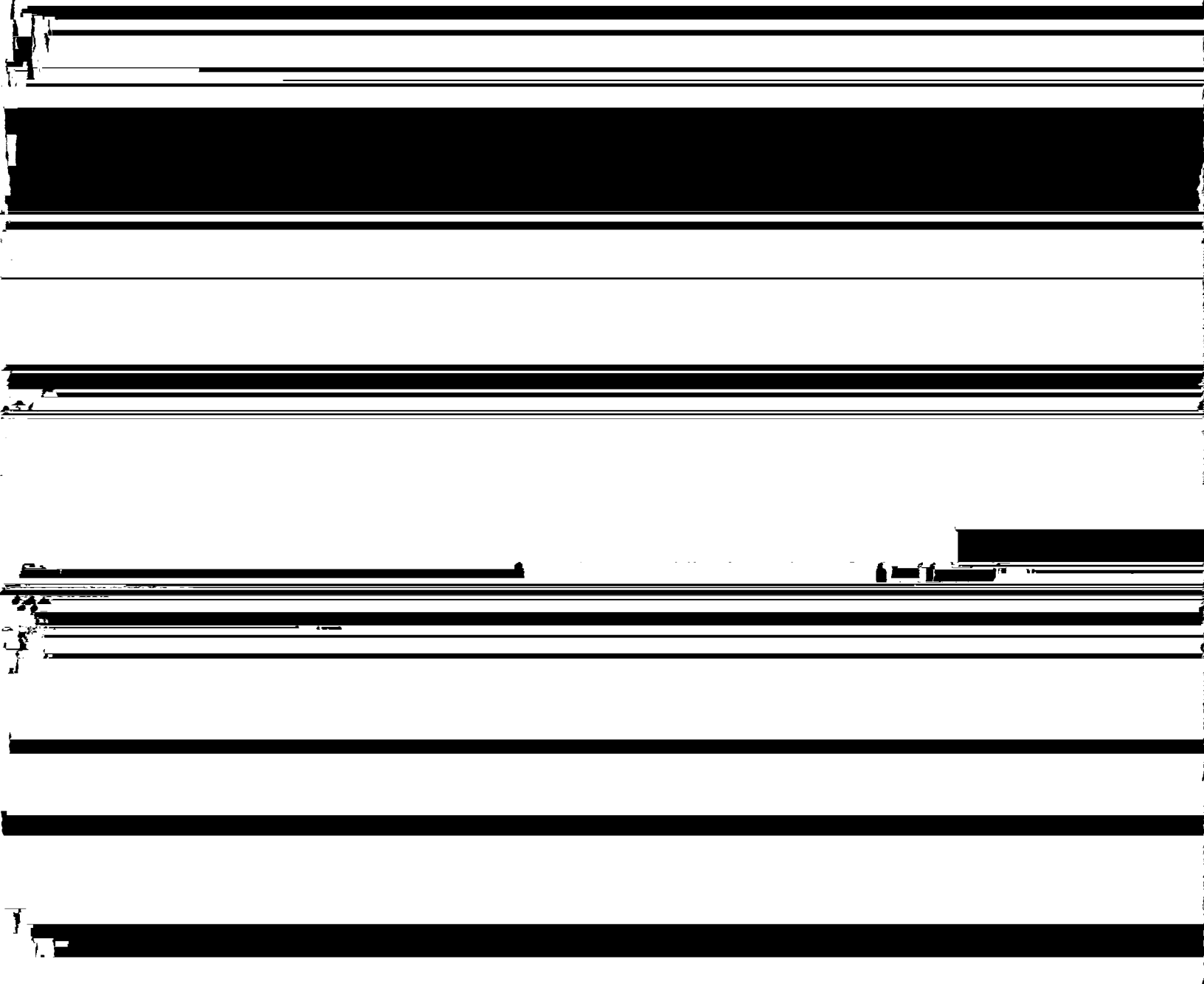
15. Defendant James E. McCubbin, Jr. is or has been a managing member of Eversites.

[REDACTED] has secretary and director of TSI and TH. At times material to this complaint, [REDACTED]

[REDACTED] in concert with others, he has formulated, directed, controlled, or participated in the acts

with a low level employee, such as a receptionist or counter attendant, who has no authority to bind the business.

20. Defendants' use of the arrangements to the website designed by Defendants for



VIOLATIONS OF SECTION 5 OF THE FTC ACT

or practices in or affecting commerce.

COUNT I

CONSUMER INJURY

30. Small businesses and non-profit entities throughout the United States have suffered

potential monetary loss as a result of Defendants' unlawful acts or practices. In addition

Defendants have been unjustly enriched as a result of their unlawful practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers and harm the public interest.

THIS COURT'S POWER TO GRANT RELIEF

31. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers the Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of the FTC Act. The Court, in the exercise of its equitable jurisdiction, may award other ancillary relief, including, but not limited to, rescission of contracts, restitution, and the disgorgement of ill-gotten gains, to prevent and remedy injury caused by Defendants' law violations.

PRAYER FOR RELIEF

- 2. Permanently enjoin the Defendants from violating the FTC Act, as alleged herein;
- 3. Award such equitable relief as the Court finds necessary to redress injury to

consumers resulting from Defendants' violations of the FTC Act, including, but not limited to,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 4. Award 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.