



Telemarketing Sales Rule (the "TSR" or "Rule"), 16 C.F.R. Part 310, as amended by 68 Fed. Reg. 4580, 4669 (January 29, 2003).

**JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1337(a), 1345, and 1355, and 15 U.S.C. §§ 45(m)(1)(A), 53(b), 56(a) and 57b. This action arises under 15 U.S.C. § 45(a).

3. Venue is proper in this District under 28 U.S.C. §§ 1391 (b)-(c) and 1395(a), and 15 U.S.C. § 53(b).

**DEFENDANTS**

4. Defendant New Edge Satellite Inc. ("New Edge") is a Michigan corporation with its principal place of business at 7583 Gratiot Rd., Suite 1, Saginaw, Michigan 48609.

5. Defendant Derek LaVictor is an officer of New Edge. Acting alone or in concert with others, he has formulated, directed, controlled or participated in the acts or practices set forth in this complaint.

**THE TELEMARKETING SALES RULE  
AND THE NATIONAL DO NOT CALL REGISTRY**

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on December 31, 1995. On January 29, 2003, the FTC amended the TSR by issuing a Statement of Basis and Purpose ("SBP") and the final amended TSR (the "Amended TSR"). 68 Fed. Reg. 4580, 4669.

7. Among other things, the Amended TSR established a "do not call" registry, maintained by the Commission (the "National Do Not Call Registry" or "Registry"), of consumers who do not wish to receive certain types of telemarketing calls. Consumers can register their telephone numbers on the Registry without charge either through a toll-free telephone call or over the Internet at [www.donotcall.gov](http://www.donotcall.gov).

8. Consumers who receive telemarketing calls to their registered numbers can complain of Registry violations the same way they registered: through a toll-free telephone call or over the Internet, or by otherwise contacting law enforcement authorities.

9. A "seller" is any person who, in connection with a telemarketing transaction, provides, offers to provide, or arranges for others to provide goods or services to the customer in exchange for consideration. 16 C.F.R. § 310.2(z).

10. A "telemarketer" is any person who, in connection with telemarketing, initiates or receives telephone calls to or from a customer or donor. 16 C.F.R. § 310.2(bb).

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intermediaries, placed outbound calls to telephone numbers on the National Do Not Call Registry.

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

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

COUNT ONE

~~DECLARATION OF MAIL TELEMARKETING DENIALS SUBMITTED TO EDO3/25/2009~~

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2. Award Plaintiff monetary civil penalties from Defendants for every violation of the TSR;
3. Enter a permanent injunction to prevent future violations of the TSR and the FTC Act by Defendants;
4. Order Defendants to pay the costs of this action; and
5. Award Plaintiff such other and additional relief as the Court may determine to be just and proper.

FOR THE UNITED STATES OF  
AMERICA:

Dated: March 25, 2009

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General

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