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Attorneys for Plaintiff
FEDERAL TRADE COMMISSION

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 FEDERAL TRADE COMMISSION,
13 Plaintiff,

14 v.

15 DINAMICA FINANCIERA LLC,
16 a California limited liability company;

17 SOLUCIONES DINAMICAS, INC.,
18 a California corporation;

19 OFICINAS LEGALES DE ERIC-
DOUGLAS JOHNSON, INC.,
20 a California corporation;

21 ERIC DOUGLAS JOHNSON,
an individual;

22 VALENTIN BENITEZ,
an individual;

1 Plaintiff, the Federal Trade Commission (“FTC” or “Commission”), for its
2 complaint alleges:

3 1. The FTC brings this action against Defendants Dinamica Financiera
4 LLC, Soluciones Dinamicas, Inc., Oficinas Legales de Eric-Douglas Johnson, Inc.,
5 Jose Mario Esquer, Valentin Benitez, and Eric Douglas Johnson (collectively, the
6 “Defendants”) under Section 13(b) of the Federal Trade Commission Act (“FTC
7 Act”), 15 U.S.C. § 53(b) to obtain preliminary and permanent injunctive relief,
8 rescission or reformation of contracts, restitution, disgorgement of ill-gotten gains,
9 and other equitable relief against Defendants for engaging in deceptive acts or
10 practices in connection with the advertising, marketing, offering for sale, and sale
11 of mortgage foreclosure rescue services in violation of Section 5(a) of the FTC
12 Act, 15 U.S.C. § 45(a).

13 2. The FTC brings this action against Defendant Rosa Esquer (the
14 “Fraudulent Transfer Defendant”) under the Federal Debt Collection Procedure
15 Act, 28 U.S.C. §§ 3001 *et seq.*, to avoid the fraudulent transfer of real property
16 from Defendant Jose Mario Esquer to Fraudulent Transfer Defendant. The
17 avoidance of this transfer is necessary in the interests of justice to secure funds for
18 redress or disgorgement.

19 JURISDICTION AND VENUE

20 3. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §§
21 45(a) and 53(b), and 28 U.S.C. §§ 1331, 1337(a), 1345, and §§ 3001

22 4. Venue in the United States District Court for the Central District of
23 California is proper under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b) and (c).

24 PLAINTIFF

25 5. Plaintiff FTC is an independent agency of the United States
26 Government created by statute. 15 U.S.C. §§ 41-58, as amended. The
27 Commission is charged with, *inter alia*, enforcement of Section 5(a) of the FTC
28 Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or

1 affecting commerce. The Commission is authorized to initiate federal district court
2 proceedings, by its own attorneys, to enjoin violations of the FTC Act, and to

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1 formulated, directed, controlled, or participated in the acts and practices of
2 Dinamica and Soluciones, including the acts and practices set forth in this
3 Complaint. Esquer transacts or has transacted business in the Central District of
4 California.

5 10. Defendant **Valentin Benitez** (“Benitez”), an individual, is a member
6 and manager of Dinamica, is a manager supervisor of Soluciones, and is an
7 employee of Oficinas. Benitez, acting one or in concert with others, has
8 formulated, directed, controlled, or participated in the acts and practices of
9 Dinamica, Soluciones, and Oficinas, including the acts and practices set forth in
10 this Complaint. Benitez transacts or has transacted business in the Central District
11 of California.

12 11. Defendant **Eric Douglas Johnson** (“Johnson”), an individual, is the
13 President of Oficinas. Johnson, acting one or in concert with others, has
14 formulated, directed, controlled, or participated in the acts and practices of Oficinas,
15 including the acts and practices set forth in this Complaint. Johnson transacts or
16 has transacted business in Central District of California.

17 **FRAUDULENT TRANSFER DEFENDANT**

18 12. Fraudulent Transfer Defendant **Rosa Esquer** is the wife of Defendant
19 Jose Mario Esquer. She is the owner of real property located in South Gate,
20 California. Fraudulent Transfer Defendant **Rosa Esquer** received real property
21 located in South Gate, California from Defendant Jose Mario Esquer. She resides
22 in the Central District of California.

23 **COMMERCE**

24 13. The acts and practices of Defendants, alleged in this Complaint, are
25 in or affecting commerce as “commerce” is defined in Section 4 of the FTC Act,
26 15 U.S.C. § 44.

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1 **DEFENDANTS' UNLAWFUL BUSINESS PRACTICES**

2 14. Defendants have advertised, ~~marketed~~, offered for sale, and sold
3 mortgage foreclosure rescue services.

4 15. Defendants have advertised ~~and~~ marketed their services by various
5 means, including via Spanish-language
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1 One of Dinamica's magazine advertisements (translated from Spanish into
2 English) states:

3 Behind on your house payments?
4 We can help, call today
5 Consultation without commitment

6 Dinamica Financiera, LLC
7 "A solution to every situation"

8 Call free
9 1-888-350-3344
10 562-923-6408

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1 believed that he would incur, debt beyond his ability to pay as they became
2 due, in violation of Section § 3304(b)(1)(B) of the FDCPA.

3 **CONSUMER INJURY**

4 36. Consumers have suffered and ~~will~~ to suffer substantial monetary
5 loss as a result of Defendants' unlawful ~~and~~ practices. In addition, Defendants
6 have been unjustly enriched as a result ~~of~~ the unlawful practices set forth in this
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1 consumers resulting from the Defendants' violations of the FTC Act, including,
2 but not limited to, rescission or reformation of contracts, the refund of monies
3 paid, and the disgorgement of ill-gotten gains;

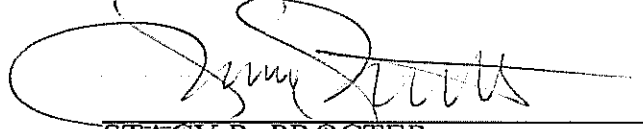
4 4. Award such relief against Fraudulent Transfer Defendant Rosa Esquer
5 as the Court finds necessary to secure funds for final relief, including an order
6 setting aside the transfer of real property to the Fraudulent Transfer Defendant;
7 and

8 5. Award Plaintiff the costs of bringing this action, as well as such other
9 and additional equitable relief as the Court may determine to be just and proper.

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11 Dated: November 23, 2009

Respectfully Submitted,

12 Willard K. Tom
13 General Counsel

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15 STACY R. PROCTER
MARICELA SEGURA