Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52, in connection with Defendant's advertising, marketing, and sale of purported toning footwear products, including Defendant's EasyTone footwear and RunTone running shoes.

JURISDICTION AND VENUE

2.   This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a), 52, and 53(b).

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

PLAINTIFF

4.   The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces Section 12 of the FTC Act, 15 U.S.C. § 52, which prohibits false advertisements for food, drugs, devices, services, or cosmetics in or affecting commerce.

5.   The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. § 53(b).

DEFENDANT

6.   **Defendant Reebok International Ltd.** ("Reebok"), is a Massachusetts corporation with its principal place of business at 1895 JW Foster Boulevard, Ca

www.reebok.com), Reebok's Concept Stores, and Reebok's Outlet Stores. Consumers can purchase

EasyTone flip flops at some of the same locations for approximately $60.00. From certain mid-

priced retailers, including J.C. Penney Co., and Kohl's Corp., consumers can purchase Defendant's

SimplyTone wa

to woman's bac

F.   EASYTONE TONES KEY LEG MUSCLES WITH EVERY STEP.
      (Exhibit 6)

G.   EASYTONE The better way to a better butt
      With EasyTone you get
      Up to 28% more

the attached Exhibits 12 through 16. These advertisements sometimes display women who are very

toned and

COUNT I

22.   Through the means described in Parag