

**QUARTERLY FEDERAL COURT  
LITIGATION STATUS REPORT**

Office of the General Counsel  
Bureau of Competition  
Bureau of Consumer Protection  
Regional Offices

March 31, 2016

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## SUMMARY OF CASES

	D. Ct.	Ct. App.*	S. Ct.	Total
PETITIONS FOR REVIEW	0	2	2	4
INJUNCTION AND CONSUMER REDRESS CASES	71	19	3	93
CIVIL PENALTY AND ENFORCEMENT CASES	16	2	0	18
SUBPOENA AND CID ENFORCEMENTS	4	2	0	6
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	2	3	0	5
AMICUS CURIAE BRIEFS	0	11	0	11
TOTALS	93	28	5	137

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\* Includes all cases in which appellate proceedings have taken place during the reporting period or are pending; these cases are not counted in the District Court column, even if such proceedings are going on simultaneously.



McWane's opening brief filed 6/

**INJUNCTION AND CONSUMER REDRESS CASES**

**(A) Preliminary Injunctions (Mergers/Acquisitions)**

***FTC v. ADVOCATE HEALTH CARE NETWORK*** No. 1:15-cv-11473 (N.D. Ill.)

Parties: Advocate Health Care Network  
Advocate Health and Hospitals Corporation  
NorthShore University HealthSystem

Assigned Attorneys: Emily Bowne (BC/Mergers IV)  
Christopher Caputo  
Timothy Carson  
Charles Dickinson  
Kevin Hahn  
Sean P. Pugh  
Alexander Bryson

Alleged Conduct: Action for preliminary injunction for violations of Section 5 of the FTC Act and Section 7 of the Clayton Act in conjunction with Advocate Health Care Network and Advocate Health and Hospitals Corporation's proposed affiliation with NorthShore University HealthSystem.

Status: Complaint filed 1/18/15.  
TRO entered 12/23/15.

***FTC v. PENN STATE HERSHEY MEDICAL CENTER*** No. 1:15-cv-2362 (M.D. Pa.)

Parties: The Penn State Hershey Medical Center  
PinnacleHealth System

Assigned Attorneys: William Efron (NER)  
Ryan Harsch  
Jared Nagley  
Jonathan Platt  
Gerald Stein  
Geraldyn Trujillo  
Nancy Tumblacer  
Theodore Zang

Alleged Conduct: Action for preliminary injunction for violations of Section 5 of the FTC Act and Section 7 of the Clayton Act in connection with a proposed hospital merger.

Status: Complaint filed 12/9/15.  
TRO entered 12/9/15.

***FTC v. STAPLES, INC.*** No. 1:15-cv-2115 (D.D.C.)

Parties: Staples, Inc.  
Office Depot, Inc.

Assigned Attorneys: Alexis Gilman (BC/Mergers IV)  
Kevin Hahm  
Charles Loughlin  
Tara Reinhart  
Stelios Xenakis

Alleged Conduct: Action for preliminary injunction for violations of Section 5 of the FTC Act and Section 7 of the Clayton Act in conjunction with the proposed merger between Staples, Inc. and Office Depot, Inc.

Status: Complaint filed 12/7/15.  
TRO entered 12/8/15.  
Preliminary injunction hearing held beginning 3/21/16.

**(B) Preliminary Injunctions (Other)**

(None pending)

**(C) Permanent Injunctions/Consumer Redress\***

***FTC v. 4 STAR RESOLUTION, LLC***, No. 1:15-cv-112 (W.D.N.Y.)

Parties: 4 Star Resolution, LLC d/b/a Consumer Recovery Group d/b/a Four Star  
Capital Services d/b/a Four Star Resolution Services, LLC d/b/a FS  
Mediation Group  
Profile Management, Inc.  
International Recovery Service, LLC  
Check Solutions Services, Inc.  
Check Fraud Service, LLC  
Merchant Recovery Service, Inc.

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Fourstar Revenue Management, LLC  
Travell Thomas  
Maurice Sessum  
Charles Blakely, III

Assigned Attorneys: Brian N. Lasky (NER)  
Karen A. Dahlberg  
Robin E. Eichen  
Laura Zuckerwise



Business Team LLC (relief defendant)

Assigned Attorneys: Steven W. Balster (ECR)  
Jonathan L Kessler  
Maria Del Monaco  
Stacy Rene Procter (WRLA)  
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 through the operation of a nationwide scheme regarding mortgage assistance relief services, including loan documentation and transaction services, and loan modification services.

Status: Complaint filed 6/18/13.  
TRO entered 6/18/13.  
Preliminary injunction against Backend, Inc. entered 7/12/13.  
Stipulated preliminary injunction against remaining defendants entered 7/19/13.  
Amended complaint adding 11 new defendants and one relief defendant filed 12/16/13.  
Commission's motion for summary judgment filed 8/18/14;  
Opposition brief filed 8/25/14; Commission's amended motion for summary judgment filed 9/1/14; Commission's reply in support of motion for summary judgment filed 9/2/14.  
Final order for permanent injunction against defendants Backend Services, Inc., Emax Loans, Inc., Legal Marketing Group, Inc., Nationwide Law Center, Inc., United States Law Center., P.C., Interstate Law Group, LLC, Millenium Law Center, P.C., William D. Goodrich and William D. Goodrich Atty, Inc. and SC Law Group, P.C. entered 9/2/14.  
Order denying motion to set aside default judgment as to defendants Amir Montazeran and Business Team, LLC entered 9/2/14.  
Order for default judgment as to Evergreen and Backend entered 9/2/14.  
Stipulated final order for permanent injunction and settlement of claims

Order for daw Center,6 Inc., E

Marketing, Inc., Apex Members, LLC, Apex Solutions, Inc.,  
Madhulika Baid, Ratan Baid, Expe

**FTC v. ACTAVIS, INC. (formerly WATSON PHARMACEUTICALS, INC.),** No. 12-416 (S. Ct.); Nos. 12-16488, No. 10-12729 (11th Cir.); No. 1:09-CV-00955 (N.D. Ga.), formerly No. 2:09-CV-00598 (C.D. Cal.)

Parties: Watson Pharmaceuticals, Inc.  
Par Pharmaceuticals Companies, Inc.  
Paddock Laboratories, Inc.  
Solvay Pharmaceuticals, Inc.

Assigned Attorneys: Markus Meier (BC)  
Saralisa Brau  
Cynthia A. Liebes (SER)  
Mark S. Hegedus (OGC)

Alleged Conduct: Action for a permanent injunction and other equitable relief for violations of the Sections 1 and 2 of the Sherman Act and Section 5 of the FTC Act in connection with agreement between brand name drug manufacturer and generic manufacturers delaying entry of generic drug.

Status: Complaint in C.D. Cal. filed 1/27/09.  
Amended complaint filed 2/12/09.  
Defendants' motion to transfer case to Northern District of Georgia filed 2/27/09; Commission's opposition filed 3/16/09; defendants' reply filed 3/23/09; order transferring case to N.D. Ga. entered 4/9/09.  
Second amended complaint filed 5/28/09.  
Commission's motion to stay proceeding filed 6/15/09; defendants' opposition filed 6/17/09; Commission's reply filed 7/6/09; order denying motion entered 7/17/09.  
Defendants' motions to dismiss second amended complaint filed 7/20/09; Commission's opposition filed 8/21/09; defendants' replies filed 9/11/09.  
Order granting motion to dismiss Commission's second amended complaint entered 2/22/10.  
Judgment dismissing Commission's claims with prejudice entered 4/21/10  
Notice of appeal filed 6/10/10.  
Commission's opening brief filed 7/26/10.  
Defendants' answering brief filed 11/10/10.  
Commission's reply brief filed 12/15/10.  
Oral argument held 5/13/11.  
Opinion affirming district court issued on 4/25/12.  
Commission's petition for rehearing *en banc* filed 6/11/12.  
Order denying petition for rehearing *en banc* entered 7/18/12.  
Commission's petition for writ of certiorari filed 10/4/12.  
Petition granted 12/7/12.  
Commission's petition to district court to unseal document filed 12/10/12; motion granted and temporary stay pending appeal entered

12/19/12.

Notice of appeal of order unsealing document by AbbVie Products filed 12/21/12; emergency motion to expedite briefing and stay unsealing order filed 12/26/12; granted 1/10/13.

Commission's Supreme Court merits brief filed 1/22/13.

AbbVie Products' opening brief in 11th Circuit filed 1/31/13;

Commission's response filed 2/7/13; AbbVie Products' reply filed 2/19/13.

Respondents' Supreme Court briefs filed 2/21/13.

Commission's Supreme Court reply brief filed 3/18/13.

Oral argument in 11th Circuit held 3/20/13.

11th Circuit opinion affirming district court order lifting seal and dissolving stay filed 3/21/13.

Supreme Court grant of Solicitor General's motion to lift seal on sealed volume of joint appendix entered 3/22/13.

Supreme Court oral argument held 3/25/13.

Supreme Court decision in favor of the FTC, reversing the Eleventh Circuit Court of Appeals and remanding the case for further proceedings consistent with its opinion entered 6/17/13.

Eleventh Circuit order vacating the district court judgment and remanding the case to the district court entered 9/9/13.

Order making Eleventh Circuit's mandate the judgment of the district court entered 11/15/13.

Motion to dismiss for failure to state a claim filed 1/15/14; Commission's opposition filed 2/14/14; defendant's reply brief filed 3/3/14.

Order denying motion to dismiss entered 4/21/14.



Katharine Roller  
Lisa Rothfarb  
Helen Wong

Alleged Conduct: Unfair practices in violation of Section 5 of the FTC Act in connection

American Industrial Enterprises, LLC, Easton Chemical Supply, Inc., LMS Lighting & Maintenance Solutions, LLC and Werner International Enterprises entered 2/29/16.

***FTC v. AMG SERVICES, INC.***, No. 14-16468 (9th Cir.); No. 2:12-CV-00536 (D. Nev.)

Parties: AMG Services, Inc.  
Red Cedar Services, Inc., d/b/a 500FastCash  
SFS, Inc., d/b/a OneClickCash  
Tribal Financial Services, Inc., d/b/a Ameriloan, d/b/a UnitedCashLoan,  
d/b/a USFastCash, d/b/a Miami Nation Enterprises.  
AMG Capital Management, LLC  
Level 5 Motorsports, LLC  
Lead Flash Consulting, LLC  
Black Creek Capital Corporation  
Broadmoor Capital Partners, LLC  
Muir Law Firm, LLC  
Scott A. Tucker  
Blaine A. Tucker  
Timothy J. Muir  
Don E. Brady  
Robert D. Campbell  
Troy L. LittleAxe  
Park 269 LLC  
Kim C. Tucker

Assigned Attorneys: Helen Wong (BCP/FP) SPY-cs8.33333333333333333333333333333333TD.00

Report and recommendation by magistrate that Commission's motion for partial summary judgment and defendant's motion for legal determination on tribal sovereign immunity be granted in part and denied in part entered 7/16/13.

Joint motion for permanent injunction and judgment as to defendants AMG Services, SFS, Inc., MNE Services, Inc., AMG Capital Management, LLC, Level 5 MotorSports, LLC, LeadFlash Consulting, LLC, Black Creek Capital Corp., Broadmoor Capital Partners, LLC, Scott A. Tucker, Blaine A. Tucker, Don E. Brady, Robert D. Campbell, and Troy L. Little Axe, Jr. filed 7/18/13.

Motion for summary judgment by Commission filed 9/30/13; Muir defendants' opposition filed 11/29/13; remaining defendants' opposition filed 12/4/13; Commission's reply filed 12/20/13.

Motions for summary judgment by defendants filed 9/30/13; Commission's opposition filed 12/4/13; defendants' reply filed 12/20/13.

Order granting joint motion for perman



Motion for summary judgment by Commission filed 1/20/16; defendants' opposition filed 2/26/16; Commission's reply filed 3/18/16.

Motion for summary judgment by defendants filed 1/20/16; Commission's opposition filed 2/26/16; defendants' reply filed 3/18/16.

***FTC v. APPLY KNOWLEDGE, LLC***, No. 2:14-cv-0088 (D. Utah)

Parties: Apply Knowledge, LLC, d/b/a Apply Knowledge Institute and Coaching Dept.

filed 5/27/14; motion granted without prejudice on 1/30/15.  
Order granting Motion to Dismiss Sonnenberg defendants' counterclaim  
entered 4/9/15.  
Amended complaint filed 5/14/15.  
Notice of death of defendant Chad Huntsman filed 6/9/15.  
Permanent injunction and monetary judgment as to David Bevan entered

***FTC v. BAM FINANCIAL***, No. SACV15-01672JVS (DFMx) (C.D. Cal.)

Parties: BAM Financial, LLC d/b/a West and Associates, Chelsea & Associates,  
and Chelsea Financial  
Everton Financial, LLC d/b/a West and Associates  
Legal Financial Consulting LLC d/b/a West and Associates  
Luis O. Carrera a/k/a Luis O. Carrera-Cavero

Assigned Attorneys: Connor Shively (NWR)  
Richard McKewen  
Raymond McKown

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and  
Section 814 of the Fair Debt Collection Practices Act in connection with  
debt collection activities.

Status: Complaint filed 10/19/15.  
TRO entered 10/22/15; extended 11/2/15; extended 11/24/15; extended  
3/1/16.  
Order staying case and extending TRO entered 3/23/16.

***FTC v. BF LABS, INC.***, No. 14-3286 (8th Cir.); No. 4:14-cv-815 (W.D. Mo.)

Parties: BF Labs, Inc.  
Darla Drake  
Nasser Ghoseiri  
Sonny Vleisides  
Kyle Alexander (would-be intervenor)  
Dylan Symington (would-be intervenor)

Assigned Attorneys: Helen Wong (BCP/FP)  
Greg Ashe  
Jason Adler  
David Sieradzki (OGC)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in  
connection with the marketing and sale of Bitcoin mining machines.

Status: Complaint filed 9/15/14.  
TRO entered 9/18/14.  
Motions to dismiss entered 10/10/14.  
Order denying motions to dismiss entered 12/23/14.  
Motion to intervene by Kyle Alexander and Dylan Symington filed  
9/28/14; denied 10/3/14; notice of appeal filed 10/3/14.  
Appellants' brief filed 11/24/14; Commission's responsive brief filed  
1/16/15.

Commission's motion to dismiss counterclaims for lack of jurisdiction filed 3/10/15; BF Labs' opposition filed 3/30/15; Commission's reply filed 4/13/15; BF's Labs' motion to file surreply in opposition filed 4/17/15; Commission's opposition filed 4/28/15. Order granting BF Labs' motion for leave to file a surreply entered 6/10/15.

Order granting Commission's motion to dismiss counterclaims entered 6/15/15.

Opinion by court of appeals affirming district court's order denying motion to intervene entered 8/25/15.

Order staying case for 120 days to consider settlement agreement entered 11/2/15.

***FTC v. BLUEHIPPO FUNDING, LLC***, No. 11-374 (2d Cir.); No. 1:08-CV-01819 (S.D.N.Y.)

Parties: BlueHippo Funding, LLC  
BlueHippo Capital LLC  
Joseph K. Rensin

Assigned Attorneys: Amanda C. Basta (BCP/ENF)  
Michael D. Bergman (OGC)  
David C. Shonka

Alleged Conduct: Contempt proceeding for violations of a permanent injunction in connection with the sale of personal computers, televisions, and other consumer electronics.

Status: Complaint filed 2/22/08.  
Stipulated final judgment and order for permanent injunction entered 4/9/08.  
Motions for contempt and to modify permanent injunction against BlueHippo Funding, LLC, BlueHippo Capital LLC, and Joseph K. Rensin filed 11/17/09.  
Order to show cause why defendants should not be held in contempt entered 11/16/09; modified 11/18/09.  
Defendants' memoranda of law filed 12/7/09 and 12/11/09; Commission's reply memoranda of law filed 12/11/09 and 12/12/09.  
Trial held 2/9/10-2/11/10; closing argument held 2/19/10.  
Order granting motion for contempt entered 7/27/10; judgment entered 7/30/10.  
Commission's motion to amend/correct judgment and order filed 8/27/10; defendants' opposition filed 9/24/10; Commission's reply filed 10/8/10.  
Order denying Commission's motion to amend/correct judgment and order entered 12/1/10.  
Commission's notice of appeal re contempt order filed 1/28/11.

Notice of appeal filed 2/1/11.  
Commission's brief filed 5/16/11.  
Appellee's brief filed 8/15/11.  
Commission's reply brief filed 9/12/11.  
Argument held 2/23/12.  
Opinion vacating the district court's judgment and remanding the case to  
the district court entered 8/12/14.  
Appellee Joseph Rensin's petition for rehearing filed 9/25/14.  
Order denying Joseph Rensin's petition for rehearing entered 11/17/14.  
Oral argument before the district court concerning applicability of  
presumption of reliance held 6/4/15.  
Opinion and order ruling that Commission is entitled to presumption of  
consumer reliance entered 11/6/15.

***FTC v. BOOST SOFTWARE, INC.***, No. 9:14-cv-81397 (S.D. Fla.)

Parties: Boost Software, Inc.

**FTC v. BRACE**, No. 1:15-cv-875 (W.D.N.Y.)

Parties: Kelly S. Brace  
Braclaire Management, LLC d/b/a Clear Credit Services d/b/a Clear Credit  
Solutions d/b/a Delaware Solutions  
Credit Clear Solutions, LLC  
Solidus Group, LLC

Assigned Attorneys: Matthew J. Wilshire (BCP/ENF)

Alleged Conduct: Violation of Sections 5(a) and the Fair Debt Collection Practices Act in  
connection with deceptive and abusive debt collection practices.

Status: Complaint filed 10/5/15.  
TRO entered 10/6/15.  
Stipulated preliminary injunction entered 12/8/15.

**FTC v. BUNZAI MEDIA GROUP**, No. 2:15-cv-04527 (C.D. Cal.)

Parties: Bunzai Media Group, Inc., d/b/a Aura Vie, Miracle Face Kit,  
Attitude Cosmetics  
Pinnacle Logistics, Inc.  
DSA Holdings, Inc.  
Lifestyle Media Brands, Inc.  
Agoa Holdings, Inc.  
Zen Mobile Media, Inc.  
Safehaven Ventures, Inc.  
Heritage Alliance Group, Inc.  
AMD Financial Network, Inc.  
SBM Management, Inc.  
Media Urge, Inc.  
Adageo, LLC  
Calenergy, Inc.  
Kai Media, Inc.  
Insight Media, Inc.  
Alon Nottea  
Motti Nottea  
Doron Nottea  
Igor Latsanovski  
Oz Mizrahi  
Roi Reuveni  
Kristopher Bond  
Charlene C. Koonce  
Focus Media Solutions, Inc.  
Secured Commerce, LLC  
Secured Merchants, LLC

USM Products, Inc.  
Merchant Leverage Group  
DMA Media Holdings, Inc.  
Shalita Holdings, Inc.  
All Star Beauty Products, Inc.  
Alan Argaman  
Paul Medina  
Chargeback Armor, Inc. (relief defendant)

Assigned Attorneys: Reid Tepfer (SWR)  
Luis Gallegos  
Raymond McKown

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act, the Restore Online Shoppers' Confidence Act (ROSCA), and the Electronic Fund Transfer Act (EFTA).

Status: Complaint filed 6/15/15.  
TRO entered 6/16/15.  
Stipulated preliminary injunction as

Rose Perkins  
James Reynolds, II, a/k/a James Reynolds, Jr.

Assigned Attorneys: Tracy S. Thorleifson (NWR)  
Sophie H. Calderon  
Krista K. Bush  
Connor Shively

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with soliciting donations from the public for sham charities.

Status: Complaint filed 5/18/15.  
Stipulated permanent injunction and monetary judgment against Children's Cancer Fund of America, The Breast Cancer Society of America, Rose Perkins, Kyle Effler, and James Reynolds, II entered 5/22/15.  
Stipulated amended orders appointing a receiver over The Breast Cancer Society, Inc., and Children's Cancer Society of America, Inc., entered 5/28/15; orders modified by stipulation 10/15/15.  
Commission's motion for preliminary injunction filed 11/18/15.  
Commission's motion for TRO filed 12/30/15.  
Stipulated orders for permanent injunction, monetary judgment and appointment of liquidating receiver over Cancer Fund of America, Inc., and Cancer Support Services, Inc. filed 2/3/16.

***FTC v. CAPITAL ENTERPRISES, INC.***, No. 1:15-cv-08407 (S.D.N.Y.)

Parties: Capital Enterprises, Inc. f/k/a David Gates, Inc. d/b/a Gordon James Enterprises d/b/a Maxwell Gates Enterprises d/b/a Maxwell Scott Enterprises d/b/a Preston Lord Enterprises d/b/a Warner Daniel Enterprises  
Java Enterprises, LLC  
Mason Grace Enterprises, LLC d/b/a Mason Grace Ventures  
Preston Lord Enterprises of New York, LLC d/b/a Preston Lord Enterprises  
David S. Brookman

Assigned Attorneys: Savvas S. Diacosavvas (NER)  
Darren H. Lubetzky  
Laura A. Zuckerwise

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) and the Business Opportunity Rule in connection with the marketing of work-at-home programs.



Status: Complaint filed 10/29/15.  
Stipulated preliminary injunction entered 10/30/15.  
Ex parte TRO with asset freeze entered 11/3/15.  
Motion for default judgment against all defendants filed 1/7/16.  
Order to show cause entered 3/22/16.

***FTC v. CAPITAL PAYMENTS, LLC***, No. 2:16-cv-00526 (E.D.N.Y.)

Parties: Capital Payments, LLC n/k/a BlueFin Payment Systems, LLC

Assigned Attorneys: Darren Lubetzky (NER)  
Savvas Diacosavvas  
Brian N. Lasky

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with payment processor's facilitation of telemarketing scheme known as Tax Club.

Status: Complaint filed 2/2/16.  
Stipulated order for permanent injunction and monetary judgment entered 2/3/16.

***FTC v. CAPITOL NETWORK DISTANCE LEARNING***, No. 2:16-cv-00350 (D. Ariz.)

Parties: Capitol Network Distance Learning Programs, LLC  
Capitol Network Digital Licensing Programs, LLC  
Veritas Sales, Inc.  
Nicholas A. Pollicino a/k/a Nick Pollicino  
Anthony J. Calvien  
Adam F. Pollicino

Assigned Attorneys: Gregory A. Ashe (BCP/FP)  
Katharine Roller

Alleged Conduct: Deceptive acts and practices in violation of Sections 5(a) of the FTC Act in connection with defendant's marketing and sale of fake high school diplomas.

Status: Complaint filed 2/8/16.  
TRO entered 2/17/16.

***FTC v. CD CAPITAL INVESTMENTS, LLC***, No. 8:14-cv-1033 (C.D. Cal.)

Parties: CD Capital Investments, LLC  
CD Capital, LLC  
GDS Information Systems, Inc.

Christian D. Quezada  
Mireya Duenas  
Gabriel Drews Stewart

**Alleged Conduct:** Deceptive acts and practices in violation of 5(a) and the Telemarketing Sales Rule in connection with the defendants' telemarketing scheme purporting to offer technical support services.

**Status:** Complaint filed 10/26/15.  
Ex parte TRO with asset freeze and other equitable relief entered 10/27/15.  
Preliminary injunction entered 11/10/15.  
Notice of appeal filed 12/8/15.  
Appellants' opening brief due 4/29/16; Commission's response due 5/30/16.

Motion to dismiss third-party defendant Superfly Advertising, Inc. filed 6/22/10; Gugliuzza's opposition filed 7/19/10; reply by third-party defendant Superfly Advertising, Inc. filed 7/26/10.

Order granting third-party defendant Superfly Advertising's motion to dismiss entered 8/5/10.

Amended third-party complaint against counter defendants Superfly Advertising, Inc. (an Indiana corporation) and Superfly Advertising, Inc. (a Delaware corporation) by defendant Charles Gugliuzza filed 8/25/10.

Motion to dismiss first amended third-party complaint by third-party defendant Superfly Advertising, Inc. filed 9/15/10; order granting motion entered 10/27/10.

Second amended third-party complaint against counter defendants Superfly Advertising, Inc. (an Indiana corporation) and Superfly Advertising, Inc. (a Delaware corporation) by defendant Charles Gugliuzza filed 11/16/10.

Motion to dismiss second amended third-party complaint by third-party defendant Superfly Advertising, Inc. filed 11/29/10; order granting motion entered 12/28/10.

Motion for summary judgment by defendant Charles Gugliuzza filed 4/22/11.

First amended complaint for permanent injunction and other equitable relief filed 6/29/11.

Defendant Charles Gugliuzza's motion for summary judgment filed 7/27/11;

Commission's opposition filed 8/22/11; reply filed 8/29/11; order denying motion for summary judgment entered 9/8/11.

Trial held 1/31/12-2/28/12.

Post-trial briefs submitted 3/23/12.

Appellant filed his reply 1/31/14.

Memorandum of decision in favor of the Commission and directing Commission to file proposed permanent injunction and judgment entered 6/22/12.

Final order and permanent injunction as to all defendants entered 7/17/12.

Defendant Charles Gugliuzza's notice of appeal filed 11/13/12.

Appellant's opening brief filed 7/5/13; Commission's answering brief filed 11/18/13; appellant's reply brief filed 1/31/14.

Notice of defendant Charles Gugliuzza's appeal to the 9th Circuit filed 9/6/14.

Order dismissing appeal as duplicative of pending appeal 12-57064 entered 9/19/14; Gugliuzza's motion for reconsideration filed 9/25/14; motion denied 3/3/16.

Notice regarding appeal (No. 8:14-cv-01529) from bankruptcy court's ruling that Gugliuzza's debt to the Commission is nondischargeable entered 9/22/14.

Gugliuzza's opening brief in bankruptcy appeal filed 12/5/14;  
Commission's answering brief due 1/16/15; Gugliuzza's reply  
brief due 1/30/15.  
Oral argument in merits appeal held 2/9/15.  
Oral argument in district court regarding bankruptcy appeal held 2/26/15.  
Order by district court affirming in substantial part and reversing in part  
the bankruptcy court's order on nondischargeability entered  
3/12/15.  
Notice of appeal by Gugliuzza filed 4/2/15.  
Appellant's opening brief filed 8/7/15; Commission's brief filed 11/5/15;  
appellant's reply brief filed 12/8/15.  
Opinion of the Ninth Circuit affirming district court's determination of  
liability and authority under Section 13(b) to hold Gugliuzza  
jointly and severally liable for consumer losses, but vacating in  
part and remanding for clarity whether basis for monetary award  
was joint and several liability, entered 3/3/16.

***FTC v. CONSTRUCT DATA PUBLISHERS***, No. 13-cv-1999 (N.D. Ill.)

Parties: Construct Data Publishers d/b/a Fair Guide  
Wolfgang Valvoda  
Susanne Anhorn

Assigned Attorneys: Guy G. Ward (MWR)  
Roberto Menjivar  
Joseph Einikis

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) in connection  
with the advertising, marketing, promotion, offering for sale, or sale of  
internet directory listings.

Status: Complaint filed 3/14/13.  
Ex parte TRO with asset freeze and other equitable relief entered 3/15/13.  
Preliminary injunction as to all defendants entered 4/17/13.  
Default judgment as to all defendants entered 2/11/14.  
Motion to vacate default judgment filed by all defendants 3/11/14.  
Order vacating default judgment entered 12/9/14.  
Commission's motion to reconsider filed 1/6/15; motion denied 3/16/16.  
Order granting stay as to defendant Valvoda in light of his recent  
indictment entered 4/10/15.  
Default judgment as to defendant Construct Data entered 3/16/16.

***FTC v. CONSUMER COLLECTION ADVOCATES, CORP.***, No. 15-14437 (11th Cir.); No. 0:14-cv-62491 (S.D Fla.)

Parties: Consumer Collection Advocates, Corp.  
Michael R. Ettus

Assigned Attorneys: Barbara E. Bolton (SER)  
Matthew Hoffman (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with recovery services claiming to collect funds consumers previously lost to telemarketing fraud.

Status:

Stipulated preliminary injunction order as to defendant Louis J. Leo entered 9/21/10.  
Stipulated preliminary injunction as to defendants Ron Werner and Rita Werner entered 10/01/10.  
Preliminary injunction as to corporate defendants entered 10/5/10.  
Clerk's entry of default as to corporate defendants 11/15/10.  
Stipulation and order modifying the preliminary injunction order as to defendants Louis Leo, Rita and Ronald Werner entered 3/31/11.  
Commission's motion for leave to amend complaint naming additional defendants filed 5/06/11; magistrate judge's decision granting motion entered 8/18/11.  
Appeals of magistrate judge's decision by proposed defendants filed

Sarah Waldrop  
Joel Marcus-Kurn (OGC)  
Blaine T. Welsh (AUSA)

**Alleged Conduct:** Deceptive acts and practices in violation of a 1998 order for permanent injunction in connection with telemarketing, by misrepresenting to consumers that they have won a valuable prize and requiring payment in order to retrieve the alleged prize.

**Status:** Complaint filed 6/20/97.  
Permanent injunction entered 10/1/98.  
Motion for contempt and stipulated preliminary injunction filed 1/28/13.  
Order granting preliminary injunction entered 3/5/13.  
Hearing held 9/5/13.  
Order finding civil contempt liability entered 9/27/13.  
Notice of appeal filed 11/26/13.  
Commission's motion in district court for an indicative ruling and to clarify judgment filed 2/10/14.  
Commission's motion in court of appeals to suspend briefing schedule and stay proceeding filed 2/11/14; order by court of appeals staying case entered 2/14/14.  
Commission's motion in court of appeals for remand filed 3/4/14; order remanding case entered 3/14/14.  
Order by district court reaffirming its 9/27/13 order of contempt entered 7/28/14.  
Appellant's opening brief filed 10/23/14; Commission's answering brief filed 12/24/14; appellant's reply brief filed 12/31/14.  
Judgment reversed by memorandum disposition entered 6/11/15.  
Amended clerk's judgment against the defendant entered 8/18/15.  
Order finding defendant in contempt of order and to pay contempt sanctions entered 3/16/16.

***FTC v. DEBTPRO 123, LLC***, No. 8:14-cv-0693 (C.D. Cal.)

**Parties:** Debtpro 123, LLC  
Allstar Processing Corp.  
Allstar Debt Relief, LLC  
Redwave Management Group  
BET Companies, Inc.  
Bryan E. Taylor a/k/a B. Edward Taylor  
Ryan Foland a/k/a R Eugene Foland  
Stacey Frion  
Kara Taylor

**Assigned Attorneys:** Michelle Schaefer (BCP/ENF)



Stacy Rene Procter (WRLA)

Status: Complaint filed 4/14/15.  
Ex parte TRO with asset freeze entered 4/16/15.  
Preliminary injunction entered 5/13/15.  
Default as to C.C. Enterprises, Inc. entered 7/24/15.  
Motion for stipulated permanent injunction as to Chad  
Caldaronello, Justin Moreira, and Brian Pacios filed 10/30/15.  
Stipulated orders for permanent injunction and monetary judgment against  
defendants Justin Moreira and Chad Caldaronello entered 11/4/15.  
Stipulated orders for permanent injunction and monetary judgment against  
defendants Derek Nelson and Courtney Gonsalves entered 12/4/15.

***FTC v. DEVRY EDUCATION GROUP, INC.,*** No. 2:16-cv-579 (C.D. Cal.)

Parties: Devry Education Group, Inc. f/k/a DeVry, Inc.  
Devry University, Inc.  
Devry/New York, Inc.

Assigned Attorneys: Christina V. Tusan (WRLA)  
John D. Jacobs  
Thomas J. Syta  
Barbara Chun  
Faye Chen Barnouw  
Yan Fang (WRSF)  
Sarah E. Schroeder

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in  
connection with the advertisement and promotion of defendant's degree  
programs.

Status: Complaint filed 1/27/16.

***FTC v. DILL,*** No. 2:16-cv-00023 (D. Me.)

Parties: Anthony Dill  
Staci Dill  
Direct Alternatives  
Original Organics LLC

Assigned Attorneys: James A. Prunty (BCP/AP)  
David P. Frankel  
Carolyn L. Hann

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC  
Act, the Electronic Fund Transfer Act, and its implementing Regulation E,  
in connection with the marketing and sale of purported weight-loss  
products.

Status: Complaint filed 1/19/16.  
Stipulated final judgment and order for permanent injunction filed 2/5/16.

***FTC v. DIRECTV, INC.***, No.3:15-cv-01129 (N.D. Cal.)

Parties: DirecTV, Inc.  
DirecTV, LLC

Assigned Attorneys: Eric D. Edmondson (WRSF)  
Boris Yankilovich  
Erika R. Wodinsky  
Jacob A. Snow  
Raymond E. McKown (WRLA)  
Stacy R. Procter

Alleged Conduct: Deceptive acts and practices in violations of Section 5(a) of the FTC Act and Section 4 of the Restore Online Shoppers' Confidence Act in connection with the advertising, marketing, and sale of multi-channel video programming subscription service.

Status: Complaint filed 3/11/15.  
Motion for partial summary judgment by DirectTV filed 10/13/15;  
Commission's response filed 11/24/15; DirectTV's reply filed 1/25/16.  
Oral argument on partial motion for summary judgment held 3/4/16.

***FTC v. DISCOUNT METALBROKERS, INC.***, No. 2:16-cv-2112 (C.D. Cal.)

Parties: Discountmetalbrokers, Inc. f/k/a Discount Gold Brokers, Inc., Discount  
Discount Metal Brokers, Inc. d/b/a Discount Gold Brokers, North  
American Discount Gold.com  
Donald Lee Dayer d/b/a Lee Dayer  
Katherina Dayer  
Michael Berman

Assigned Attorneys: Megan A. Bartley (BCP/ENF)  
Elizabeth J. Averill  
Maricela Segura (WRLA)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Merchandise Rule in connection with the advertisement and sale of gold and silver.

Status: Complaint filed 3/29/16.

***FTC v. E.M. SYSTEMS & SERVICES, LLC***, No. 8:15-cv-1417 (M.D. Fla.)

Parties: E.M. Systems & Services, LLC  
Administrative Management & Design, LLC  
KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC  
Empirical Data Group Technologies, LLC  
Epiphany Management systems, LLC  
Steven D. Short  
Karissa L. Dyar  
One Easy Solution LLC  
Christopher Miles  
Jason E. Gagnon  
Kenneth A. Sallies  
Matthew B. Thomas  
Cardready, LLC  
Brandon A. Becker  
James F. Berland  
Andrew S. Padnick

Assigned Attorneys: Nicholas May (SER)  
Anna Burns

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with a debt relief scam.

Status: Complaint filed 6/16/15.  
TRO entered 6/17/15.  
Stipulated preliminary injunction entered 6/30/15.  
Order referring case to mediation entered 8/19/15.  
Amended complaint filed 12/21/15.

***FTC v. EMERICA MEDIA CORPORATION***, Nos. 9:15-cv-57; 9:13-cv-00003 (D. Mont.)

Parties: Emerica Media Corporation  
Global Voice Mail, Ltd.  
Network Assurance, Inc.  
Techmax Solutions, Inc.  
Voice Mail Professionals, Inc.  
Steven V. Sann  
Terry D. Lane, a/k/a Terry D. Sann  
Nathan M. Sann  
Robert M. Braach  
Bibliologic, Ltd.  
American eVoice, Ltd.  
FoneRight, Inc.  
HearYou2, Inc.

SecuraDat, Inc.

Assigned Attorneys: Richard McKewen (NWR)

Daniel S. Bradley  
Jamie R. Towey

**Alleged Conduct:** Unfair acts or practices in violation of Section 5(a) of the FTC Act and an acquisition in violation of Section 7 of the Clayton Act in connection with anticompetitive reverse-payment agreements.

**Status:** Complaint filed 3/30/16.

***FTC v. EWING***, No. 2:14-cv-0683 (D. Nev.)

**Parties:** Crystal Ewing  
Classic Productions, LLC  
Health Nutrition Products, LLC d/b/a W8-B-Gone, Quick & Easy  
Howard Raff, a/k/a Howard Bruce  
David Raff  
Omni Processing Center  
MBE Management, LLC  
Shirley Murphy  
Ronald Boyde  
Global Access Management Systems, Inc.  
Ricki Black

**Assigned Attorneys:** Alejandro Rosenberg (BCP/ENF)  
Elsie B. Kappler  
Korin Ewing Felix

**Alleged Conduct:** Violations of Sections 5(a) and 12 of the FTC act in connection with the advertising, marketing and sale of purported weight loss pills.

**Status:** Complaint filed 5/1/14.  
Default judgment as to defendants Ricki Black and Global Access Management Systems, Inc. entered 6/23/14; defendants' motion to set aside entry of default judgment filed 6/26/14; Commission's stipulation of no opposition to Ricki Black only filed 7/8/14; Stipulated summary judgment as to Ricki Black entered 7/22/15. Commission's motion for summary judgment filed 7/1/15.  
Default judgment as to Omni Processing Center and MBE Management, F)

Black entered 3/17/16.  
Order granting Commission's motion for summary judgment entered  
3/30/16.

***FTC v. FEDERAL CHECK PROCESSING, INC.***, No. 1:14-cv-0122 (W.D.N.Y.)

Parties: Federal Check Processing, Inc.  
Federal Recoveries, LLC  
Federal Processing Services, Inc.  
Federal Processing, Inc.  
United Check Processing, Inc.  
Central Check Processing, Inc.  
Central Processing Services, Inc.  
Nationwide Check Processing, Inc.  
American Check Processing, Inc.  
State Check Processing, Inc.  
Check Processing, Inc.  
US Check Processing, Inc.  
Flowing Streams, F.S., Inc.  
Mark Briandi  
William Moses  
Empowered Racing, LLC, Relief Defendant

Assigned Attorneys: Katherine M. Worthman (BCP/FP)  
Colin A. Hector

Alleged Conduct: Deceptive acts or practices in violation of Section 5 and the Fair Debt  
Collection Practices Act in connection with debt collection operation.

Status: Complaint filed 2/24/14.  
Ex parte TRO entered 3/24/14.  
Stipulated preliminary injunction entered 3/25/14.  
Motion for summary judgment by Commission filed 8/27/15; opposition  
by William Moses filed 11/4/15; opposition by Mark Briandi filed  
12/3/15; Commission's reply filed 1/12/16.

***FTC v. GERBER PRODUCTS, CO.***, No. 2:14-cv-06771 (D.N.J.)

Parties: Gerber Products Co., d/b/a Nestle Nutrition, d/b/a Nestle Infant Nutrition,  
d/b/a Nestle Nutrition North America

Assigned Attorneys: Victor V. DeFrancis (BCP/AP)  
Michelle K. Rusk  
Ella Krainsky  
Andrew David Wone

Alleged Conduct: Deceptive acts and practices in violation of Sections 5(a) and 12 of the FTC Act in connection with the labeling, advertising, marketing, distribution, and sale of an infant formula purporting to prevent allergies.

Status: Complaint filed 10/29/14.  
Case stayed until 2/25/16.  
Order extending stay of case entered 3/1/16.



MDCC, LLC, d/b/a Method Direct Call Center  
Chapnick, Smuckler & Chapnick, Inc.  
Brandon Chapnick  
Keith Smuckler  
Danelle Miller  
Jason Miller  
458 Media LLC;  
Alpha Brands, LLC;  
Blu Stella, LLC;  
Brilliant Skin LLC;  
Discount Provisions L.L.C.;  
Extamax, LLC;  
F12 Media LLC;  
Flex Formulas, LLC;  
GCB Marketing LLC;  
Luminous Skin LLC;  
Men's Health Formulas, LLC;  
Metabolic Labs, LLC;  
Miracle Male, LLC;  
Moringa Marketing LLC;  
Northbound Marketing LLC;  
Skinny 7 LLC;  
Wellness Labs, LLC;  
Yacon Marketing LLC;  
Barrel Roll, LLC;  
BSC Marketing, LLC;  
Cherry Hill Marketing, LLC;  
CSA Ventures, LLC;  
Diet Concepts, LLC;  
Health Products Direct LLC;  
KMS Marketing LLC;  
Natural Products Direct LLC;  
Northern Health Products LLC;  
Pure and Natural Health Products LLC;  
Pure and Simple Health Products LLC;  
Radiant Skin LLC;  
Shimmering Skin LLC;  
Tindy Films LLC;  
Wellness Products, LLC;  
Method Films, Inc.

Assigned Attorneys: Danielle Estrada (BCP/MP)  
Melissa Dickey

Alleged Conduct: Deceptive acts and practices in violation of Sections 5 and 12 of the FTC Act, the Electronic Fund Transfer Act, the Restore Online Shoppers

Confidence Act, Regulation E, and the Telemarketing Sales Rule in connection with “free” trials and buy-one-get-one offers of health and cosmetic products.

Status: Complaint filed 10/7/14.  
TRO and other equitable relief granted 10/9/14.  
Stipulated preliminary injunction as to defendants Chapnick, Smukler & Chapnick, Inc., Brandon Chapnick, and Keith Smukler entered 11/17/14.  
Amended Complaint filed 2/5/15.  
Preliminary injunction as to defendants Health Formulas, LLC; Pure Vitamins, LLC; Longhorn Marketing, LLC; Method Direct, LLC; Weight Loss Dojo, LLC; VIP Savings, LLC; DJD Distribution, LLC; MDCC, LLC; Jason Miller; and Danelle Miller, and extension of asset freeze as to remaining defendants entered 5/6/15.  
Stipulated consent judgment filed 12/22/15.  
Order granting stipulation for permanent injunction and monetary judgment as to defendants Chapnick, Smukler & Chapnick, Inc., Brandon Chapnick, and Keith Smukler entered 2/17/16.  
Order granting joint motion to stay as to Miller defendants pending completion of proposed settlement entered 3/10/16.

***FTC v. HOLD BILLING SERVICES, LTD.***, No. 5:98-cv-00629 (W.D. Tex.)

Parties: Hold Billing Services, Ltd.  
HBS, Inc.  
Avery Communications, Inc.  
Veterans of America Association, Ltd.  
Thomas M. Lyons  
Keith C. Calil  
Milford H. Balaban  
Billings Services Group Limited (Contempt Defendant)  
Billing Services Group North America, Inc. (Contempt Defendant)  
HBS Billing Services Company (Contempt Defendant)  
Enhanced Billing Services, Inc. (Contempt Defendant)  
Billing Concepts, Inc. (Contempt Defendant)  
ACI Billing Services, Inc. (Contempt Defendant)

Assigned Attorneys: Douglas Wolfe (BCP/ENF)

Alleged Conduct: Unfair and deceptive billing practices in cramming bills for services upon telephone line subscribers in sweepstakes promotion.

Status: Complaint filed 7/15/98.  
Stipulated final judgments entered 9/22/99.  
Contempt motion against Billings Services Group Limited, Billing

Services Group North America, Inc., HBS Billing Services Company, Enhanced Billing Services, Inc., Billing Concepts, Inc., and ACI Billing Services, Inc. filed 3/28/12; contempt defendants' oppositions filed 4/30/12; Commission's reply filed 5/15/12.

Order conditionally granting Commission's motion for order to show cause regarding contempt entered 3/26/13; further proceedings, including resolution of the contempt motion, referred to Magistrate Judge.

Order referring case to mediation entered 7/8/13; mediation completed by 9/18/13.



**Alleged Conduct:** Deceptive practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the marketing, advertising, and sale of computer security or technical support services.

**Status:** Complaint filed 11/10/14.  
TRO entered 11/12/14.  
Order granting preliminary injunction entered 12/23/14.  
Amended complaint filed 1/20/15.  
Joint motion to stay proceedings as to defendants PC Cleaner, Netcom3 Global, Netcom3, and Cashier Myricks for 30 days entered 3/1/16;  
order granting motion entered 3/2/16.  
Joint motion to stay proceedings as to defendants PC Cleaner, Netcom3 Global, Netcom3, and Cashier Myricks until May 6, 2016 filed 3/31/16.  
Trial scheduled for 9/19/16.

***FTC v. INFUSION MEDIA, INC***, No. 14-16485 (9th Cir.); No. 2:09-cv-01112 (D. Nev.)

**Parties:** Infusion Media, Inc., d/b/a Google Money Tree, Google Pro, Internet Income Pro and Google Treasure Chest  
West Coast Internet Media, Inc., d/b/a Google Money Tree, Google Pro, Internet Income Pro and Google Treasure Chest  
Two Warnings, LLC  
Two Part Investments, LLC  
Platinum Teleservices, Inc.  
Jonathan Eborn  
Stephanie Burnside  
Michael McLain Miller  
Tony Norton

**Assigned Attorneys:** Benjamin Theisman (BCP/ENF)  
Michael Davis  
Michael Bergman (OGC)

**Alleged Conduct:** Violations of Section 5(a) of the FTC Act, the Electronic Fund Transfer Act and Regulation E, in connection with home business opportunity kits.

**Status:** Complaint filed 6/22/09.  
Stipulated consent judgment and order for permanent injunction and other equitable relief entered 10/4/10.  
Commission's motion to enter judgment holding defendant, Jonathan Eborn liable for full monetary judgment filed 3/25/14; defendant's response to motion filed 4/11/14; Commission's reply filed 4/18/14; Commission's motion for leave to file amended response filed 4/18/14; order granting motion to amend entered 4/24/14;

Jonathan Eborn's response to motion for judgment filed 4/24/14.  
Oral argument held 5/27/14.  
Judgment and order against Jonathan Eborn entered 6/4/14.  
Notice of appeal to Ninth Circuit by Jonathan Eborn filed 8/1/14.  
Opening brief by Jonathan Eborn filed 12/10/14; Commission's answering  
brief filed 2/9/15; reply brief of Jonathan Eborn filed 3/24/15.  
Oral argument scheduled for 7/21/16.

**FTC v. JEREMY JOHNSON**, Nos. 11-17265, 11-17267, 12-15778, 12-16213, 13-15768, 13-15778, 13-15822 (9th Cir.); No. 2:10-CV-02203 (D. Nev.)

Parties:	Jeremy D. Johnson	Anthon Holdings Corp.
	Big Bucks Pro, Inc.	Blue Net Progress, Inc.
	Blue Streak Progressing, Inc.	Bolt Marketing, Inc.
	Bottom Dollar, Inc.	Bumble Marketing, Inc.
	Business First, Inc.	Business Loan Success, Inc.
	CPA Upsell, Inc.	CS Processing, Inc.
	Cloud Nine Marketing, Inc.	Cold Bay Media, Inc.
	Costnet Discounts, Inc.	Cutting Edge Processing, Inc.
	Diamond J Media, Inc.	EBusiness First, Inc.
	Ebusiness Success, Inc.	Elite Debit, Inc.
	Employee Plus, Inc.	Excess Net Success, Inc.
	Duane Fielding	Fiscal Fidelity, Inc.
	Fitness Processing, Inc.	Funding Search Success, Inc.
	Funding Success, Inc.	GG Processing, Inc.
	GGL Rewards, Inc.	Highlight Marketing, Inc.
	Hooper Processing, Inc.	I Works, Inc.
	Internet Business Source, Inc.	Internet Economy, Inc.
	Internet Fitness, Inc.	JRB Media, Inc.
	Jet Processing, Inc.	Andy Johnson
	Lloyd Johnston	Scott Leavitt
	Lifestyles for Fitness, Inc.	Market Funding Solutions, Inc.
	Mist Marketing, Inc.	Money Harvest, Inc.
	Monroe Processing, Inc.	Scott Muir
	Net Business Success, Inc.	Net Commerce, Inc.
	Net Discounts, Inc.	Net Fit Trends, Inc.
	Net Success, Inc.	Network Agenda, LLC
	Optimum Assistance, Inc.	Bryce Payne
	Kevin Pilon	Power Processing, Inc.
	Premier Performance, Inc.	Pro Internet Services, Inc.
	Razor Processing, Inc.	Rebate Deals, Inc.
	Revive Marketing, Inc.	Ryan Riddle
	Simcor Marketing, Inc.	Terrason Spinks
	Success Marketing, Inc.	Summit Processing, Inc.
	Tran Voyage, Inc.	TranFirst, Inc.
	Unlimited Processing, Inc.	Xcel Processing, Inc.



Order granting in part and denying in part Commission's motion for summary judgment entered 3/31/15.  
Brief by the Commission regarding revised consumer injury amount filed 6/22/15; answering brief filed 7/22/15.  
Order denying defendant Johnson's ex parte motion to set aside preliminary order entered 7/8/15.  
Motion for relief from preliminary injunction filed by defendant Jeremy Johnson 8/4/15; response filed 8/21/15; response by receiver filed 9/4/15; reply to response filed 9/29/15.  
Stipulated final order for permanent injunction and monetary judgment to defendant Lloyd Johnston entered 2/23/16.  
Trial scheduled for 7/26/16.

***FTC v. JOHN BECK AMAZING PROFITS, LLC***, No. 12-56665 (9th Cir.); 2:09-CV-04719 (C.D. Cal.)

Parties: John Beck Amazing Profits, LLC  
John Alexander, LLC  
Jeff Paul, LLC, d/b/a Shortcuts to Millions, LLC  
Mentoring of America, LLC  
Family Products, LLC  
Douglas Gravink  
Gary Hewitt  
John Beck  
John Alexander  
Jeff Paul

Assigned Attorneys: John D. Jacobs (WRLA)  
Stacy R. Procter  
Christina Tusan  
Evan Rose (WRSF)  
Kenneth H. Abbe  
Matthew Gold  
Jack Metzler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing and sale of get rich quick programs and the billing of consumers' accounts.

Status: Complaint filed 6/30/09.  
Preliminary injunction entered 11/17/09.  
Motion for order to show cause why defendants Jeff Paul, Family



Order granting motion to show cause entered 7/21/11; supplemental response by defendants filed 8/15/11; Commission's objection filed 8/24/11.

Commission's motion for summary judgment filed 8/15/11; defendants' opposition filed 9/24/11; Commission's reply filed 10/11/11.

Order granting Commission's motion for summary judgment and ordering supplemental briefing on scope of injunctive relief and monetary damages entered 4/20/12; Commission's brief filed 5/7/12; defendants' response brief filed 5/14/12; Commission's reply brief filed 5/21/12.

Final order granting permanent injunction and other equitable relief entered 8/23/12.

Defendant Beck's notice of appeal filed 9/7/12.

Defendant Beck's motion for a stay pending appeal filed 10/9/12; denied 10/9/12.

Appellant's brief filed 2/19/13; Commission's responsive brief filed 4/18/13; reply brief filed 5/2/13.

Oral argument held 2/9/15.

Opinion by the Ninth Circuit affirming the district court's order filed 3/3/16.

***FTC v. LANIER LAW, LLC***, No. 15-11263 (11th Cir.); No. 3:14-cv-786 (M.D. Fla.)

Parties: Lanier Law, LLC d/b/a Redstone Law Group d/b/a The Law Offices of Michael W. Lanier  
Fortress Law Group, LLC  
Redstone Law Group  
Surety Law Group, LLC  
Fortress Law Group, PC  
Liberty & Trust Law Group of Florida, LLC  
Michael W. Lanier  
Rogelio Robles a/k/a Roger Robles  
Edward William Rennick, III

Assigned Attorneys: Harold E. Kirtz (SERA)  
Gideon Sinasohn  
Anna Burns

Alleged Conduct: Violations of Section 5 of the FTC Act and the Mortgage Assistance Relief Services Rule in connection with the marketing and sale of mortgage assistance relief services.

Status: Complaint filed 7/8/14.  
Ex parte TRO entered 7/11/14.  
Preliminary injunction with asset freeze entered as to all defendants 8/1/14.



TRO granted in part 11/14/11.

Preliminary injunction entered 11/22/11.

Amended complaint filed 7/26/12.

Motion for preliminary injunction against defendant Richard Chiang and relief defendant Angelina Strano filed 9/11/12; opposition by Angelina Strano filed 11/15/12; Commission's reply filed 1/29/12.

***FTC v. LIBERTY SUPPLY***, No. 4:15-cv-829 (E.D. Tex.)

Parties: Liberty Supply Co. d/b/a Omni Services  
Mia McCrary  
John Hart  
Nor-Jay Enterprises, Inc. (Relief Defendant)

Assigned Attorneys: Eric Roberson (SWR)

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act, the FTC's Telemarketing Sales Rule, and the Unordered Merchandise Statute.

Status: Complaint filed 12/04/15.  
TRO entered 12/04/15.  
Preliminary injunction entered 12/30/15.  
Trial scheduled for 2/13/17-3/3/17.

***FTC v. LIFELOCK***, No. 2:10-cv-00530 (D. Ariz.)

Parties: LifeLock Incorporated  
Richard Todd Davis  
Robert J Maynard, Jr.

Assigned Attorneys: Gregory John Madden (BCP/ENF)  
Hong Joon Park  
Susan H. Pope  
Elisa Jillson

Alleged Conduct: Contempt proceedings regarding deceptive and unfair acts and practices in violation of Sections 5(a) and 13(b) of the FTC Act regarding identity theft prevention services.

Status: Complaint filed 3/9/10.  
Stipulated final judgment and order for permanent injunction and other equitable relief entered 3/9/10.  
Commission's motion for contempt against LifeLock filed 7/21/15.  
Order granting consent motion providing injunctive and equitable monetary relief entered 12/22/15; amended order entered 1/4/16.

***FTC v. LIFEWATCH***, No. 1:15-cv-05781 (N.D. Ill.)

Parties: Lifewatch Inc. d/b/a Lifewatch USA and Medical Alarm Systems  
Evan Sirlin

Assigned Attorneys: David O'Toole (MWR)

Marissa Reich  
Roberto Menjivar

**Alleged Conduct:** Deceptive and unfair acts and practices in violation of Section 5(a) of the FTC Act, the Telemarketing Act, and the Telemarketing Sales Rule in connection with robocalls that pitched seniors “free” medical alert systems.

**Status:** Complaint filed 6/30/15.  
Motion for preliminary injunction filed 7/6/15.  
Preliminary injunction hearing held 12/14/15.  
Preliminary injunction entered 3/31/16.

***FTC v. LUMOS LABS***, No. 3:16-cv-00001(N.D. Cal.)

**Parties:** Lumos Labs, Inc. d/b/a Lumosity  
Kunal Sarkar  
Michael Scanlon

**Assigned Attorneys:** Michelle Rusk (BCP/AP)  
Annette Soberats  
Mary Johnson

**Alleged Conduct:** Deceptive and unfair acts and practices in violation of Sections 5(a) and 12 of the FTC Act, in connection with the marketing and sale of the “Luminosity Program,” an online subscription-based “brain training” program.

**Status:** Complaint filed 1/4/16.  
Stipulated final judgment and order for permanent injunction entered 1/8/16.

***FTC v. LUNADA BIOMEDICAL***, No. 2:15-cv-03380 (C.D. Cal.)

**Parties:** Lunada Biomedical, Inc.  
Donna Kasseinova  
Roman Trunin  
Emil Arutyunov, a/k/a Emil Chiaberi

**Assigned Attorneys:** Michael Davis (BCP/ENF)  
Shira Modell  
Sydney M Knight  
John David Jacobs  
Dean C Graybill

**Alleged Conduct:** Deceptive acts and practices in violation of Sections 5(a) and 12 of the FTC Action in connection with the sale of the dietary supplement Amberen.

**Status:** Complaint filed 5/5/15.  
Amended complaint filed 12/2/15.  
Motion by defendants to dismiss certain counts of complaints, or, in the alternative, for partial summary judgment filed 12/21/15.  
Order staying case for 60 days entered 3/22/16.

***FTC v. MAIL TREE***, No. 0:15-cv-61034 (S.D. Fla.)

**Parties:** Awards Research Consultant, LLC  
John Leon  
MCP Marketing Activities, LLC d/b/a Magellan Mail and Magellan Marketing  
Mail Tree Inc.  
Mailpro Americas Corp.  
Masterpiece Marketing, LLC d/b/a Affiliated Opportunities Group  
d/b/a Corporate Accounting Authority d/b/a Dispatch Notifications Services d/b/a Information Reporting Group d/b/a Priority Information Exchange  
Michael McKay Co.  
Matthew Pisoni  
Serena Pisoni  
Marcus Pradel  
Victor Ramirez  
Romeria Global, LLC d/b/a Lowenstein Varick and Nagel  
Spin Mail, Inc.  
Supreme Media, LLC  
Trans National Concepts, Inc.  
Vernier Holdings, Inc.

**Assigned Attorneys:** Guy Ward (MWR)

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with sweepstakes scam.

**Status:** Complaint filed 5/18/15.  
Ex parte TRO entered 5/19/15.  
Preliminary injunction against all defendants except Marcus Pradel and Trans National Concepts entered 6/12/15.  
Stipulated preliminary injunction as to defendants Marcus Pradel and Trans National Concepts entered 6/12/15.  
Order staying case entered 6/12/15.

**FTC v. MDK MEDIA, INC.**, No. 2:14-cv-5099 (C.D. Cal.)

Parties: MDK Media Inc. d/b/a SE Ventures d/b/a GMK Communications d/b/a  
EMG  
Makonnen Demessow Kebede  
Tendenci Media LLC  
Sarah Brekke  
Mindkontrol Industries LLC  
Christopher Thomas Denovellis  
Anacapa Media LLC  
Wayne Calvin Byrd  
Bear Communications LLC  
James Matthew Dawson  
Network One Commerce Inc.  
Casey Lee Adkisson  
Erdi Development LLC  
Erdolo Levy Eromo  
Ocean Tactics LLC  
Fraser R. Thompson  
Phwoar LLC  
Darcy Michael Wedd  
Concise Consulting, Inc.  
MMJX Consulting, Inc.  
Michael Peter Pajaczkowski

Assigned Attorneys: Faye C. Barnouw (WRLA)  
Maricela Segura  
Barbara Y K Chun  
Kenneth H. Abbe

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 of the FTC Act in  
connection with placing unauthorized third-party charges on consumers’  
mobile phone bills, or “cramming.”

Status: Complaint filed 7/3/14.  
TRO entered 7/3/14.  
First amended complaint filed 10/6/14.  
Motion to dismiss and motion to strike portions of complaint filed  
11/7/14; opposition filed 11/17/14; reply filed 11/24/14; motion  
denied 12/4/14.  
Final orders for permanent injunction and monetary judgment against  
defendants MDK Media Inc., Makonnen Demessow Kebede,  
Tendenci Media LLC, Sarah Brekke, Mindkontrol Industries LLC,  
Christopher Thomas Denovellis, Anacapa Media LLC, Wayne  
Calvin Byrd II, Bear Communications LLC, James Matthew  
Dawson, Network One Commerce Inc., and Casey Lee Adkisson

entered 5/6/15.  
Order granting U.S. Attorney's application to intervene  
and staying case for 90 days entered 7/23/15.  
Order staying case entered 10/20/15.

***FTC v. MIDWAY INDUSTRIES, LLC***, No. 1:14-cv-2312 (D. Md.)

Parties: Midway Industries, LLC d/b/a Midway Industries of Delray Beach, LLC  
Commercial Industries, LLC d/b/a State Electric & Power, LLC d/b/a  
Commercial Industries of Palm Beach, LLC  
National, LLC d/b/a National Lighting & Maintenance d/b/a National and  
National of Delray Beach, LLC  
State Power & Lighting, LLC  
Essex Industries, LLC  
Johnson Distributing, LLC d/b/a Johnson Distributing MD d/b/a Johnson  
Distributors  
Hansen Supply, LLC  
Environment Industries, LLC  
Mid Atlantic Industries, LLC  
B & E Industries, LLC  
Eric A. Epstein  
Brian K. Wallen  
Midway Management, LLC  
Standard Industries, LLC  
Andrew J. Stafford  
Alan M. Landsman  
Brandon D. Riggs

Assigned Attorneys: Harris A. Senturia (ECR)  
Amy C. Hocevar

Alleged Conduct: Violations of Section 5 of the FTC Act, the Telemarketing Sales Rule and  
the Unordered Merchandise Statute in connection with sale of light bulbs  
and cleaning supplies.

Status: Complaint filed 7/21/14.  
TRO entered 7/21/14.  
Order granting preliminary injunction with continued appointment of  
receiver, asset freeze, and accounting entered 10/29/14.  
Amended complaint naming additional defendants Andrew J.  
Stafford, Alan M. Landsman, and Brandon D. Riggs filed 7/2/15.  
Clerk's entry of default as to defendants B & E Industries, Commercial  
Industries, Environmental Industries, Essex Industries, Hansen  
Supply, Johnson Distributing, Mid Atlantic Industries, Midway  
Industries, Midway Management, National, Standard Industries,  
and State Power and Lighting entered 10/7/15.







Claspell and Lance Himes entered 6/3/15.  
Orders for permanent injunction and monetary judgment as to Donna F. Duckett and Ronald W. Hobbs entered 6/24/15.  
Orders for permanent injunction and monetary judgment as to Dino Mitchell, Cynthia Miller and Richard Frost entered 7/15/15.  
Orders for permanent injunction and monetary judgment as to Cordell Bess, Money Now Funding LLC, Legal Doxs LLC, US Doc Assist LLC, Rose Marketing LLC, DePaola Marketing LLC, Affiliate Marketing Group LLC, Affinity Technologies LLC, Strategic Media Advertising LLC, Global Network Marketing LLC, and Precise Payroll Services LLC entered 7/17/15.  
Orders for permanent injunction and monetary judgment as to Della Frost, Christopher Grimes, Alannah M. Harre, Janine Lilly, Michael McIntyre, Benny Montgomery, Virginia Rios, and Kendrick Thomas entered 7/20/15.

***FTC v. MYTEL INTERNATIONAL, INC.***, No. 2:87-cv-07259 (C.D. Cal.)

Parties: Mytel International, Inc.  
Gilbert N. Michaels  
Gerald Feldman

Assigned Attorneys: Reenah L. Kim (BCP/ENF)  
Elsie B. Kappler  
John D. Jacobs (WRLA)  
Mark S. Hegedus (OGC)

Alleged Conduct: Violation of 1988 permanent injunction order regarding deceptive acts and Practices in connection with the sale of photocopier toner.

Status: Complaint filed 10/29/87.  
Final judgment entered 11/16/88.  
Commission's motion for contempt filed 4/17/14.  
Defendants motion to stay filed 6/16/14.  
Order granting stay entered 11/6/14.  
Order lifting stay entered 4/15/15.

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Assigned Attorneys: Robin L. Rock (SER)  
Hans C. Claussen

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Fair Debt Collection Practices Act in connection with the collection of debt or purported debt.

Status: Complaint filed 10/30/15.  
Ex parte TRO with asset freeze and other equitable relief entered 11/2/15.  
Stipulated preliminary injunction with asset freeze and other equitable relief entered 1/5/16.

**FTC v. NATIONAL UROLOGICAL GROUP, INC.**, No. 10-125 (S. Ct); Nos. 14-13131, 14-13972, 09-10617 (11th Cir.); No. 1:04-CV-03294 (N.D. Ga.)

Parties: National Urological Group, Inc., d/b/a Warner Laboratories  
National Institute for Clinical Weight Loss, Inc.  
Hi-Tech Pharmaceuticals, Inc.  
Jared Wheat  
Thomasz Holda  
Michael Howell  
Stephen Smith  
Terrill Mark Wright, M.D.

Assigned Attorneys: Sydney M. Knight (BCP/AP)  
Tawana E. Davis  
Edward Glennon  
Mary Johnson  
Leslie Melman (OGC)  
Amanda Basta (BCP/ENF)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of a purported weight loss product.

Status: Complaint filed 11/10/04.  
Final judgment entered 12/16/08.  
Notice of appeal filed 2/4/09.  
Opinion affirming district court order entered 12/15/09.  
Petition for rehearing en banc filed 1/29/10; order denying petition entered 4/26/10.  
Appellant's petition for a writ of certiorari filed 7/23/10; Commission's opposition filed 9/24/10; appellant's petition denied 11/1/10.  
Commission's motion to hold defendants Hi-Tech Pharmaceuticals, Stephen Smith and Jared Wright in contempt filed 11/1/11; defendant's opposition filed 12/2/11.  
Commission's motion to hold defendant Terrill Mark Wright in contempt filed 3/21/12.

Order to show cause why defendants Wright, Hi-Tech Pharmaceuticals, Stephen Smith, and Jared Wright should not be held in contempt entered 5/11/12; response filed 11/13/12.

Motion for contempt judgment filed 10/22/12; defendants' response filed 2/14/12; Commission's reply brief filed 1/10/13.

Order finding defendants liable for contempt and ordering further proceedings on remedy entered 8/8/13.

Trial on contempt remedies held on 1/21/14 - 1/24/14.

Order holding defendants liable for contempt and directing compensatory sanctions to redress consumers entered 5/14/14.

Defendants' notices of appeal filed 7/11/14 and 7/14/14.

Order by district court imposing coercive contempt sanction and directing that defendants Jared Wheat and Stephen Smith be incarcerated until they comply with product recall entered 9/2/14.

Petition for mandamus by defendants Wheat and Smith seeking to overturn coercive contempt order filed 9/4/14; denied 9/4/14.

Notice of appeal from coercive contempt order and emergency motion for a stay by defendants Wheat and Smith filed 9/4/14; Commission's opposition filed 9/5/14; motion for stay denied 9/5/14; motion to voluntarily dismiss appeal filed 9/8/14; appeal no. 14-13972 dismissed 10/15/14.

Motion to purge contempt defendants of contempt filed 9/26/14; Commission's opposition filed 9/26/14.

Second motion to purge contempt defendants or release contempt defendants pending determination of less restrictive mean to purge contempt filed 10/16/14; Commission's response filed 1/13/15; granted 1/20/15.

Motion to stay execution of judgment pending appeal entered 10/30/14; denied 1/23/15.

Appellants' briefs (No. 14-13131) filed 10/30/14.

Order that the US Marshal's Service release Jared Wheat and Stephen Smith from incarceration entered 11/10/14.

Commission's answering brief (No. 14-13131) filed 1/9/15; appellants' reply briefs filed 2/17/15.

Oral argument in Eleventh Circuit held 4/17/15.

Opinion vacating district court's judgment of contempt and remanding case to district court for further proceedings entered 5/5/15.

Commission's motion for clarification filed 6/4/15; Hi-Tech Pharmaceuticals response filed 6/18/15.

Commission's motion for entry of contempt judgement relating to Hi-Tech Pharmaceuticals, Inc., Jared Wheat, and Stephen Smith's violation of section VI and motion for compensatory sanctions filed 8/20/15; opposition filed 10/9/15; Commission's reply filed 10/26/15; order denying motion with leave to refile entered 11/4/15.

***FTC v. NEOVI, INC.***, Nos. 15-56730, 12-56658, 12-56735, 09-55093 (9th Cir.); No. 3:06-cv-01952 (S.D. Cal.)

Parties: Neovi, Inc., d/b/a Neovi Data Corporation and Qchex.com  
G7 Productivity Systems, Inc., d/b/a Qchex.com  
James M. Danforth  
Thomas Villwock  
iProlog Corporation  
FreeQuick Wire Corporation

Assigned Attorneys: Korin Ewing Felix (BCP/ENF)  
John D. Jacobs (WRLA)  
Leslie Melman (OGC)  
Jack Metzler

Alleged Conduct: Unfair practices in violation of Section 5 in connection with the offering and sale of online check services.

Status: Complaint filed 9/19/06.  
Final order for permanent injunction and other equitable relief entered 1/7/09.  
Notice of appeal by defendants filed 1/16/09.  
Motion for order to show cause why Thomas Villwock, James M. Danforth, G7 Productivity Systems, Inc., iProlog Corporation, and FreeQuick Wire Corporation should not be held in contempt filed 10/15/09.  
Order requiring Commission to show cause why contempt motion should not be dismissed entered 10/16/09; Commission's response filed 10/21/09.  
Order by district court staying contempt proceedings pending appeal entered 1/19/10.  
Opinion affirming district court order entered 5/14/10; amended 6/15/10.  
Contempt proceedings reopened 5/14/10.  
Final order finding defendants Neovi, Productivity Systems, Thomas Villwock, and James M. Danforth in contempt entered 7/11/12.  
Notice of appeal by defendants filed 9/7/12; Commission's cross appeal filed 9/21/12.  
Order by the Ninth Circuit requiring defendants to show cause why appellate jurisdiction exists entered 9/24/12.  
Commission's memorandum on jurisdiction filed 10/24/13.  
Order dismissing appeal for lack of appellate jurisdiction entered 1/22/13.  
Contempt hearing in district court held 8/12/13.

Order finding that defendants failed to purge their noncompliance with court's 1/7/09 final order, and granting them 30 days to comply entered 1/10/14.

Commission's motion to modify final order filed 2/10/14; defendant's opposition filed 3/6/14; Commission's reply filed 3/13/14.

Order denying Commission's motion to modify entered 8/25/14.

Commission's renewed motion to modify final order filed 12/1/14.

Final order for permanent injunction and other equitable relief as to defendant James Danforth entered 9/1/15.

Order granting in part and denying in part Commission's motion to modify final order entered 9/9/15.

Order finding that defendant have failed to purge their non-compliance and imposing sanctions entered 9/9/15.

Notice of appeal by Thomas Villwock filed 11/6/15.

Appellant's opening brief due 5/5/16; Commission's answering brief due 6/6/16.

***FTC v. NPB ADVERTISING, INC.***, No. 8:14-cv-1155 (M.D. Fla.)

Parties: NPB Advertising, Inc., d/b/a Pure Green Coffee  
Nationwide Ventures, LLC  
Olympus Advertising, Inc.  
JMD Advertising, Inc.  
Signature Group, LLC  
Sermo Group, LLC  
Nicholas Scott Congleton  
Paul Daniel Pascual  
Bryan Benjamin Walsh  
Dylan Craig Loher (Relief Defendant)  
CPW Funding, LLC (Relief Defendant)

Assigned Attorneys: Elizabeth O. Tucci (BCP/AP)  
Katherine A. Campbell  
Mary L. Johnson  
Tawana E. Davis

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) and Section 12 in connection with the sale and marketing of purported dietary supplement Pure Green Coffee.

Status: Complaint filed 5/15/14.  
Amended complaint filed 2/5/15.  
Joint motion for entry of stipulated order concerning assets of CPW Funding, LLC filed 3/10/15.  
Preliminary injunction and entry of stipulated order entered 3/23/15.

Joint motion for preliminary injunction regarding Twelfth St Property filed 6/3/15.  
Order granting motion for preliminary injunction 6/5/15.  
Modified preliminary injunction and stipulated order entered 8/4/15.  
Joint motion for permanent injunction as to defendants NBP Advertising, Nationwide Ventures, Olympus Advertising, JMD Advertising, Sermo Group, Signature Group, Paul Daniel Pascual, Bryan Benjamin Walsh, and relief defendant CPW Funding filed 11/16/15.  
Motion for summary judgment by Commission filed 12/12/15; defendant Nicholas Congleton's opposition filed 1/8/16; Commission's reply filed 1/13/16.  
Stipulated permanent injunction and judgment against CPW Funding, LLC, JMD Advertising, Inc., NPB Advertising Inc., Nationwide Ventures, LLC, Olympus Advertising, Inc., Sermo Group, LLC, Signature Group, LLC, Bryan Benjamin Walsh, Paul Daniel Pascual entered 3/28/16.

***FTC v. PARTNERS IN HEALTH CARE ASSOCIATION, INC.***, No. 1:14-cv-23109 (S.D. Fla.)

Parties: Partners In Health Care Association, Inc.  
Gary L. Kieper  
United Solutions Group, Inc. d/b/a Debt Relief Experts, Inc.  
Walter S. Vargas  
Constanza Gomez Vargas

Assigned Attorneys: Gary L. Ivens (BCP/MP)  
Christopher E. Brown

Alleged Conduct: Violations of Section 5 of the FTC Act, the Telemarketing Sales Rule regarding the deceptive marketing of medical discount cards.

Status: Complaint filed 8/25/14.  
TRO entered 8/25/14.  
Preliminary injunction against Partners in Health Care Association and Gary L. Kieper entered 9/8/14.  
Corrected preliminary injunction against Partners in Health Care Association and Gary L. Kieper entered 9/11/14.  
Stipulated preliminary injunction against defendants United Solutions Group, Inc., Walter S. Vargas, and Constanza Gomez Vargas entered 9/11/14.  
Motion for contempt as to Grumer & Macaluso, P.A. and Gary Kieper entered 10/23/14; motion denied 2/5/15.  
Order staying the case entered 5/4/15.  
Stipulated permanent injunction against United Solutions Group, Inc. entered 7/1/15.





collection.

Status: Complaint filed 5/11/15.  
Preliminary injunction entered 5/21/15.  
Joint motion to enter a final order for permanent injunction and  
settlement of claims filed 11/16/15.  
Stipulated order for permanent injunction and settlement entered 1/7/16.

***FTC v. PRIMARY GROUP INC.***, No. 15-1820 (Fed. Cir); No. 15-13947 (11th Cir.); No. 1:15-  
cv-01645 (N.D. Ga.)

Parties: Gail Daniels  
June Fleming  
The Primary Group Inc., f/k/a A Primary Systems Group Inc., d/b/a  
Primary Solutions and PSA Investigations

Assigned Attorneys: Michelle Grajales (BCP/FP)  
Colin Hector  
Robin Rock (SER)  
Theodore Paul Metzler (OGC)

Alleged Conduct: Deceptive and unfair debt collection practices in violation of Section 5(a)  
of the FTC Act and the Fair Debt Collection Practices Act.

Status: Complaint filed 5/11/15.  
TRO entered 5/11/15.  
Preliminary injunction entered 6/8/15.  
Notice of appeal to Federal Circuit by Gail Daniels and June Fleming  
filed 7/8/15.  
Order of the 11<sup>th</sup> Circuit denying petition for writ of mandamus entered  
7/27/15.  
Commission's motion to dismiss counterclaim filed 8/6/15.  
Default entered as to The Primary Group, Inc. 8/7/15.  
Appeal transferred to the 11th Circuit 9/2/15; appeal dismissed for lack of  
prosecution on 10/9/15.  
Individual defendants' motion to dismiss complaint filed 9/30/15;  
Commission's opposition filed 10/12/15; reply filed 10/14/15;  
supplemental response by Commission filed 10/28/15.  
Order granting Commission's motion to dismiss counterclaim and denying  
individual defendants' motion to dismiss complaint entered  
11/3/15.  
Motion for summary judgment by Commission filed 11/24/15.  
Commission's motion to dismiss June Fleming voluntarily filed 3/11/16;  
order granting motion to dismiss terminating June Fleming entered  
3/11/16.

***FTC v. PSC ADMINISTRATIVE, LLC***, No. 1:15-cv-84 (S.D. Ala.)

Parties: PSC Administrative, LLC, f/k/a Payday Support Center, LLC  
Coastal Acquisitions, LLC  
Jared Irby  
Richard Hughes

Assigned Attorneys: Michelle Grajales (BCP/FP)  
Miya Rahamim

Alleged Conduct: Violations of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the deceptive marketing and sale of debt relief services.

Status: Complaint filed 2/18/15.  
Stipulated preliminary injunction entered 3/5/15.  
Motion for summary judgment by Commission filed 2/19/16.  
Amended complaint filed 3/22/16.  
Trial set for August 2016.

***FTC v. PUBLISHERS BUSINESS SERVICES***, No. 2:08-cv-00620 (D. Nev.)

Parties: Publishers Business Services, Inc.  
Ed Dantuma Enterprises, Inc. d/b/a Publishers Direct Services d/b/a  
Publishers Business Services  
Persis Dantuma  
Brenda Dantuma Schang  
Dries Dantuma  
Dirk Dantuma  
Jeffrey Dantuma

Assigned Attorneys: Faye Chen Barnouw (WRLA)  
Maricela Segura  
Ramond E. McKown

Alleged Conduct: Deceptive acts and practices in violation of section 5(a) and the Telemarketing Sales Rule in connection with the marketing and sale of magazine subscriptions.

Status: Complaint filed 5/14/08.  
Amended complaint filed 2/5/09.  
Commission's motion for summary judgment filed 7/31/09; opposition filed 11/23/09; reply filed 12/7/09.  
Order granting the Commission's motion for summary judgment entered 4/7/10.  
Order for permanent injunction as to all defendants entered 4/7/10.  
Commission's opening brief on the issue of damages filed 4/20/10.

Final judgment as to all defendants entered 7/25/11.  
Commission's opening brief filed 2/13/12; defendants' answering brief  
filed 4/13/12; reply brief filed 5/11/12.  
9<sup>th</sup> Circuit memorandum disposition remanding case to district court  
entered 9/19/13.  
Petition for writ of certiorari filed 2/27/14.  
Petition for writ of certiorari denied 6/9/14.

***FTC v. ROCA LABS, INC.***, No. 8:15-cv-02231 (M.D. Fla.)

Parties: Roca Labs, Inc.  
Roca Labs Nutraceutical USA, Inc.  
Don Juravin  
George C. Whiting

Assigned Attorneys: Carl H. Settlemeyer (BCP/AP)  
Paul Bryan Spelman

Alleged Conduct: Violations of Sections 5(a) and 12 of the FTC Act in connection  
with the deceptive marketing of weight loss products.

Status: Complaint filed 9/24/15.

Status: Complaint filed 4/27/15.  
Ex parte TRO entered 4/27/15.  
Preliminary injunction entered 5/12/15.  
Amended complaint filed 10/7/15.  
Preliminary injunction as to defendants Apex Customer Care, LLC, Penway, LLC, Renvee, LLC, Optim Products, LLC and Edgar Babayan entered 11/25/15.  
Order staying proceedings for 45 days pending Commission's approval of proposed settlement entered 12/15/15.  
Stipulated permanent injunction and monetary judgment against defendants Sale Slash, LLC, Purists Choice, LLC, Optim, LLC, Edgar Babayan, Artur Babayan and Vahe Haroutounian entered 2/3/16.  
Settlement agreement between Commission and defendants Sale Slash, LLC, Purists Choice, LLC, Optim, LLC, Edgar Babayan, Artur Babayan and Vahe Haroutounian entered 2/3/16.  
Motion for default judgment against defendants Apex Customer Care, LLC, Penway, LLC and Renvee, LLC filed 2/29/16.

***FTC v. SEQUOIA ONE, LLC***, No. 2:15-cv-01512 (D. Nev.)

Parties: Sequoia One, LLC  
Gen X Marketing Group, LLC  
Jason A Kotzker  
Paul T McDonnell  
John E Bartholomew, Jr.  
Theresa D Bartholomew

Assigned Attorneys: Gregory A. Ashe (BCP/FP)  
Brian S. Shull  
Peter Lamberton

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the Federal Trade Commission Act in connection with payday loans.

Status: Complaint filed 8/7/15.  
Stipulated permanent injunction and judgment against defendants Theresa Bartholomew, John Bartholomew, and Paul McDonnell entered 8/12/15.

***FTC v. SITESEARCH CORP.***, No. 2:14-cv-02750 (D. Ariz.)

Parties: Sitemsearch Corporation  
LeapLab, LLC  
Leads Company, LLC  
John Ayers



Assigned Attorneys: Gregory A. Ashe (BCP/FP)  
Katharine Roller

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the marketing and sale of fake high school diplomas.

Status: Complaint filed 2/18/16.  
Stipulated TRO entered 2/12/16.  
Stipulated preliminary injunction entered 2/24/16.

***FTC v. STRATFORD CAREER INSTITUTE, INC.***, No. 1:16-cv-00371 (N.D. Ohio)

Parties: Stratford Career Institute, Inc.

Assigned Attorneys: Maria Del Monaco (ECR)  
Amy Hocevar

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the advertising, marketing, promotion, offering for sale or sale of defendant's high school diploma program.

Status: Complaint filed 2/18/16.

***FTC v. SUNRISE NUTRACEUTICALS***, No. 9:15-cv-81567 (S.D. Fla.)

Parties: Sunrise Nutraceuticals, LLC

Assigned Attorneys: Edwin Rodriguez (BCP/AP)  
Edward Glennon  
Richard Quaresima

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) and 12 of the FTC Act in connection with the labeling and advertising of dietary supplements.

Status: Complaint filed 11/16/15.

***FTC v. TELESTAR CONSULTING.***, No. 2:16-cv-00555 (C.D. Cal.)

Parties: Telestar Consulting, Inc. d/b/a Kleritec and United Business Supply  
Karl Wesley Angel

Assigned Attorneys: Maxine R. Stansell (NWR)  
Julie K. Mayer  
Maricela Segura (WRLA)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule, and the Unordered Merchandise Statute, in connection with a plan to sell nondurable office or cleaning supplies to small business and non-profit organizations.

Status: Complaint filed 1/26/16.  
Ex parte TRO entered 2/1/16.  
Stipulated preliminary injunction entered 3/24/16.

***FTC v. TOMMIE COPPER, INC.***, No. 7:15-cv-9304 (S.D.N.Y.)

Parties: Tommie Copper, Inc.  
Thomas Kallish

Assigned Attorneys: Carolyn Hann (BCP/AP)  
Tawana Davis  
Lynne Colbert  
Viswanathan, Serena  
Connor Sands

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) and 12 of the FTC Act in connection with the labeling and advertising of copper-infused compression garments.

Status: Complaint filed 11/25/15.  
Stipulated final judgment and order for permanent injunction and other equitable relief as to all defendants entered 12/2/15.

***FTC v. TOP SHELF MARKETING CORP.***, No. 1:16-cv-00206 (S.D.N.Y.)

Parties: Top Shelf Marketing Corp.  
Reliable Business Consultants, LLC d/b/a Online Commerce Pros  
Creative Business Setup, LLC  
Legal Entity Providers, LLC  
Power House Data, Inc.  
United Business 101, LLC  
Vixous Merchant Services, LLC d/b/a Vixous Payments, KeyBancard, LLC  
Anthony Fiore  
Joseph Governara a/k/a Joe Morris  
Ryan Hult  
David Merhi  
David Vankomen

Assigned Attorneys: Darren Lubetzky (NER)



Savvas Diacosavvas

**Alleged Conduct:** Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Telemarketing Sales Rule in connection with the sale of business development products and services to consumers trying to start home-based internet businesses.

**Status:** Complaint filed 1/12/16.  
Stipulated order for permanent injunction and monetary judgment as to all defendants entered 1/29/16.

*FTC v. TRUDEAU*, No. 12-6 (S. Ct.); Nos. 15-3472, 13-1746, 13-1747, 13-1898, 10-2418, 10-1383, and 08-4249 (7th Cir.); Nos. 1:03-cv-03904, 1:98-cv-00168 (N.D. Ill.)

**Parties:** Kevin Trudeau  
Shop America (USA), LLC  
Robert Barefoot  
Deonna Enterprises, Inc.  
Karbo, Inc.  
Karbo Enterprises, Inc.  
Sop America Marketing Group  
TruStar Global Media  
K.T. Corp.  
TruCom, LLC  
Law Offices of Marc J. Lane  
Winston & Strawn LLP  
Website Solutions USA (WSU)  
Global Information Network USA (GIN USA)  
KT Radio Network (KTRN)  
Nataliya Babenko

**Assigned Attorneys:** Michael P. Mora (BCP-ENF)  
Jonathan Cohen  
David O'Toole (MWR)

**Alleged Conduct:** Deceptive practices in violation of Sections 5 and 12 in connection with the sale of a dietary supplement; civil contempt for violations of a 1998 stipulated permanent injunction against Kevin Trudeau in connection with infomercial sales of a weight loss book; civil contempt for failure to comply with 2010 contempt sanction.

**Status:** Complaint filed 6/9/03.  
Stipulated final order for permanent injunction and settlement of claims for monetary relief as to defendants Kevin Trudeau, Shop America (USA), LLC, Shop America Marketing Group, LLC, Trustar Global Media, Limited and Relief defendants K.T.

Corporation, Limited and TruCom, LLC, including monetary relief of approximately \$2.1 million entered 9/3/04.

\* \* \* \* \*

Motion to show cause why defendant Trudeau should not be held in civil contempt for violating permanent injunction, filed 9/13/07.

Order finding Trudeau in contempt for violating permanent injunction entered 11/16/07.

Hearing on remedy for violating permanent injunction held 7/22-25/08.

Judgment confirming 11/16/07 order, requiring monetary payment by Trudeau, and providing for other relief entered 8/7/08.

Commission's motion to amend/correct judgment filed 8/21/08; response by Trudeau filed 9/22/08; Commission's reply filed 10/7/08, corrected 10/21/08.

Supplemental order and judgment entered 11/4/08.

Motion by Trudeau to alter or stay judgment pending appeal filed 11/13/08; Commission's response filed 11/26/08; Trudeau's reply filed 12/3/08; order denying motion entered 12/11/08.

Notice of appeal (08-4249) filed 12/16/08.

Appellant's emergency motion for stay pending appeal filed 12/23/08; Commission's response in opposition filed 1/5/09; appellant's reply filed 1/7/09.

Order denying emergency motion for stay pending appeal entered 1/21/09. Appellant's brief filed 2/17/09.

Motion by Appellant to file supplemental jurisdictional memorandum filed 3/5/09; order granting motion entered 3/12/09; supplemental jurisdictional memorandum filed 3/12/09.

Commission's answering brief filed 3/19/09.

Appellant's reply brief filed 4/2/09.

Oral argument held 5/14/09.

Seventh Circuit Opinion affirming Trudeau contempt finding but vacating and remanding on monetary payment and other relief entered 8/27/09.

\* \* \* \* \*

Commission's renewed motion to modify stipulated final order for permanent injunction as to defendant Trudeau filed 11/13/09; defendant's response in opposition filed 12/17/09; Commission's reply filed 2/1/10; defendant's sur-reply filed 3/12/10.

Commission's renewed motion for compensatory monetary remedy as to defendant Trudeau filed 11/13/09; defendant's response in opposition filed 12/17/09, supplemented 1/19/10; Commission's reply filed 2/1/10; defendant's sur-reply filed 3/12/10.

Order finding defendant Trudeau in criminal contempt of court entered 2/11/10; modified 2/17/10.  
Notice of appeal (10-1383) of criminal contempt order filed 2/17/10.  
Order staying payment of fine pending appeal entered 2/24/10.  
Trudeau's motion to stay proceedings pending appeal filed 3/9/10; order denying motion entered 3/12/10.  
Supplemental order modifying the stipulated order for permanent injunction and awarding monetary relief entered 4/16/10.  
Trudeau's motion to amend the supplemental order filed 4/22/10; Commission's response in opposition filed 5/7/10; Trudeau's reply filed 5/21/10; Commission's sur-reply filed 6/1/10.  
Commission's motion to amend the supplemental order filed 5/7/10; Trudeau's response filed 5/21/10.  
Seventh Circuit Opinion (10-1383) vacating finding of criminal contempt and remanding for further proceedings entered 5/20/10.

\* \* \* \* \*

Corrected supplemental order modifying the stipulated order for permanent injunction and awarding monetary relief entered 6/2/10.  
Notice of appeal (10-2418) of supplemental and corrected supplemental orders filed 6/11/10.  
Trudeau's emergency motion for stay pending appeal filed 6/15/10; Commission's response filed 6/23/10; Trudeau's reply filed 6/28/10; order denying motion filed 7/14/10.  
Trudeau's brief filed 7/23/10; Commission's brief filed 8/23/10; Trudeau's reply filed 9/13/10.  
Oral argument held 9/24/10.  
Seventh Circuit opinion affirming contempt sanctions and modification of decree, issued 11/29/11.  
Trudeau's petition for rehearing *en banc* filed 1/13/12; denied 1/30/12.  
Trudeau's petition of certiorari filed 6/28/12; Commission's brief in opposition filed 8/27/12; Trudeau's reply brief filed 9/11/12.  
Certiorari denied 10/9/12.

\* \* \* \* \*

Motion for coercive contempt order to compel Trudeau to comply with 6/2/10 order requiring payment of \$37 million contempt sanction, filed by Commission 7/16/12  
Trudeau's opposition filed 9/25/12  
Commission's reply filed 10/15/12.  
Order holding that the Commission has established prima facie showing of Trudeau's contempt for failing to pay sanction, and ordering that Trudeau file a sworn financial statement and appear at a hearing entered 12/6/12.

\* \* \* \* \*

Order granting Commission's motions to compel Trudeau's attorneys (Winston & Strawn LLP, and Law Offices of Marc J. Lane) and Trudeau-controlled entities (GIN USA, KTRN, and WSU) to comply with subpoenas, issued 3/7/13.

Motion to hold Lane, GIN USA, KTRN, and WSU in contempt for failing to comply with order compelling subpoenas filed by Commission 4/1/13; Motion to file supporting documents under seal filed by Commission 4/1/13.

Order denying motion to file documents under seal issued 4/4/13.

Notices of appeal (13-1746 and 13-1747) of order denying motion to file under seal, filed by Trudeau, Winston & Strawn, Lane, GIN USA, KTRN, and WSU ("Trudeau appellants"), filed 4/9/13 .

Trudeau appellants' motions for emergency stay pending appeal filed with 7th Circuit 4/9/13; 7th Circuit emergency stay issued 4/10/13.

Trudeau appellants' motion for stay pending appeal filed with 7th Circuit on 4/12/13; Commission's opposition filed 4/17/13; 7th Circuit order vacating emergency stay issued 4/19/13; Trudeau appellants' motion to reconsider filed 4/19/13; 7th Circuit order denying reconsideration issued 7/24/13.

Trudeau appellants' motion to dismiss case as moot filed 4/26/13; appeals (13-1746 and 13-1747) dismissed 4/29/13.

\* \* \* \* \*

Trudeau bankruptcy petition filed 4/22/13.

Trudeau motion to stay discovery in district court contempt proceeding filed 4/23/13; Commission's opposition brief and motion for ruling that automatic stay does not apply to contempt proceeding, filed 4/24/13; Trudeau opposition to Commission's motion filed 4/25/13; District court order granting Commission's motion issued 4/26/13.

Notice of appeal (13-1898) filed by Trudeau 4/26/13; Trudeau's motion for stay pending appeal filed 4/26/13; Commission's opposition filed 4/29/13.

Seventh Circuit order denying stay issued 4/30/13.

Trudeau's appeal voluntarily dismissed 5/24/13.

Bankruptcy proceeding dismissed 5/28/13.

\* \* \* \* \*

Motion to hold defendant in contempt filed 7/13/12; evidentiary hearings before district court on Commission's motion to hold Trudeau in

contempt for failing to pay civil contempt sanction, held 5/21/13 and 6/26-27/13.

Writ *ne exeat* ordering Trudeau to surrender passport and not to leave the United States until further order of court issued 6/25/13.

Order partially granting motion to hold Trudeau in contempt entered 7/26/13.

Order finding Trudeau in contempt of court and directing the US Marshall to take him into custody entered 9/18/13; order releasing Trudeau from custody entered 9/19/13.

Order finding Trudeau in contempt of court and ordering him incarcerated entered 10/17/13; order releasing Trudeau from custody to prepare for criminal contempt trial entered 10/28/13.

Order directing that Trudeau be incarcerated to coerce compliance with court's prior orders, such coercive incarceration to be independent of any incarceration resulting from Trudeau's recent conviction for criminal contempt, entered 11/21/13.

Order suspending Trudeau's civil sentence pending completion of his criminal sentence entered 3/19/14.

Stipulated preliminary injunction as to Unified Global Group, LLC; ARM WNY LLC; Audubon Financial Bureau LLC; and Domenico D'Angelo entered 6/26/15.

***FTC v. VANTAGE POINT SERVICES***, No. 1:15-cv-00006 (W.D.N.Y.)

Parties: Vantage Point Services, LLC  
Payment Management Solutions, Inc.  
Bonified Payment Solutions, Inc.  
Gregory Mackinnon  
Megan Vandeviver  
Angela Burdorf  
Joseph Ciffa

Assigned Attorneys: Helen Wong (BCP/FP)  
Greg Ashe  
Jason Adler

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Fair Debt Collection Practices Act in connection with debt collection activities.

Status: Complaint filed 1/5/15.  
TRO entered 1/5/15.  
Preliminary injunction with asset freeze entered 5/15/15.

***FTC v. VEMMA NUTRITION***, No. 2:15-cv-01578 (D. Ariz.)

Parties: Vemma Nutrition Company  
Vemma International Holdings Inc.  
Benson K. Boreyko  
Tom Alkazin  
Bethany Alkazin

Assigned Attorneys: Angeleque P. Linville (SER)  
Anne Dorman LeJeune (SWR)  
Emily B. Robinson  
Jason C. Moon

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the operation of a pyramid scheme.

Status: Complaint filed 8/17/15.  
TRO entered 8/21/15.  
Order granting in part and denying in part the Commission's motion for preliminary injunction entered 9/18/15.

***FTC v. VOLKSWAGEN GROUP OF AMERICA, INC.***, No. 3:16-cv-01534 (N.D. Cal.)

Parties: Volkswagen Group of America, Inc. d/b/a Volkswagen of America, Inc.  
d/b/a Audi of America, Inc.

Assigned Attorneys: Jonathan C. Cohen (BCP/ENF)  
Michelle L. Shaefer  
Amanda B. Kostner  
Sanjoon Han  
Megan A. Bartley

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with the false advertising of Defendant's "Clean Diesel" vehicles.

Status: Complaint filed 3/29/16.

***FTC v. WILLIAMS, SCOTT & ASSOCIATES, LLC***, No. 16-10063 (11<sup>th</sup> Cir.); No. 1:14-cv-1599 (N.D. Ga.)

Parties: Williams, Scott & Associates, LLC  
WSA, LLC  
John Williams  
Chris Lenyszyn

Assigned Attorneys: Robin L. Rock (SER)  
Brad Grossman (OGC)

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the FTC Act and the Fair Debt Collection Practices Act in connection with abusive and deceptive debt collection.

Status: Complaint filed 5/27/14.  
TRO with asset freeze entered 5/28/14.  
Stipulated preliminary injunction entered 6/19/14.  
Amended complaint filed 9/24/14.  
Commission's motion to hold defendant John Williams in contempt  
for violatLLC fLenyszyn 8.7(inglaint )2750(filed )271gc connecth75

Commission's motion for default judgment against defendants John Williams, Williams, Scott & Associates LLC, and WSA, LLC filed 3/6/15.

Default judgment and final order for permanent injunction against defendants John Williams, Williams, Scott & Associates, LLC, and WSA, LLC entered 4/2/15.

Motion for summary judgment against defendant Chris Lenyszyn filed 7/30/15; response in opposition filed 9/30/15.

Order granting summary judgment in favor of Commission as to defendant Lenyszyn entered 11/4/15.

Permanent injunction and final monetary judgment as to defendant Chris Lenyszyn entered 11/4/15.

Notice of appeal filed 1/4/16.

***FTC v. WV UNIVERSAL MANAGEMENT, LLC.***, Nos. 15-11500, 15-13380 (11th Cir.); No. 6:12-cv-01618 (M.D. Fla.)

Parties:

WV Universal Management, LLC, d/b/a Treasure Your Success

Leading Production, LLC

Global Financial Assist, LLC

HES Merchant Services Company, Inc.

Business First Solutions, Inc.

Voiceonyx Corp.

Universal Processing Services of Wisconsin, LLC

Derek Depuydt

Hal E. Smith

Jonathon E. Warren

Ramon Sanchez-Ortega

Willy Plancher (381511eyentsi1lancheziau7efTpnT,Ne5&9bAas22 -1Ort451)



Motion to dismiss by HES Merchant Services Company filed 8/7/13; Commission's response filed 8/23/13.

Motion for summary judgment by Universal Processing Services filed 8/16/13; Commission's opposition filed 9/16/13; reply filed 9/30/13.

Stipulated order for permanent injunction and final judgment as to defendants Willy Plancher, Valbona Toska, WV Universal Management LLC, Global Financial Assist LLC, and Leading Production LLC entered 9/23/13.

Commission's motion for summary judgment filed 6/30/14; defendant Derek Depuydt's opposition brief filed 7/29/14; Business First Solutions, VoiceOnyx Corp., and Jonathon Warren's brief in opposition filed 7/30/14; affidavit in opposition by Hal Smith filed 8/1/14.

Permanent injunction and final judgment as to defendant Ramon Sanchez-Ortega entered 10/6/14.

Order granting Commission's motion for summary judgment entered 11/18/14.

Stipulated permanent injunction and final order as to Derek Depuydt entered 11/19/14.

Stipulated order for permanent injunction and final judgment as to defendants, Jonathon Warren, Business First Solutions Inc. and Voiceonyx Corp. entered 11/19/14.

Permanent injunction and final judgment as to defendants Hal E. Smith and HES Merchant Services Company, Inc. entered 2/11/15.

Order granting motion for equitable monetary relief judgment against defendants Hal E. Smith, HES Merchant Services Company, Inc., and Universal Processing Services of Wisconsin, LLC entered 2/11/15.

Permanent injunction and final monetary judgment as to defendant Universal Processing Services of Wisconsin, LLC entered 5/19/15.

Notice of appeal of summary judgment by Universal Processing Services of Wisconsin, LLC filed 7/17/15.

Appellant UPS's opening brief filed 10/20/15; Appellant HES's opening brief filed 10/21/15; Commission's responsive brief filed 12/23/15;

Assigned Attorneys: Kevin Moriarity (BCP/DPIP)  
Andrea Arias  
Jacqueline Connor  
John Krebs  
Allison Lefrak  
Katherine McCarron  
James Trilling  
Shameka Walker

Alleged Conduct: Deceptive acts and practices in violation of Section 5 of the FTC Act in connection with failing to maintain reasonable of appropriate data security of consumer for consumers sensitive information.

Status: Complaint filed 6/26/12.  
Defendants' motion to dismiss filed 8/27/12; Commission's response filed 10/1/12; defendants' reply filed 10/23/12.  
Motion for leave to file amicus curiae briefs filed by the Chamber of Commerce and the International Franchise Association filed 10/5/12.  
Defendants' motion to transfer venue to the District of New Jersey granted 3/25/13.  
Order denying defendants' motions to dismiss and amici's motions to file briefs, subject to refile in the District of New Jersey entered 3/25/13.  
Defendants' motions to dismiss re-filed 4/26/13; Commission's opposition filed 5/20/13; defendants' reply filed 6/10/13.  
Order denying defendant's motion to dismiss entered 6/23/14; order granting defendant's motion for leave for interlocutory review entered 6/23/14.  
Notice of appeal filed 8/5/14.  
Wyndham's opening brief filed 10/6/14; Commission's answering brief filed 11/5/14; Wyndham's reply brief filed 12/8/14.  
Oral argument held 3/3/15.  
Supplemental memoranda requested by the Court during oral argument filed 3/27/15.  
Opinion affirming judgment of the district court entered 8/24/15.  
Stipulated order for permanent injunction entered 12/11/15.





Alleged Conduct: Violations of Section 5 of the FTC Act and the Fair Debt Collection Practices Act in connection with collecting auto loan and credit card debts.

Status: Complaint filed 1/20/15.  
United States' motion for summary judgment filed 12/18/15.  
Defendant David Devany's motion for summary judgment filed 12/18/15.  
Trial scheduled between 8/16/16 and 9/2/16.

**UNITED STATES v. DANIEL CHAPTER ONE**, Nos. 15-5155, 10-5370 (D.C. Cir.); No. 1:10-CV-01362 (D.D.C.)

Parties: Daniel Chapter One  
James Feijo

Assigned Attorneys: Laura Kim (BCP/ENF)  
Brad Winter  
Jessica R. Gunder (DOJ/CPB)

Alleged Conduct: Violation of an FTC final cease and desist order in connection with defendants' continued deceptive advertising, promotion, and sale of supposed cancer-cure products and failure to send required notification to prior purchasers of such products.

Status: Complaint filed 8/13/10.  
United States' motion for preliminary injunction filed 8/25/10.  
Defendants' motion to dismiss filed 9/1/10.  
Order denying United States' and defendants' motions, and staying case pending resolution of defendants' appeal of the Commission's cease and desist order entered 9/14/10.  
Notice of appeal by United States filed 11/12/10. United States' motion to dismiss appeal voluntarily by United States filed 1/3/11.  
Stay lifted 3/7/11.  
United States' motion for preliminary injunction filed 3/11/11; opposition filed 3/25/11; reply filed 4/1/11.  
Defendants' motion for stay filed 3/25/11; opposition filed 4/1/11; reply filed 4/8/11; motion denied 5/10/11.  
United States' motion for preliminary injunction entered 6/22/11.  
United States' motion for order to show cause why Daniel Chapter One, James Feijo, and Patricia Feijo should not be held in contempt of 6/22/11 order filed 7/29/11.  
United States' motion for summary judgment on liability filed 9/30/11; opposition filed 10/21/11; reply filed 11/30/11.  
Order finding defendants in contempt entered 5/9/12; contempt purged and order vacated 5/24/12.  
Summary judgment on liability in favor of the United States entered 9/24/12. United States' motion for entry of final judgment filed 4/14/14; defendants' response filed 5/19/14; reply filed 6/6/14.

Order granting United States' motion for entry of final judgment entered 3/31/15.

Defendants' notice of appeal filed 5/29/15.

Appellants' brief filed 10/23/15; United States' responsive brief filed 12/18/15; appellants' reply brief filed 1/29/16.

Oral argument held 3/7/16.

**UNITED STATES v. DISH NETWORK LLC**, No. 13-2282 (7th Cir.); 3:09-CV-03073 (C.D. Ill.)

Parties: Dish Network L.L.C.

Assigned Attorneys: Russell Deitch (BCP/MP)  
Gary Ivens  
Patrick Runkle (DOJ/CPB)  
Lisa Hsiao

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with abandoned calls and telephone calls to consumers on the National Do Not Call registry.

Status: Complaint filed 3/25/09.  
Defendant's motion to dismiss filed 5/21/09; plaintiff's response in opposition filed 7/17/09; defendant's reply filed 7/27/09; plaintiff's sur-reply filed 9/11/09.  
Order denying motion to dismiss entered 11/2/09.  
Defendant's motion for reconsideration or interlocutory appeal filed 11/19/09; plaintiff's response filed 12/22/09; order denying motion entered 2/4/10.  
Memorandum in opposition to motion/petition filed 5/21/10.  
Motion to compel 7/30/10; memorandum in opposition to motion 8/16/10; memorandum in support of motion filed 9/24/10; order on motion to compel entered 12/9/10.  
Appeal of magistrate judge decision to district court filed 12/29/10.  
Defendants' motion to stay action under doctrine of primary jurisdiction filed 12/21/10; opposition filed 1/12/11.  
Order directing the parties to file an administrative complaint with the FCC, to obtain its interpretation of statutory language entered 2/4/11.  
Order vacating magistrate's decision denying Commission's motion for leave to file second amended complaint entered 3/12/13.  
Amended complaint filed 3/12/13.  
Petition for writ of mandamus by Dish Network filed 6/12/13.

Motion for summary judgment by Dish Network filed 1/6/14; opposition filed 5/30/14.  
United States' motion for summary judgment filed 5/30/14.  
Order directing parties to file memoranda addressing issue of deference to agency's interpretation of its regulations entered 7/8/14; parties' memoranda of law filed 8/8/14; parties' responses to each other's memoranda filed 8/22/14.  
Order granting partial summary judgment for United States and partial summary judgment for Dish Network entered 12/12/14.  
Motion for sanctions by United States and state plaintiffs filed 7/20/15; memorandum in opposition filed 8/21/15; reply filed 9/10/15; order granting motion in part and denying in part entered 10/13/15.  
Trial held 1/19/16-2/17/16.

***UNITED STATES v. FEATURE FILMS FOR FAMILIES, INC.***, Nos. 2:12-CV-00811, 2:11-cv-00419 (D. Utah); No. 4:11-CV-00197 (N.D. Fla.)

Parties: Feature Films for Families, Inc.  
Corporations for Character LC  
Family Films of Utah, Inc.  
Forrest Sandusky Baker, III

Assigned Attorneys: Peter G. Fisher (AUSA)  
Jared C. Bennett (AUSA)  
Daniel M. Baeza (DOJ/CPB)  
Michael Tankersley (BCP)  
Arturo DeCastro

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing Sales Rule in connection with telemarketing to induce the purchase of goods or services, and to induce charitable contributions, telemarketing calls to consumers on the Do-Not-Call list.

Status: Complaint filed 5/5/11.  
Defendants' motion to dismiss for failure to state a claim and for improper venue filed 7/25/11; United States' memo in opposition filed 8/8/11; order denying motion entered 10/25/11.  
Defendants' counterclaim against the United States filed 11/14/11.  
United States' motion to dismiss counterclaims for lack of jurisdiction filed 12/21/11; response in opposition filed 1/09/12; motion denied 5/19/12.  
Case transferred to the District of Utah 8/20/12.  
Case consolidated with Corporation for Character v. FTC, No. 2:11-CV-00419, on 9/6/12.  
Defendants' motion for partial summary judgment filed 9/6/12; United States' opposition filed 12/14/12.  
United States' motion for partial summary judgment filed 3/1/13.

United States' second motion for partial summary judgment filed 5/17/13;  
opposition filed 7/19/13; reply filed 7/30/13.  
Hearing on motions for partial summary judgment held 1/16/a04E



Status: Complaint filed 3/10/16.

***UNITED STATES v. LAI SYSTEMS, LLC***, No. 2:15-cv-9691 (C.D. Cal.)

Parties: LAI Systems, LLC

Assigned Attorneys: Jacqueline Blaes-Freed (DOJ/CPB)  
Maneesha Mithal (BCP/DPIP)  
Mark Eichorn  
Megan Cox  
Cora Han



***FTC v. ROSS-CLAYTON FUNERAL HOME, INC., No. 2:13-cv-851 (M.D. Ala.)***

Parties:                    Ross-Clayton Funeral Home, Inc.  
                                  David C. Ross

Status: Complaint filed 10/21/15.  
Stipulated order for permanent injunction entered 1/8/16.

**(B) Competition**

***UNITED STATES v. BLAVATNIK***, No. 1:15-cv-01631 (D.D.C.)

Parties: Len Blavatnik

Assigned Attorneys: Kenneth Libby (BC/ENF)

Alleged Conduct: Violation of the notice and waiting requirements of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, with respect to the acquisition of voting securities of TangoMe, Inc.

Status: Complaint filed 10/6/15.  
United States' motion for entry of final judgment filed 10/6/15.  
Order directing parties to file supplemental briefs addressing why the procedures set forth in the Tunney Act do not apply to the proposed final judgment entered 10/19/15.  
Supplemental memorandums filed 11/20/15.  
Hearing held 2/3/16.  
Memorandum opinion and order ruling that Tunney Act procedures must be followed, and denying without prejudice United States' motion for entry of judgment, entered 2/12/16.

***UNITED STATES v. LEUCADIA NATIONAL CORP.***, No. 1:15-cv-01547 (D.D.C.)

Parties: Leucadia National Corp.

Assigned Attorneys: Kenneth A. Libby (BC/ENF)

Alleged Conduct: Violations of the notice and waiting period requirements of the Hart-Scott-Rodino Antitrust Improvements Act with respect to the acquisition of voting securities of KCG Holdings, Inc.

Status: Complaint filed 9/22/15.  
United States' motion for entry of final judgment filed 9/22/15.  
Order directing parties to file supplemental briefs addressing why the procedures of the Tunney Act do not apply to the proposed final judgment entered 10/19/15.  
Supplemental memorandums filed 11/20/15.  
Hearing scheduled held 2/3/16.

Memorandum opinion and order ruling that Tunney Act procedures must be followed, and denying without prejudice United States' motion for entry of judgment, entered 2/12/16.

**SUBPOENA AND CID ENFORCEMENT PROCEEDINGS**

***FTC v. APOLLO EDUCATION GROUP, INC.***, No. 2:16-mc-00002 (D. Ariz.)

Parties: Apollo Education Group, Inc.  
The University of Phoenix, Inc.

Assigned Attorney: Burke Kappler (OGC)

Alleged Conduct: Petition for an order to enforce CIDs.

Status: Petition filed 1/12/16.

***FTC v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.***, No. 12-5393 (D.C. Cir.);  
No. 1:09-MC-00564 (D.D.C.)

Parties: Boehringer Ingelheim Pharmaceuticals, Inc.

Assigned Attorneys: Mark Hegedus (OGC)  
Leslie R. Melman  
David C. Shonka

Alleged Conduct: Petition for an order to enforce a subpoena.

Status: Petition filed 10/23/09.  
Order to show cause entered 12/4/09.  
Matter transferred to magistrate judge 12/1/10.  
Status conference held on 10/24/11.  
Hearing on merits held 12/09/11.  
Order denying Commission's petition as to financial analysis documents and ordering Boehringer to redact and produce the remaining records entered 9/27/12.  
Order holding that Boehringer failed to conduct an adequate search of its electronically stored information, and ordering Boehringer to run additional searches entered 10/16/12.  
Commission's notice of appeal filed 12/11/12.  
Boehringer's motion to dismiss appeal filed 1/28/13; Commission's response in opposition filed 2/11/13; Boehringer's reply filed 2/22/13; order denying motion to dismiss entered 4/12/13.  
Commission's initial brief filed 6/28/13; appellees' brief filed 8/28/13; Commission's reply brief filed 9/11/13; appellee's final brief filed

10/3/13.  
Argument held 10/14/14.  
Opinion reversing and remanding to district court entered 2/20/14.  
Boehringer's petition for rehearing en banc filed 4/6/15; Commission's response filed 5/19/15; denied 6/4/15.  
Boehringer's motion to stay pending a petition for certiorari filed 6/11/15; Commission's opposition filed 6/22/15.  
Order denying motion to stay mandate 7/2/15.  
Petition for writ of certiorari filed 10/2/15; Commission's opposition brief filed 12/16/15; order denying petition for writ of certiorari entered 1/19/16.  
Order by district court directing Boehringer to file brief discussing new evidence entered 12/2/15; Boehringer's brief filed 12/23/15; Commission's response filed 1/20/16; Boehringer's motion to file reply brief filed 1/28/16; Commission's response in opposition filed 2/1/16.

***FTC v. GENERAL, LLC***, No. 3:16-cv-136 (D. Nev.)

Parties: General, LLC  
Media, LLC

Assigned Attorney: Burke Kappler (OGC)

Alleged Conduct: Petition to enforce CIDs.

Status: Petition to enforce CIDs filed 3/9/16; defendants' responses due 4/25;  
Commission's reply due 4/29/16.  
Show cause hearing scheduled for 5/3/16.

***FTC v. RECKITT BENCKISER PHARMACEUTICALS, INC.***, No. 3:14-mc-00005 (E.D. Va.)

Parties: Reckitt Benckiser Pharmaceuticals, Inc.

Assigned Attorneys: Burke W. Kappler (OGC)

Alleged Conduct: Petition for an order to enforce a CID.

Status: Petition filed 8/8/14.  
Reckitt Benckiser Pharmaceuticals' motion to transfer filed 9/3/14;  
Commission's brief in opposition to motion to transfer filed 9/12/14; order denying motion to transfer entered 9/24/14.  
Commission's motion to enforce CID filed 11/24/14; Reckitt's brief in opposition filed 12/8/14; Commission's reply brief filed 12/15/14.  
Memorandum Opinion directing Reckitt to produce documents for in camera review by Special Master entered 3/10/15.

Parties' replies to Special Master filed 4/24/15; evidentiary hearing held 5/8/15.  
Special Master's motion for clarification filed 5/28/15; order denying Reckitt's position on scope of in camera review entered 6/1/2015.  
In chambers conference held on 9/9/2015.  
Interim report and recommendation by Special Master entered 2/9/16.  
Supplemental report by Special Master directing Reckitt to produce additional documents entered 3/31/16.

***FTC v. THE WESTERN UNION CO.***, Nos. 13-3100, 13-3272 (2d. Cir.); No.1:13-MC-00131 (S.D.N.Y)

Parties: The Western Union Company  
Lonnie Keene  
Keene Consulting Arizona, LLC

Assigned Attorneys: Burke Kappler (OGC)  
Leslie R. Melman

Alleged Conduct: Petition for an order to enforce a CID.

Status: Petition filed 4/15/13.  
Hearing held 5/28/13.  
Enforcement order entered 6/6/13; revised 6/7/13.  
Motion by Western Union for clarification or reconsideration filed 6/17/13; Commission's opposition filed 6/19/13; motion denied 6/20/13.  
Notice of appeal by Commission filed 8/14/13; cross appeal by Western Union filed 8/27/13.  
Application for contempt by Commission filed 11/8/13; response by Western Union filed 11/27/13; reply filed 12/5/13; stipulated order resolving contempt entered 12/9/13.  
Commission's opening appeal brief filed 11/27/13; Western Union's answering and cross-appeal brief filed 2/26/14; Commission's response and reply brief filed 4/28/14; Western Union's reply on cross-appeal filed 5/22/14.  
Oral argument held 9/10/14.  
Second Circuit court opinion holding that the district court erred in not enforcing the CID entered 10/8/14.  
Joint memorandum of law filed 3/6/15.

***FTC v. TRACERS INFORMATION SPECIALISTS, INC.***, No. 2:16-mc-00018 (M.D. Fla.)

Parties: Tracers Information Specialists, Inc.

Assigned Attorney: Bradley Grossman (OGC)

Alleged Conduct: Petition for an order to enforce a CID.

Status: Petition filed 2/12/16; Tracer's response filed 3/23/16; Commission's reply filed 3/28/16.  
Show cause hearing scheduled for 5/2/16.

**SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION**

***CAUSE OF ACTION v. FTC***, No. 13-5335 (D.C. Cir.); No. 1:12-CV-00850 (D.D.C.)

Parties: Cause of Action

Assigned Attorneys: Peter Maier (AUSA)  
Michael Bergman (OGC)  
Dione Stearns

Nature of Action: Action alleging violation of the Freedom of Information Act.

Status: Complaint filed 5/25/12.  
Commission's motion for summary judgment filed 9/28/12; plaintiff's opposition brief filed 11/28/12; Commission's reply brief filed 1/25/13.  
Opinion and order granting in part and denying in part the Commission's motion for summary judgment entered 8/19/13.  
Final consent judgment entered 9/12/13.  
Notice of appeal filed 11/14/13.  
Appellant's brief filed 5/6/14; Commission's answering brief filed 8/6/14; appellant's reply brief filed 9/24/14.  
Oral argument held 1/13/15.  
Opinion reversing judgment of the district court and remanding for further proceedings entered 8/25/15.  
Joint status report filed 12/18/15.  
Updated joint status report filed 2/16/16.

***CENTER FOR DIGITAL DEMOCRACY v. FTC***, No. 1:14-cv-02084 (D.D.C.)

Parties: Center for Digital Democracy

Assigned Attorneys: Marian L. Borum (AUSA)





***FRANKEL v. UNITED STATES***, No. 15-5146 (Fed. Cir.); No. 1:13-cv-546 (Fed. Cl.)

Parties: David Frankel

Assigned Attorneys: Meen Geu Oh (DOJ)  
Olga Vaytsman (OGC)  
Jack Metzler

Nature of Action: Action alleging that the Commission failed to conduct the Robocall Challenge in accordance with its own published rules.

Status: Complaint filed 8/6/13.  
Motion to dismiss by USA filed 10/28/13; defendant's response filed 11/7/13; reply filed 11/26/13; sur-reply filed 12/3/13.  
Opinion granting in part and denying in part motion to dismiss entered 8/27/14.  
Plaintiff's motion for summary judgment filed 4/6/15; Commission's response and cross motion filed 5/4/15; Plaintiff's reply filed 5/23/15; Commission's reply filed 6/19/15; sur-reply filed by David Frankel 6/26/15.  
Oral argument scheduled for 7/14/15.  
Judgment granting the Commission's motion for summary judgment 7/23/15.  
Defendant's motion for reconsideration denied 7/31/15.  
Notice of appeal by the defendant filed 8/29/15.  
Appellant's opening brief filed 12/21/15; Commission's answering brief filed 3/4/16; appellant's reply brief filed 3/21/16.

***REITINGER v. FTC***, No. 1:15-cv-00725 (D.D.C.)

Parties: Philip Reitingger

Assigned Attorneys: Burke Kappler (OGC)  
Michele Arington  
Arjun Garg (DOJ)

Nature of Action: Action alleging violation of Freedom of Information Act.

Status: Complaint filed 5/13/15.  
Answer to complaint filed by the Commission 6/15/15.  
Non-exempt document production by the Commission 7/21/15.  
Joint status report filed 7/30/15.  
Status conference held 9/8/15.  
Joint status reports filed 11/27/15, 1/20/16, and 2/22/16.



***IN RE EFFEXOR XR ANTITRUST LITIGATION***, Nos. 15-1184, 15-1185, 15-1186, 15-1187, 15-1274, 15-1323, 15-1342 (3d Cir.)

Assigned Attorneys: Michele Arington (OGC)

Nature of Action: Private action raising the question of whether drug companies' reverse-payment agreement was shielded from antitrust scrutiny on the basis of FTC inaction and patent court's entry of stipulated judgment.

Status: Brief of the Federal Trade Commission as amicus curiae supporting plaintiffs-appellants filed 11/17/15.  
Commission's supplemental amicus brief filed 3/17/16.

***FRANKLIN v. PARKING REVENUE RECOVERY SERVICES***, No. 14-3774 (7th Cir.)

Assigned Attorneys: Leslie Melman (OGC)

Nature of Action: Private action concerning whether the Fair Debt Collection Practices Act (FDCPA) applies to collection letters for unpaid parking lot fees sent to consumers, and if unpaid parking lot fees are "debts" as defined in the FDCPA.

Status: Brief of the Consumer Financial Protection Bureau and the Federal Trade Commission as amici curiae arguing the reversal of the district court's ruling filed 12/11/15.

***HERNANDEZ v. WILLIAMS, ZINMAN & PARHAM, P.C.***, No. 14-15672 (9th Cir.)

Assigned Attorneys: Burke Kappler (OGC)

Nature of Action: Private action involving provision of Fair Debt Collection Practices Act requiring that debt collectors provide notice to consumers advising them of their rights to dispute or obtain verification of the debt.

Status: Brief of the Consumer Financial Protection Bureau and the Federal Trade Commission as amici curiae in support of appellant and reversal filed 8/20/14.  
Answering brief of Williams, Zinman & Parham LLC filed 11/28/14.  
Reply brief of Maria Hernandez filed 1/8/15.  
Oral argument held 3/17/16.

***MORAN v. THE SCREENING PROS***, No. 12-57246 (9th Cir.)

Assigned Attorney: Jack Metzler (OGC)

Nature of Action: Private action involving a Fair Credit Reporting Act provision limiting the time period for listing misdemeanors on a report.

Status: Brief of the Consumer Financial Protection Bureau and the Federal Trade Commission as amici curiae filed in support of plaintiff's Section 605(a) claim filed 10/7/13.  
Argument held 2/2/15.

***MYLAN PHARMACEUTICALS INC. v. WARNER CHILCOTT PLC***, No. 15-2236 (3d Cir.)

Assigned Attorneys: Mark Hegedus (OGC)

Alleged Conduct: Private action

**Alleged Conduct:** Private action addressing the question of whether large package sizes are a promotional service under Section 2(e) of the Robinson-Patman Act.

**Status:** Brief of the Federal Trade Commission arguing reversal of district court's summary judgment ruling filed 11/2/15.  
Oral argument held 2/12/16.