

**QUARTERLY FEDERAL COURT
LITIGATION STATUS REPORT**

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

September 30, 2015

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SUMMARY OF CASES

	D. Ct.	Ct. App.*	S. Ct.	Total
PETITIONS FOR REVIEW	1	2	1	3
INJUNCTION AND CONSUMER REDRESS CASES	67	16	3	86
CIVIL PENALTY AND ENFORCEMENT CASES	10	2	0	12
SUBPOENA AND CID ENFORCEMENTS	2	2	0	4
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	4	4	0	8
AMICUS CURIAE BRIEFS	1	10	0	11
TOTALS	85	36	4	125

* 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.

PETITIONS FOR REVIEW

(A) Orders to Cease and Desist

FANNING v. FTC, No. 15-1520 (1st Cir.)

Parties: John Fanning

Assigned Attorneys: Leslie Melman (OGC)
Bradley Grossman

Nature of Action: Petition for review of the Commission’s final order prohibiting Fanning and Jerk, LLC from deceiving users about the source of personal information on the now defunct website and misrepresenting the benefits of membership.

Status: Petition for review filed 4/28/15.
Motion to stay Commission’s final order pending appeal filed 5/29/15.
Order granting temporary stay entered 5/29/15.
Commission’s response filed 6/5/15.
Stay denied 7/14/15.
Defendant’s revised opening brief filed 8/25/15.
Commission’s responsive brief due 10/19/15.
Defendant’s reply brief due 11/2/15.

POM WONDERFUL v. FTC, No. 15-525 (S. Ct.); No. 13-1060 (D.C. Cir.)

Parties: POM Wonderful LLC
Roll Global LLC
Stewart A. Resnick
Lynda Rae Resnick

McWANE, INC. v. FTC, No. 14-11363 (11th Cir.)

Parties: McWane, Inc.

Assigned Attorneys: Jack Metzler (OGC)

Nature of Action: Petition for review of final Commission order.

Status: Petition filed 3/28/14.
McWane's opening brief filed 6/27/14; FTC brief due 8/29/14;
McWane's reply brief filed 9/29/14.
Oral argument held 1/16/15.
McWane's supplemental brief filed 2/17/15.
Commission's supplemental brief filed 2/17/15.
Opinion affirming Commission's decision entered 4/15/15.
McWane's petition for rehearing en banc filed 5/29/15.
Petition for rehearing en banc denied 8/6/15.

(B) Rulemakings

(None Pending)

INJUNCTION AND CONSUMER REDRESS CASES

(A) Preliminary Injunctions (Mergers/Acquisitions)

FTC v. STERIS CORPORATION, No. 1:15-cv-1080 (N.D. Ohio)

Parties: Steris Corporation
Synergy Health Plc

Assigned Attorneys: Amy Posner (BC/Mergers I)
Michael Moiseyev
Tara Reinhart
Daniel Zach
Meghan Iorianni
Noah B. Pinegar
Peggy D.B. Femenella
Peter Colwell
Stephen A. Mohr

(B) Preliminary Injunctions (Other)

FTC v. A TO Z MARKETING, INC., No. 14-56582 (9th Cir.); No. 8:13-cv-00919 (C.D. Cal.)

Parties: A to Z Marketing, Inc.
 Apex Members, LLC
 Apex Solutions, Inc.
 Backend, Inc.

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 for defendant Top Legal Advocates, P.C., Backend, Inc. entered 9/18/14.

Defendant Amir Montaxeran's notice of appeal of default judgment to the 9th Circuit filed 9/30/14.

Default judgment and final order for permanent injunction as to defendant Amir Montazeran entered 10/16/14.

Final order for monetary judgment as to Business Team, LLC entered 10/16/14.

Defendant Amir Montazeran's and Business Team, LLC's first amended notice of appeal filed 11/03/14.

Stipulated final order for permanent injunction against defendants A to Z Marketing, Inc., Apex Members, LLC, Apex Solutions, Inc., Madhulika Baid, Ratan Baid, Expert Processing Center, Inc., Smart Funding Corp. entered 11/14/14.

Appellants' opening brief filed 3/9/15; Commission's answering brief filed 5/8/15; Appellants' reply brief filed 6/19/15.

FTC v. ABBVIE, INC., No. 2:14-cv-5151 (E.D. Pa.)

Parties: AbbVie, Inc.
Abbott Laboratories
Unimed Pharmaceuticals, LLC
Besins Healthcare, Inc.
Teva Pharmaceuticals USA, Inc.

Assigned Attorneys: Markus Meier (BC)
Patricia M. McDermott
Kara Monahan
Peter Taylor

Alleged Conduct: Unfair methods of competition in violation of Section 5(a) of the FTC Act arising from baseless patent infringement lawsuits against potential

generic competitors.

Status: Complaint filed 9/8/14.
Defendants' motion to dismiss filed 11/12/14; Commission's brief in opposition filed 12/12/14.
Order granting defendants' motion to dismiss Count II of the complaint entered 5/6/15.
Commission's motion for entry of judgment under Rule 54(b) filed 6/5/15; response in opposition by Abbott Laboratories, Abbvie, Inc. and Unimed Pharmaceuticals filed 6/25/15; Commission's reply filed 7/2/15.
Order holding Commission's pending Rule 54(b) motion in abeyance entered 7/8/15.
Commission's motion for reconsideration of dismissal filed 7/20/15; defendant's response filed 7/31/15; reply filed 8/7/15.
Motion for reconsideration denied 8/25/15.
Motion to direct entry of partial final judgment under Rule 54(b) denied 8/26/15.

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.

Motion for interlocutory appeal by

Duane Pozza
Heather Allen
Jane Ricci
Courtney Estep
Laura Marie Solis

Alleged Conduct: Unfair practices in violation of Section 5 of the FTC Act in connection with Amazon's billing for charges related to activity within software applications.

Status: Complaint filed 7/10/14.
Amazon's motion to dismiss filed 9/08/14; Commission's response filed 9/29/14; Amazon's reply filed 10/3/14.
Order denying Amazon's motion to dismiss entered 12/1/14.
Order adopting stipulated protective order entered 1/12/15.
Trial scheduled for 5/2/16.

FTC v. AMERICAN YELLOW BROWSER, INC., No. 1:15-cv-02047 (N.D. Ill.)

Parties: American Yellow Browser, Inc.
American Yellow Group, Inc.
Distribution H.E.P. Inc. d/b/a American Yellow Distribution and Medical Yellow Directories, Inc.
Official Yellow Guide, Inc.
Publication A.A.P., Inc.
Publications A.Y.D., Inc.
Ivan Chernev
German Lebedev
Publication A.Y.B., Inc.

Assigned Attorneys: John C. Hallerud (MWR)

Alleged Conduct: Violations of Section 5(a) of the FTC Act in connection with deceptive Acts and advertising regarding listings in business directories.

Status: Complaint filed 3/9/15.
TRO entered 3/10/15.
Preliminary injunction entered 3/25/15.
Default as to all defendants entered 8/21/15.

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

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 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. entered 10/8/13.
Report and recommendation by magistrate that Commission's motion for summary judgment be granted in part and denied in part, and that defendant's motion for summary judgment be denied, entered 1/28/14; defendant's objections filed 2/14/14; Commission's response filed 3/2/14.
Order adopting magistrate's 7/16/13 report and recommendations entered 3/7/14.
Order adopting magistrate's 1/28/14 report and recommendations entered 5/29/14.
Stipulation and order to dismiss defendants Timothy J. Muir and the Muir Law Firm, LLC entered 9/8/14.
Order denying settling defendants' motion to enforce settlement entered 7/16/14; notice of appeal filed 7/30/14; Ninth Circuit order dismissing appeal for lack of jurisdiction entered 10/30/14.
Stipulated permanent injunction and monetary judgment as to defendants AMG Services and MNE Services, Inc. entered 1/23/15.
Stipulated permanent injunction and monetary judgment against defendants Troy Little Axe, Jr., Don Brady and Robert Campbell entered 3/17/15.
Motion for preliminary injunction by the Commission filed 5/8/15; responses filed 5/26/15.

FTC v. ANGEL SALES, No. 1:15-cv-06542 (N.D. Ill.)

Parties: Angel Sales, Inc. d/b/a Kagan Unlimited
Robert Engel
Laura Engel

Assigned Attorneys: James R. Golder (SWR)
Elizabeth C. Scott (MWR)

Alleged Conduct: Deceptive acts and practices in violation of Sections 5(a) and 12 of the FTC Act in connection with their advertising, marketing, distribution, offering for sale, and sale of ultraviolet light disinfection devices.

Status: Complaint filed 7/28/15.
Motion for entry of stipulated permanent injunction 7/29/15.
Stipulated permanent injunction and monetary judgment entered 7/30/15.

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.
Dahm International, LLC
Dominion of Virgo Investments, Inc.
Ecommerce Support, LLC
Essent Media, LLC
Evertex Solutions, LLC
EVI LLC, d/b/a Members Learning Center
Nemrow Consulting, LLC
Novus North, LLC, d/b/a Mymentoring, Yes International, LLC and Your Ecommerce Support International, LLC
Purple Buffalo, LLC, d/b/a NetMarketing
Supplier Source, LLC
365 Dailyfit, LLC, d/b/a Net Training
Vensure International
VI Education, LLC
David Gregory Bevan
Jessica Bjarnson
Phillip Edward Gannuscia
Chad Huntsman
Richard Nemrow
Jeffrey Nicol
Thomas Riskas
Babata Sonnenberg
Ken Sonnenberg

Assigned Attorneys: Collot Guerard (BCP/MP)
Svetlana Gans
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the Telemarketing and Consumer Fraud Abuse and Prevention Act in

TRO entered 2/11/14.
Stipulated preliminary injunction and asset freeze as to defendant David Bevan entered 3/20/14.
Commission's motion to dismiss Sonnenberg defendants' counterclaim filed 5/27/14; motion granted without prejudice on 1/30/15.
Order granting Motion to Dismiss Sonnenberg defendants' counterclaim entered 4/9/15.
Notice of death of defendant Chad Huntsman filed 6/9/15.
Permanent injunction and monetary judgment as to David Bevan entered 6/24/15.

FTC v. AT&T MOBILITY, LLC., No. 15-16585 (9th Cir.); No. 3:14-cv-04785 (N.D. Cal.)

Parties: AT&T Mobility, LLC

Assigned Attorneys: David M. Newman (WRSF)
Eric David Edmonson

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.

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

Parties: Boost Software, Inc.
Vast Tech Support, LLC d/b/a OMG Tech Help, d/b/a OMG Total Protection, d/b/a OMG Back Up, d/b/a Softwaretechsupport.com
OMG Tech Help, LLC
Success Capital, LLC
Jon Paul Holdings, LLC
Ami Mehta
Elliot Loewenstern
Jon-Paul Vasta
Mark Donohue

Assigned Attorneys: J. Ronald Brooke, Jr. (BCP/MP)
Russell S. Deitch

Alleged Conduct: Deceptive and unfair acts and 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 tech support services.

Status: Complaint filed 11/10/14.
TRO entered 11/12/14.
TRO extended to all defendants entered 11/26/14.
Order denying preliminary injunction against Boost Software and Ami Mehta entered 11/26/14.
Order of entry of default as to Vast Tech Support LLC, OMG Tech Help LLC, Success Capital LLC and Jon Paul Holding LLC entered 3/18/15.

FTC v. BROADWAY GLOBAL MASTER, INC., No. 2:12-CV-00855 (E.D. Cal.)

Parties: Broadway Global Master, Inc.
In-Arabia Solutions Inc.
Kirit Patel

Assigned Attorneys: Austin A.B. Ownbey (WRSF)
Kerry O'Brien
Sarah Schroeder

Alleged Conduct: Unfair and deceptive acts or practices in violation of Section 5 and the FDCPA related to debt collection practices.

Status: Complaint filed 4/3/12.
TRO entered 4/5/12.
Preliminary injunction and asset freeze entered 4/26/12.
Kirit Patel indicted on 21 counts of mail and wire fraud on 8/23/12
Order granting six-month stay entered 9/17/12.
Orders extending stay entered 3/7/13, 7/8/13, and 11/18/13.
Orders extending stay entered 2/7/14, 4/30/14, 8/4/14, and 12/8/14.

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

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 6/16/15.
TRO entered 6/16/15.
Stipulated preliminary injunction as to Oz Mizrahi entered 7/23/15.
Preliminary injunction as to Alon Nottea and Roi Reveni entered 7/23/15.
Stipulated preliminary injunction as to Doran Nottea and Motti Nottea entered 7/24/15.
Order that TRO will continue as to defendants Calenergy, Inc. and Igor Latsanovski entered 8/6/15.
Default as to Adageo, LLC, Agoa Holdings, Inc, Bunzai Media Group, Inc, also doing business as Aura Vie doing business as Miracle Face Kit doing business as Attitude Cosmetics., DSA Holdings, Inc., Heritage Alliance Group, also doing business as Aura Vie Distribution, Inc, Insight Media, Inc., Kai Media, Inc., Lifestyle Media Brands, Inc, Media Urge, Inc, Safehaven Ventures, Inc, SBM Management, Inc, and Zen Mobile Media, Inc. entered by the clerk 8/13/15.
Preliminary injunction as to defendants Igor Latsanovski and Calenergy, Inc. entered 9/9/15.

FTC v. CANCER FUND OF AMERICA, No. 2:15-cv-00884 (D. Ariz.)

Parties: Cancer Fund of America, Inc., d/b/a Breast Cancer Financial Assistance Fund
Cancer Support Services, Inc.
Children's Cancer Fund of America, Inc.
The Breast Cancer Society, Inc., d/b/a Breast Cancer Society of America
James Reynolds, Sr.
Kyle Effler
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 6/2/15.

Status: Complaint filed 7/7/14.

FTC v. CEPHALON, INC., No. 2:08-CV-02141 (E.D. Pa.), formerly No. 1:08-CV-00244 (D.D.C.)

Parties: Cephalon, Inc.

Assigned Attorneys: Markus H. Meier (BC)
Bradley S. Albert
Garth W. Huston
Suzanne Munck

Alleged Conduct: Violations of Section 5 in connection with inducing generic companies to abandon patent challenge and agreeing to refrain from producing a generic form of the drug Provigil.

Status: Complaint for injunctive relief in D.D.C. filed 2/13/08.
Order granting defendant's motion to transfer case to E.D. Pa. entered 4/28/08.
Defendant's motion to dismiss filed 5/2/08; Commission's opposition to motion filed 6/2/08; defendant's reply filed 6/20/08.
First amended complaint filed 8/12/09.
Defendant's motion to dismiss filed 8/31/09; Commission's response in opposition filed 9/14/09; oral argument held 10/21/09.
Order and memorandum denying motion to dismiss entered 3/29/10.
Order staying case pending Supreme Court resolution of pay-for-delay pharmaceutical litigation settlements entered 8/29/12.
Notice by Commission of Supreme Court decision in *FTC v. Actavis* filed 6/19/13.
Motion for partial summary judgment by the Commission filed 9/20/13; defendant's opposition filed 11/19/13; Commission's reply filed 12/20/13.
Motion to dismiss for lack of jurisdiction by Cephalon, Inc. filed 9/20/13; Commission's response filed 11/18/13; defendant's response filed 12/20/13.
Motion to join Teva Pharmaceutical Industries Ltd. by Commission filed 12/9/13; denied without prejudice 5/5/14.
Order that *FTC v. Cephalon, Inc.* proceed to trial separate from private plaintiffs' cases entered 2/4/15.
Memorandum opinion denying defendant Cephalon's motion to preclude Commission from seeking disgorgement of past profits entered 4/15/15.
Stipulated permanent injunction and equitable monetary relief entered 6/17/15.

FTC v. CHEVALIER, No. 3:15-cv-01029 (D. Ore.)

Parties: Erik Chevalier d/b/a Forking Path, Co.

Assigned Attorneys: Helen Wong (BCP/FP)
Peter Lamberton

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

Status: Complaint filed 6/10/15.
Stipulated permanent injunction and monetary judgment entered 6/23/15.

FTC v. COMMERCE PLANET, INC., Nos. 15-55510, 12-57064 (9th Cir.); Nos. 8:14-cv-01529, 8:09-CV- 01324 (C.D. Cal.)

Parties: Commerce Planet, Inc., d/b/a Online Supplier
Michael Hill
Charles Gugliuzza
Aaron Gravitz

Assigned Attorneys: David M. Newman (WRSF)
Eric D. Edmondson
Michele Arington (OGC)
David Sieradzki (OGC)

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 in connection with the marketing and sale of Online Auction Starter Kits and automatic debiting of monthly charges to consumer credit cards.

Status: Complaint filed 11/10/09.
Stipulated final orders for permanent injunction and monetary relief against Commerce Planet, Inc., Michael Hill, and Aaron Gravitz entered 11/18/09.
Motion to dismiss as to defendant Charles Gugliuzza filed 1/19/10;
Commission's opposition to motion filed 2/1/10; defendants' reply filed 2/8/10; order denying defendants' motion to dismiss entered 2/12/10.
Defendant Charles Gugliuzza's answer impleading Superfly Advertising, Inc. (a Delaware corporation) and Superfly Advertising, Inc. (an Indiana corporation) as third-party defendants filed 4/16/10; amended answer adding counterclaim against Commission filed 5/4/10.
Motion to dismiss Charles Gugliuzza's counterclaim filed 5/25/10;
Gugliuzza's opposition filed 6/21/

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.

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 due 11/5/15;
appellant's reply brief due 11/19/15.

FTC v. CONSUMER COLLECTION ADVOCATES, CORP., No. 0:14-cv-62491 (S.D Fla.)

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

Assigned Attorneys: Barbara E. Bolton (SER)

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: Complaint filed 11/3/14.
Stipulated preliminary injunction entered 11/17/14.
Commission's motion for summary judgment filed 7/24/15; defendant's
response filed 8/17/15; reply filed 8/27/15.
Summary judgment granted 9/08/15.
Permanent injunction and monetary judgment entered 9/28/15.

FTC v. CONSUMER HEALTH BENEFITS ASS'N, No. 1:10-CV-03551 (E.D.N.Y.)

Parties:	Consumer Health Benefits Association	John Schwartz
	Jeffery Burman	Barbara Taube
	Century Senior Services	Rita B. Werner
	Guarantee Trust Life Insurance	Ronald K. Werner
	Richard Holson III	Vantage America Solutions
	Louis Leo	Windi Tow
	National Association for Americans	
	National Benefits Consultants, LLC	
	National Benefits Solutions, LLC	

Assigned Attorneys: Karen A. Dahlberg (NER)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with defendants' marketing,
distribution, and sale of medical discount plans.

Status:

Complaint filed 8/03/10.

Stipulation and order modifying ex parte TRO as to defendant Louis Leo entered 8/25/10.

Stipulation and order modifying ex parte TRO as to defendants Ron Werner and Rita Werner entered 8/25/10.

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 u1hnStatus: TD.dte judge's decis

FTC v. CWB SERVICES, LLC, No. 4:14-cv-783 (W.D. Mo.)

Parties: CWB Services, LLC
Orion Services, LLC
Sandpoint Capital, LLC
Basseterre Capital, LLC
Namakan Capital, LLC
Vandelier Group, LLC
St. Armands Group, LLC
Anasazi Group, LLC
Anasazi Services, LLC
Longboat Group, LLC
Orlead Group
Timothy A. Coppinger
Frampton Rowland, III

Assigned Attorneys: Rebecca M. Unruh (BCP/FP)
Charles M. Thomas
Lisa Rothfarb
Matthew Wilshire

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 of the FTC Act, the Truth in Lending Act, and the Electronic Fund Transfer Act in connection with the offering or extension of payday loans.

Status: Complaint filed 9/5/14.
TRO entered 9/9/14.
Stipulated preliminary injunction entered 9/23/14.
Joint motion for permanent injunction as to defendants CWB Services, LLC; Orion Services, LLC; Sandpoint Capital, LLC; Sandpoint LLC; Basseterre Capital, LLC (Delaware and Nevis); Namakan Capital, LLC (Delaware and Nevis); and Timothy A. Coppinger filed 7/7/15.
Joint motion for permanent injunction as to defendants Vandelier Group LLC; St. Armands Cutter Group LLC; Anasazi Group LLC; Anasazi Services LLC; Longboat Group; and Frampton T. Rowland, III filed 7/15/15.
Permanent injunction as to defendants CWB Services, LLC; Orion Services, LLC; Sandpoint Capital, LLC; Sandpoint LLC; Basseterre Capital, LLC (Delaware and Nevis); Namakan Capital, LLC (Delaware and Nevis); and Timothy A. Coppinger granted 8/26/15.
Permanent injunction as to defendants Vandelier Group LLC; St. Armands Cutter Group LLC; Anasazi Group LLC; Anasazi Services LLC; Longboat Group; and Frampton T. Rowland, III denied without

prejudice 8/26/15.
Joint motion to stay case pending settlement filed 8/31/15; granted 9/3/15.

FTC v. DAYTON FAMILY PRODUCTIONS, INC., No. 13-17448 (9th Cir.); No. 2:97-CV-00750 (D. Nev.)

Parties: Glen E. Burke, d/b/a American Health Associates, LLC

Assigned Attorneys: Reenah L. Kim (BCP/ENF)
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.
srepi 1/28/13.

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 (ENF)
John Singer (OGC)
Stacy Rene Procter (WRLA)

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 of the
FTC Act, the Telemarketing Sales Rule, and the Credit Repair

Organization

Act in relation to advertising and business practices by credit repair
organizations.

Status:

Complaint filed 5/2/14.
Default by clerk as to defendant Allstar Debt Relief entered 6/5/15.
Default by clerk as to defendants Debtpro 123, Allstar Processing Corp.,
and BET Companies entered 6/30/15.
Default entered as to Redwave Management Group, Inc. 7/2/15.
Motion for stipulated permanent injunction and monetary judgment as to
Bryan Taylor, Ryan Foland, Stacey Frion, & Kara Taylor filed
9/29/15.

FTC v. DENNY LAKE, No. 8:15-cv-00585 (C.D. Cal.)

Parties: Denny Lake d/b/a JD United d/b/

Rule in connection with the marketing and sale of mortgage assistance relief services.

Status: Complaint filed 4/14/15.
Preliminary Injunction entered 5/13/15.
Default as to C.C. Enterprises, Inc. entered 7/24/15.

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.

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

Assigned Attorneys: S. Spencer Elg (SER)
Nicholas May
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.

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)
Michael Mora (ENF)
Michael D. Bergman (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with recurring charges on consumers' monthly telephone bills for telecommunications services that consumers neither requested nor authorized.

Status: Complaint filed 1/8/13.
Stipulated preliminary injunctions as to all defendants entered 5/8/13.
Order staying the case until at least 7/8/13, pending developments in a parallel criminal investigation entered 5/9/13.
Order staying the case pending the resolution of a parallel criminal prosecution entered 9/24/13.
Stipulated permanent injunction order and monetary relief as to defendant Nathan M. Sann entered 11/25/14.
Notice of appeal by Steven Vincent Sann from bankruptcy court order converting case from chapter 11 to chapter 7 proceeding filed 5/13/15.
Appellants' brief filed 7/13/15; Commission's response brief filed 9/2/15; appellants' reply brief due 10/14/15.
Steven Sann sentenced to 24 months in prison 7/17/2015.
Order granting the Commission's motion to modify the asset freeze and motion to lift the stay entered 8/20/15.

FTC v. EQUILIV INVESTMENTS, LLC, No. 2:15-cv-4379 (D. N.J.)

Parties: Equiliv Investments
 Ryan Ramminger

Responses to Commission's motion for summary judgement filed 7/23/15;
Commission's reply filed 8/10/15.

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

Alleged Conduct: Violations of Section 5(a) of the FTC Act and Section 404 of the Credit Repair Organization Act in connection with the deceptive advertising, marketing, promotion, offering for sale, or sale of credit repair services.

Status: Complaint filed 3/16/15.
TRO entered 3/16/15.
Preliminary injunction as to defendant First Time Credit Solution, Corp. entered 4/17/15.
Stipulated preliminary injunction as to defendant Guillermo Leyes entered 4/17/15.
Stipulated preliminary injunction as to defendants Jimena Perez, Maria Bernal, and Fermin Campos entered 4/17/15.
Order staying proceedings for 90 days as to defendants Guillermo Leyes, Jimena Perez, Maria Bernal, and Fermin Campos pending approval of pr

Method Direct, LLC, d/b/a Extamax, LLC, Vitaman Labs, Inc., Vitafit,
and Playboy offer/DVD entertainment
Weight Loss Dojo, LLC, d/b/a Fitness Dvds
VIP Savings, LLC, d/b/a VIP Savings Center
DJD Distribution, LLC
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.

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.
Evidentiary hearing held 11/4/13 to 11/14/13.
Report and recommendation of magistrate judge to grant in part Commission's motion for contempt entered 3/27/14.

FTC v. IDEAL FINANCIAL SOLUTIONS, No. 2:13-CV-00143 (D. Nev.)

Parties: Ideal Financial Solutions, Inc.
Ascot Crossing, LLC
Bracknell Shore, Ltd.
Chandon Group, Inc.
Avanix, LLC
Fiscal Fitness, LLC
Steven Sunyich
Michael Sunyich
Christopher Sunyich
Shawn Sunyich
Melissa Sunyich Gardner
Kent Brown
Shane Mosher
Jared Mosher
Thomas W. McNamara

Assigned Attorneys: Blaine T Welsh (ASUA)
Megan Bartley (BCP/ENF)
Richard Michael Waller

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with a scheme to debit and charge consumers without authorization.

Status: Complaint filed 1/28/13.
TRO entered 1/30/13.
Preliminary injunction entered 2/15/13.
FTC's amended complaint and motion for preliminary injunction and asset freeze against Jared Mosher filed 4/10/13.
Preliminary injunction and asset freeze against Jared Mosher entered 5/10/13.

Settlement agreement between the Commission and Shawn Sunyich filed 3/12/14.

Commission's motion for summary judgment filed 3/19/14.

Consent judgment and permanent injunction against defendants Kent Brown and Shawn Sunyich entered 6/5/14.

Default judgment entered against Ascot Crossing, LLC, Avanix, LLC, Bracknell Shore, Ltd., Chandon Group, Inc., Fiscal Fitness, LLC, and Ideal Financial Solutions entered 6/6/14.

Order granting summary judgement on liability but denying summary judgment on remedy as to defendants Steven Sunyich, Chris Sunyich, Michael Sunyich, Melissa Sunyich Gardner, and Jared Mosher entered 6/30/15.

Commission's motion for default judgment against corporate defendants filed 7/30/15.

Commission's motion for summary judgment for monetary and injunctive relief against Steven Sunyich, Chris Sunyich, Jared Mosher, Michael Sunyich, and Melissa Sunyich Gardner filed 7/30/15; responses by Michael Sunyich, Melissa Sunyich Gardner, Steven Sunyich filed 8/20/15; response to motion for summary judgment by Christopher Sunyich filed 8/24/15; reply filed 9/3/15.

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

Nevada Credit Division, LLC
Corporate Credit Division, LLC
Tax Planning Division, LLC
Zyzac Commerce Solutions, Inc.
The Shipper, LLC
3 Day MBA, LLC
Global Finance Group, LLC
Steven Sonnenberg
Joshua Wickman
Oxford Financial, LLC
Virtucon LLC
Mowab, Inc
Melyna Harrison
Leanne Hoskins

Revsynergy LLC
Sell IT Vizions, LLC
Kyle Kirchbaum
John Harrison
Steven Lyman
Benjamin Hoskins
Christopher Zelig
James Hanchett
Cherrytree Holdings, LLC
S&T Time, LLC
Curva, LLC
Keirsten Kirschbaum
Tracy Lyman

Assigned Attorneys: Emily Burton (BCP/MP)
Shameka Gainey
Leslie Melman (OGC)
Burke W. Kappler

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 2/22/11
TRO entered 2/22/11.
Preliminary injunction entered 3/25/11.
Default as to defendants Business Development Division, LLC,
Corporate Credit Division, LLC, Credit Repair Division, LLC,
Nevada Corporate Division, Inc., and Tax Planning Division, LLC

Final judgment and order for permanent injunction and on 1 CeVgsa

Assigned Attorneys: Collot Guerard (BCP/MP)
J. Ronald Brooke
Burke Kappler (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5, the Electronic Fund Transfer Act, and Regulation E in connection with the advertisement of government grants and money-making opportunities.

Status: Complaint filed 12/21/10.
TRO and asset freeze entered 1/13/11.
Preliminary injunction entered 2/10/11.
Notice of interlocutory appeal by defendant Jeremy Johnson (Appeal No. 11-17265) filed 9/22/11; dismissed 6/27/12.
Notice of interlocutory appeal by defendants Duane Fielding, Anthon Holdings Corp., and Network Agenda, LLC (Appeal No. 11-17265) filed 9/23/11; dismissed on appellant's motion 11/17/11.
Notice of appeal of order granting first omnibus motion for sale (Appeal No. 12-15778) filed 4/6/12; appellant's opening brief due but not filed 7/16/12; dismissed by 9th Cir. 11/5/12.
Notice of appeal of order granting receiver's motion for fees (Appeal No. 12-16213) filed 5/21/12; appellant's opening brief due but not filed 9/7/12.
Appeal dismissed for failure to prosecute 12/20/12.
Notices of appeal of order clarifying preliminary injunction (Nos. 13-15768 and 13-15778) filed 4/18/13 and 4/19/13; appeals consolidated and appellants' opening brief filed 5/17/13;
Commission's responsiv

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

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.

FTC v. KEY VIEW LABS, No. 8:15-cv-01047 (C.D. Cal.)

Parties: KeyView Labs
Brain Research Labs, LLC
20/20 Brain Power Partners, LLC
20/20 Brain Power Founders, LLC
MedHealth Direct, Inc.
George Reynolds
John Arnold

Assigned Attorneys: Rosemary Rosso (BCP/AP)
Maricela Segura (WRLA)

Alleged Conduct: Violation of Sections 5(a) and 12 of the FTC Act in connection with the labeling, advertising, marketing, distribution, and sale of a dietary supplement.

Status: Complaint filed 7/1/15
Stipulated final judgment for permanent injunction and equitable relief entered 7/9/15.

FTC v. K.I.P., LLC, No. 1:15-cv-02985 (N.D. Ill.)

Parties: K.I.P., LLC
Charles Dickey
Chantelle Dickey (a/k/a Chantelle Rudd, Chantelle Williams)
Ezell Williams and Associates, Corp.
Ezell Williams, LLC
Excel Receivables, Corp.
Second Chance Financial Credit, Corp.
Second Chance Financial, LLC

Payday Loan Recovery Group, LLC
Payday Loan Recovery Group
Payday Loan Recovery
International Recovery Services, LLC
International Recovery Services
D&R Recovery

Assigned Attorneys: William Hodor (MWR)
Theresa McGrew

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

Status: Complaint filed 4/6/15.
TRO entered 4/7/15.
Preliminary injunction entered 4/21/15.

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, The Law Offices of Michael W. Lanier
Fortress Law Group, LLC
Surety Law Group, LLC
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)
Marcela C. Mateo

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.
Motion to dismiss complaint entered 8/26/14; opposition to motion filed 9/4/14.
Amended complaint filed 12/22/14.
Motion to dismiss amended complaint filed 1/13/15; Commission's opposition filed 1/30/15.

Order granting preliminary injunction, as to defendants Fortress Law Group, Redstone Law Group, Rogelio Robles, and Edward William Rennick, III entered 2/6/15.

Notices of appeal of Rogelio Robles and Edward Rennick filed 3/20/15 and 3/23/15.

Order dismissing appeal as to defendant Rogelio Robles entered 6/2/15.

Order denying motion to dismiss entered 7/28/15.

Counterclaim by Liberty & Trust Law

CoreLogic, Inc., Relief Defendant

Assigned Attorneys: Darren Lubetzky (NER)
Michele Arington (OGC)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 and the electronic Fund Transfer Act in connection with the advertising, marketing, promotion, offering for sale, or sale of weight-loss and related health products through various websites.

Status: Complaint filed 11/07/11.

motion filed 6/10/14.
Judgment entered in favor of the Commission and State of Connecticut granting summary judgment against CoreLogic Inc. and LeadClick Media Inc. entered 3/6/15.
Appeal of summary judgment and order of disgorgement by defendants Leadclick Media, Inc. and CoreLogic, Inc. filed 4/2/15.
Notices of appeal filed 4/2/15.
Appellants' opening brief filed 7/20/15; Commission's answering brief due 10/19/15.

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.

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
Rozina Cynthia Bhimani

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.

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.

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.
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 6/15/15.

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

Parties: MDK Media Inc. d/b/a SE Ventures, GMK Communications, and 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)
Marciela Segura
Barbara Y K Chun
Nicholas M. May
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.

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
oLAD-.00y C.Hoc1.15 T01 Tc.ver of Delray Beach, LLation to inndustrie

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.

FTC v. MONEY NOW FUNDING LLC, No. 2:13-cv-1583 (D. Ariz.)

Parties: Money Now Funding LLC, a/k/a Cash4Businesses, a/k/a CashFourBusinesses
Rose Marketing LLC
Depaola Marketing LLC
Affiliate Marketing Group LLC
Legal Doxs LLC, a/k/a First Business LLC
US Doc Assist LLC, a/k/a First Business LLC
Affinity Technologies LLC
Marketing Expert Solutions LLC
Lukeroy K Rose, a/k/a Luke Rose
Cordell Bess, a/k/a Blaine Thompson d/b/a JJB Marketing
Solana Depaola
Jennifer Beckman
William D. Claspell, a/k/a Bill Claspell
Richard Frost, a/k/a Richard Strickland
Dino Mitchell, a/k/a Dino Jones
Clinton Rackley a/k/a Clinton Fosse
Lance Himes, a/k/a Raymond Homes, a/k/a Lance Haist
Leary Darling
Donna Duckett, d/b/a D&D Marketing Solutions
Della Frost, d/b/a ZoomDocs LLC
Christopher Grimes, d/b/a Elite Marking Strategies
Alannah M Harre, d/b/a National Marketing Group
Ronald W. Hobbs, d/b/a Ron Hobbs & Associates, d/b/a Sales Academy USA LLC
Janine Lilly, d/b/a Doc Assistant
Michael McIntyre, d/b/a McIntyre Marketing
Benny Montgomery, d/b/a Montgomery Marketing
Virginia Rios, d/b/a V&R Marketing Solutions
Kendrick Thomas, d/b/a KT Advertising
Global Network Marketing, LLC
Precise Payroll Services, LLC
Strategic Media Advertising, LLC
Cynthia Miller, individually and as manager of Global Network Marketing and Precise Payroll Services, LLC, a/k/a Cynthia Metcalf

Assigned Attorneys: Rhonda Perkins (BCP/MP)
James Evans

Alleged Conduct: Violations of Section 5(a) of the FTC Act, the Business Opportunity Rule, and the Telemarketing Sales Rule concerning a telemarketing scheme offering consumers business opportunities under a variety of names.

Status: Complaint filed 8/5/13.
TRO entered 8/5/13.
Preliminary injunction order entered 8/19/13.
Preliminary injunction as to defendants Cordell Bess, Clinton Rackley and Ronald Hobbs entered 9/13/13.
Motion to hold defendants Lukeroy Rose, Cordell Bess, Ronald Hobbs, Clinton Rackley, Della Frost, Richard Frost, Donna Duckett, Janine Lilly, and Dino Mitchell in contempt filed 10/18/13.
Amended complaints adding defendants Cynthia Miller, Global Network Marketing, LLC, Prices Payroll Services, LLC, and Strategic Media Advertising, LLC filed 1/9/14.
Preliminary injunction modified 2/13/14.
Preliminary injunction order with asset freeze and other equitable relief as to defendants Cynthia Miller, Global Network Marketing, LLC, and Precise Payroll Service, LLC entered 4/28/14.
Default as to Global Network Marketing, LLC, Cynthia Miller, Precise Payroll Services, LLC, and Strategic Media Advertising, LLC entered 4/30/14.
Second motion to hold defendant Lukeroy Rose in contempt filed 6/10/14.
Order holding defendant Lukeroy Rose in civil contempt of preliminary Injunction entered 8/27/14.
Motion to strike defendant Benny Montgomery's answer to complaint filed 11/21/14.
Order granting motion to strike defendant Benny Montgomery's answer and directing clerk to enter default against Benny Montgomery entered 12/10/14.
Motion for summary judgment against defendants Lukeroy Rose, Solana DePaola, Lance Himes, Leary Darling, Jennifer Beckman, William Claspell and Clinton Rackley filed 12/15/14.

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Darling and Rackley entered 3/17/15.
Final judgment and orders for permanent injunction and equitable
monetary judgment as to Lukeroy K. Rose, Clinton Rackley and
Leary Darling entered 6/3/15.

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.

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

Parties: Neovi, Inc., d/b/a Neovi

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 Commis

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.

FTC v. ONLINEYELLOWPAGES TODAY.COM, INC., No. 2:14-cv-0838 (W.D. Wash.)

Parties: OnlineYellowPagesToday.com, Inc.
USYellowPageDirectory.com, Inc.
7703236 Canada, Inc.
7095333 Canada, Inc.
Oni Nathifa Julien

Assigned Attorneys: Maxine R. Stansell (NWR)

Alleged Conduct: Violations of Section 5(a) of the FTC Act in connection with deceptive practices relating to internet business directories.

Status: Complaint filed 6/9/14.
TRO entered 7/3/14.
Permanent injunction and monetary judgment as to defendant Oni Nathifa Julien entered 3/10/15.
Default against defendants OnlineYellowPagesToday.com, Inc.,

USYellowPageDirectory.com, Inc., 7703236 Canada, Inc., and
7095333 Canada, Inc. entered 4/10/15.

Motion for default judgment as to defendants

OnlineYellowPagesToday.com, Inc.,

USYellowPageDirectory.com, Inc., 7703236 Canada, Inc., and
7095333 Canada, Inc. filed 5/12/15.

FTC v. PAIRSYS, INC., No. 1:14-cv-1192 (N.D. N.Y.)

Parties: Pairsys, Inc.
Tiya Bhattacharya
Uttam Saha

Assigned Attorneys: Gideon E. Sinasohn (SER)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act and
the Telemarketing Sales Rule in connection with the sale of computer
security services.

Status: Complaint filed 9/30/14.
TRO entered 9/30/14.
Stipulated preliminary injunction order entered 10/9/14.
Clerk's entry of default as to Pairsys, Inc. entered 12/22/14.
Stipulated permanent injunction and monetary judgment entered 7/21/15.
Judgment entered 8/4/15.

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.
Motion for entry of default as to Partners In Health Care Association, Inc. filed 8/14/15; non-entry of default as to Partners In Health Care Association, Inc. due to responsive pleading entered 8/17/15.

FTC v. PREMIER DEBT ACQUISITIONS, No. 1:15-cv-00421 (W.D.N.Y.)

Parties: Premier Debt Acquisitions LLC, d/b/a PDA Group LLC
Prizm Debt Solutions LLC, d/b/a PDS, LLC
Samuel Sole and Associates, LLC, d/b/a SSA Group LLC, and also d/b/a Imperial Processing Solutions
Charles Glander
Jacob Kirbis

Assigned Attorneys: Daniel Dwyer (BCP/FP)
LaShawn Johnson

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 11th Circuit denying petition for writ of mandamus entered 7/27/15.
Commission's motion to dismiss counterclaim filed 8/6/15.

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.

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. Settlemyer (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.
Stipulated TRO entered 9/29/15.

FTC v. SALE SLASH, LLC, No. 2:15-cv-03107 (C.D. Cal.)

Parties: Artur Babayan
Vahe Haroutounian
Sale Slash LLC
Purists Choice LLC

Assigned Attorneys: Matthew Wernz (MWR)
Raymond McKown

Alleged Conduct: Deceptive acts or practices in violation of Sections 5(a) and 12 of the FTC Act, and sections of the CAN-SPAM Act in connection with weight-loss products.

Status: Complaint filed 4/27/15.
TRO entered 4/27/15.
Preliminary injunction entered 5/12/15.

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: Sitesearch Corporation
LeapLab, LLC
Leads Company, LLC
John Ayers

Assigned Attorneys: Richard M. Waller (BCP/ENF)
Amanda B Kostner

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the
FTC Act in connection with the sale of payday loan applications
containing consumer personal and financial information.

Status: Complaint filed 12/22/14.
Commission's motion for entry of default as to Sitesearch filed 2/12/15.
Clerk's entry of default as to Sitesearch Corporation entered 2/13/15.

FTC v. SUN BRIGHT VENTURES, LLC, No. 8:14-cv-02153 (M.D. Fla.)

Parties: Sun Bright Ventures, LLC
Citadel ID Pro, LLC
Benjamin Todd Workman
Trident Consulting Partners, LLC (relief defendant)
Glenn Erikson (relief defendant)

Assigned Attorneys: Russel Deitch (BCP/MP)
Thomas M. Biesty

Tracey T. Gronniger

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, the Telemarketing and Consumer Fraud and Abuse Prevention Act in connection with soliciting consumers about free products and services.

Status: Complaint filed 9/2/14.
TRO entered 9/4/14.
Stipulated preliminary injunctions entered 9/18/14.
Amended complaint filed 5/12/15.
Stipulated permanent injunction and monetary judgment as to all defendants entered 7/22/15.

FTC v. TRUDEAU, No. 12-6 (S. Ct.); Nos. 08-4249 10-2418, 10-1383, 13-1746, 13-1747, and 13-1898 (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)

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 10/27/08; 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 Motion 0lating per

Commission's renewed motion for compensatory monetary remedy as to
defendant Trudeau filed 11/13/09; defendant's response in

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 Notices ofrily TD.00023 -1.145denying wilauBj -n f39 -1.15 TD0 Tc0 Tw3udeau

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.

Commission's motion for approval of partial victim redress plan filed 7/9/15; objection to plan by Patrick Deady filed 9/4/15; response by receiver filed 9/25/15; reply by the Commission filed 9/28/15.

FTC v. UNIFIED GLOBAL GROUP, No. 1:15-cv-00422 (W.D.N.Y.)

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: Colin A. Hector (BCP/FP)
Jason Adler
Peter W. Lamberton

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 (SWR)
Anne Dorman LeJeune
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. WEALTH EDUCATORS, INC., No. 2:15-cv-2357 (W.D. Cal.)

Parties: Wealth Educators, Inc. d/b/a Family 1st Preservations, d/b/a Family 1st Home Loans, d/b/a Legal Affiliates & Associates, d/b/a Legal Educators & Co., d/b/a Family 1st Home Prevention, d/b/a Legal Educators USA & Co., d/b/a Stargate Mutual & Associates, d/b/a Providence Financial Advocates, d/b/a Providence Financial Audits
Veronica Sesma

Assigned Attorneys: Eleanor Durham (NWR)
Barbara Y K Chun (WRLA)
Maxine R. Stansell

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) of the FTC Act and the Mortgage Assistance Relief Services Rule in connection with home loans.

Status: Complaint filed 3/31/15.
TRO entered 4/6/15.
Preliminary injunction with asset freeze entered 4/29/15.
Permanent injunction and monetary judgment as to defendants Veronica Sesma and Wealth Educators, Inc. entered 8/21/15.

FTC v. WILLIAMS, SCOTT & ASSOCIATES, LLC., No. 1:14-cv-1599 (N.D. Ga.)

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

Assigned Attorneys: Robin L. Rock

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.

Commission's motion to hold defendant John Williams in contempt for violations of the stipulated preliminary injunction order filed 11/10/14; granted 12/2/14.

Clerk's entry of default as to John Williams; Williams Scott & Associates; and WSA LLC entered 12/12/14.

Order imposing contempt sanctions against defendants John Williams; Williams Scott and Associates LLC and WSA LLC, as well as Sterling Ross and entities associated with it, entered 12/22/14.

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.

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
Valbona Toska

Assd

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Status: Complaint filed 10/29/12.
Order granting preliminary injunction entered 11/14/12.
Amended complaint filed 6/18/13.
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's opening brief (No. 15-11500) due 10/20/15; Commission's
responsive brief due 11/19/15.

FTC v. WYNDHAM WORLDWIDE CORP., No. 14-3514 (3d Cir); No. 2:13-CV-01887; 3:13-
cv-1887 (D.N.J.); No. 2:12-CV-1365 (D. Ariz.)

Parties: Wyndham Worldwide Corp.
Wyndham Hotel Group, LLC
Wyndham Hotels and Resorts, LLC

Wyndham Hotel Management Inc.

Assigned Attorneys: Kevin Moriarity (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

Stipulated permanent injunction and monetary judgment entered 8/20/15.

CIVIL PENALTY AND ENFORCEMENT CASES*

(A) Consumer Protection

FTC v. ABERNATHY MOTOR COMPANY, No. 3:14-cv-00063 (E.D. Ark.)

Parties: Abernathy Motor Company
 Wesley Abernathy
 David Abernathy

Assigned Attorneys: Eric N. Roberson (SWR)
 Reid Abram Tepfer

Alleged Conduct: Violations of Section 5, the Magnuson-Moss Act and the Used Car Rule
 for failure to display Buyers Guides providing warranty and other
 information on used vehicles for sale.

Status: Complaint filed 3/12/14.
 Stipulated order for permanent injunction and civil penalty judgment
 entered 6/10/15.

FTC v. CARIBBEAN CRUISE LINE, No. 0:15-cv-60423 (S.D. Fla.)

Parties: Caribbean Cruise Line, Inc.
 Linked Services Solutions, LLC
 Economic Strategy, LLC
 Pacific Telecom Communications Group
 International Telephone Corporation
 International Telephone, LLC
 T M Caller ID, LLC
 Telephone Management Corporation
 Scott Broomfield
 Jason Birkett
 Jacob Dejongh
 Fred A. Accuardi
 Steve Hamilton

Assigned Attorneys: Bikram Bandy (BCP/MP)

* Includes all suits in which civil penalties are sought; consumer redress, injunctions, and ancillary equitable relief may also be sought.

Gary Ivens
Michael D. Bergman (OGC)

Alleged Conduct: Violations of Section 5 of the FTC Act and the Telemarketing Sales Rule in connection with robocalls.

GDavid Devany

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

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; me

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 1/16/14.
United States' supplemental memorandum regarding motion for summary judgment filed 2/14/14; defendants' reply to supplemental memorandum filed 3/7/14.
Order granting in part and denying in part defendants' motion for partial summary judgment and granting in part and denying in part United States' motion for partial summary judgment entered 3/31/15.

FTC v. LENTINE, No. 1:15-cv-0033 (E.D. Tenn.)

Parties: Lou Lentine
Viatak Consumer Products Group, Inc.

Assigned Attorneys: Susan E. Arthur (SWR)

Alleged Conduct: Violations of Section 5(a) of the FTC Act in connection with the deceptive promotion or offering for sale of Viatek Mosquito Shield Bands.

Status: Complaint filed 2/17/15.
Defendants' motion to dismiss filed 4/20/15; Commission's response filed 5/4/15.
Trial scheduled for 8/16/16.

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.

FTC v. RAMEY MOTORS, INC., No. 1:14-cv-29603 (S.D.W.V.)

Parties: Ramey Motors, Inc.
Ramey Automotive Group, Inc.
Ramey Automotive, Inc.
Ramey Chevrolet, Inc.

Assigned Attorneys: Lemuel W. Dowdy (BCP/ENF)
Elsie B. Kappler

Alleged Conduct: Violations of Section 5 of the FTC Act and the Truth in Lending Act

Eleanor Lewis Dawkins

Assigned Attorneys: P. Connell McNulty (BCP/MP)
Patricia Hsue

Alleged Conduct: Violations of the Commission's Trade Regulation Rule Concerning Funeral Industry Practices by failing to show people a printed or typewritten casket price list.

Status: Complaint filed 11/21/13.
Defendants' motion to dismiss filed 1/28/14; denied 5/7/15.
Commission's motion for summary judgment filed 4/27/15; defendants' opposition filed 6/30/15.
Defendants' counterclaim against the Commission filed 6/23/15.
Commission's motion to strike counterclaim filed 8/24/15; opposition filed 9/11/15; reply filed 9/14/15.
Motions for default judgment and summary judgment by the defendants filed 9/14/15.
Alternative motions to dismiss by the defendants filed 9/29/15.

Alleged Conduct: Violations of the Fair Credit Reporting Act (“FCRA”) and the Furnisher Rule arising from failure to have written policies and procedures regarding the accuracy of reported credit information and to properly investigate disputed consumer credit information.

Status: Complaint filed 9/15/15.
Stipulated final judgment with permanent injunction and equitable relief entered 9/17/15.

(B) Competition

(None pending)

SUBPOENA AND CID ENFORCEMENT PROCEEDINGS

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

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 due 10/2/15.

FTC v. MEDICI PORTFOLIO, LLC, No. 8:15-cv-02285 (D. Md.)

Parties: The Medici Portfolio, LLC

Assigned Attorneys: Burke Kappler (OGC)
Bradley D Grossman

Alleged Conduct: Petition to enforce a Commission 6(b) order.

Status: Petition to enforce 6(b) order filed 8/5/15.
Clerk's default as to the defendant entered 9/23/15.
Motion for default judgment by the Commission filed 9/28/15;
defendant's response due 10/16/15.

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.

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.

SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

AYUDA INC. v. FTC, No. 1:13-CV-1266 (D.D.C)

Parties: Ayuda, Inc.
Catholic Charities of the Archdiocese of Washington DC
Catholic Legal Immigration Network, Inc.
Legal Aid Justice Center

Assigned Attorneys: John G. Interrante (AUSA)
Jack Metzler (OGC)

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

Status: Complaint filed 8/20/13.
Amended complaint filed 12/2/13.
Commission's motion for summary judgment filed on 2/12/14; Ayuda's opposition and cross-motion for summary judgment filed 4/8/14; Commission's reply/cross-opposition due 7/17/14; Ayuda's reply to opposition to cross-motion for partial summary judgment filed 7/31/14.
Order granting in part and denying in part the Commission's motion for summary judgment and denying Ayuda's cross-motion for partial summary judgment entered 9/30/14.
Stipulation of dismissal by Ayuda filed 9/10/15.

CAUSE OF ACTION v. FTC,

Assigned Attorneys: Marian L. Borum (AUSA)
Bradley Grossman (OGC)

Nature of the Action: Freedom of Information Act action regarding the release of records.

Status: Complaint filed 12/11/14.
Commission's motion for summary judgment filed 3/23/15; plaintiff's
opposition and cross-motion for summary judgment filed 5/20/15;
Commission's reply filed 6/10/15; plaintiff's reply filed 6/24/15.
Commission's motion for leave to file surreply filed 7/7/15.

COMPASSION OVER KILLING v. FTC, No. 15-15107 (9th Cir.); No. 3:13-cv-1385 (N.D.
Cal.)

Plaintiffs: Compassion Over Killing
Animal Legal Defense Fund
Elizabeth Barrett
Adrea Bock
Linda Calbreath
Jason Canada
Jeri Opalk
Humberto Retana

Defendants: Food and Drug Administration and Margaret Hamburg, Commissioner
Agriculture Marketing Service and David R. Shipman, Administrator
Food Safety and Inspection Service and Alfred V. Almanza, Administrator
Federal Trade Commission and Edith Ramirez, Chairwoman

Assigned Attorney: Michele Arington (OGC)
Ann Entwistle (DOJ/CPB)
Jeffrey E. Sandberg (DOJ/CIV)

Nature of Action: Action for declaratory and injunctive relief under the Administrative
Procedure Act in connection with petitions requesting rulemakings to
revise or create new labeling requirements for eggs.

Status: Complaint filed 3/28/13.
Amended complaint filed 3/27/14.
Plaintiffs' motion for summary judgment filed 7/23/14; government's
opposition and cross-motion for summary judgment filed 8/27/14;
plaintiffs' reply/response filed 9/26/14; government's reply brief
filed 10/27/14.
Order denying plaintiffs' motion for summary judgment and granting the
government's motion for summary judgment entered 12/23/14.

Notice of Appeal filed 1/20/15.
Appellants' opening brief filed 6/16/15.
Government's reply brief filed 9/8/15.
Appellants' reply brief due by 10/26/15.

DESPOT v. ALLIED INTERSTATE, INC., No. 2:15-cv-0015 (W.D. Pa.)

Parties: David Despot

Assigned Attorneys: Paul D. Kovac (AUSA)

Nature of Action: Alleged violations of the FCRA, FDCPA, TCPA, FTCA, in connection with student loan repayment.

Status: Complaint filed 1/6/15.
Motion to dismiss for lack of jurisdiction and failure to state a claim by the CFPB, DOE, EEOC, FCC, and the Commission filed 7/29/15.
Voluntary dismissal of federal defendants by plaintiff filed 8/17/15.\

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 8/27/14.

Notice of appeal by the defendant filed 8/29/15.
Appellant's brief due 11/9/15.

PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA v. FTC, No. 14-5182 (D.C. Cir.); No. 1:13-cv-01974 (D.D.C)

Parties: Pharmaceutical Research and Manufacturers of America

Assigned Attorney: Michele Arington (OGC)

Nature of Action: Action for injunctive and declaratory relief under the Administrative Procedure Act challenging the FTC's issuance of a rule that addresses when a transaction involving the transfer of rights to a patent in the pharmaceutical industry is reportable under the HSR Act.

Status: Complaint filed 12/12/13.
Motion for Summary Judgment filed by PhRMA 2/7/14; Commission's opposition and cross-motion for summary judgment filed 3/10/14; PhRMA's reply and opposition to cross-motion filed 3/24/14; Commission's reply brief filed 3/31/14.
Memorandum Opinion denying PhRMA's motion for summary judgment and granting Commission's cross-motion for summary judgment entered 5/30/14.
Notice of appeal filed 7/25/14.
PhRMA's brief filed 11/10/14; Commission's brief filed 12/10/14; reply brief filed 12/24/2014.
Oral argument held 3/24/15.
Opinion affirming district court judgment entered 6/9/15.

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

Parties: Philip Reitingger

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

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 report due by 10/16/15.

AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS

Notice of appeal filed 12/21/12.
Order, staying appeal pending the Supreme Court's decision in *FTC v. Actavis, Inc.* entered 2/26/13.
Defendants motion to remand case back to district court filed 6/20/13;
appellants' response filed 6/25/13.
Court of appeals order remanding the case to the district court for further proceedings entered 7/2/13.
District court order reaffirming order of dismissal entered 1/24/14.
Notice of appeal docketed 1/30/14.
Commission's brief as amicus curiae in support of appellants filed 4/28/14.
Commission's motion for leave to participate in oral argument filed 7/16/14.
Oral argument held 11/19/14.
Opinion vacating judgment of district court and remanding for further proceedings entered 6/26/15.
Petitions for rehearing denied 9/23/15.

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 on 10/7/13.
Argument held 2/2/15.

MOTOROLA MOBILITY, LLC v. AU OPTRONICS CORP., No. 14-8003 (7th Cir.).

Assigned Attorneys: Mark S. Hegedus (OGC)

Nature of Action: Private antitrust action involving the standard for assessing effects on U.S. commerce in applying the Foreign Trade Antitrust Improvements Act.

Status: Brief of the United States and the Federal Trade Commission as amicus curiae in support of petition for rehearing en banc filed 6/27/14.
Order granting panel rehearing entered 7/1/14.
Brief of the United States and the Federal Trade Commission as amicus curiae on the merits of the case filed 9/5/14.
Oral argument held 11/13/14.
Opinion affirming district court entered 11/26/14.

Motorola Mobility's petition for rehearing en banc filed 12/17/14.
Order denying Motorola Mobility's petition for rehearing en banc entered 1/12/15.

Motorola's petition for writ of certiorari filed 3/16/15; petition denied 6/15/15.

MYLAN PHARMACEUTICALS, INC v. CELGENE CORP., No. 2:14-cv-02094 (D.N.J.)

Assigned Attorneys: Kara L. Monahan (BC)

Nature of Action: Private action addressing the question of whether, and to what extent, antitrust law places limits on a private company's ability to block generic access to its brand product.

Status: Brief of the FTC as amicus curiae in opposition to defendant's motion to dismiss filed 6/17/14.
Order granting in part and denying in part motion to dismiss entered 12/23/14.
Motion to certify order denying motion to dismiss for interlocutory appeal entered 1/6/15; granted 1/30/15.

MYLAN

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