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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Federal Trade Commission,  
  
Plaintiff,  
  
v.  
  
Sitesearch Corporation, dba LeapLab, a  
Nevada corporation; et al.,  
  
Defendants.

No. CV-14-02750-PHX-NVW

**ORDER**

Plaintiff, Federal Trade Commission

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Defendant's unfair acts or practices as alleged therein.

2. The FTC has the authority under Section 13(b) of the FTC Act to seek the relief it has requested, and the Complaint states a claim upon which relief can be granted against Defendant.
3. This Court has jurisdiction over the subject matter of this case and has jurisdiction over Defendant. Venue in the District of Arizona is proper.
4. The activities of Defendant, as alleged in the Complaint, are in or affecting commerce, as del2t states

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consumer in receiving, credit, debit, or stored value cards;

1 Financial Product or Service, are hereby permanently restrained and enjoined from  
2 misrepresenting or assisting others in misrepresenting, expressly or by implication:

- 3 A. The likelihood that any Person will obtain a loan or other extension of  
4 credit; and  
5 B. The terms or rates that are available for any loan or other extension of  
6 credit.

7 **III. Prohibited Misrepresentations Relating to All Products or Services**

8 IT IS FURTHER ORDERED that Defendant and its officers, agents, employees,  
9 and attorneys, and those persons or entities in active concert or participation with any of  
10 them who receive actual notice of this Order, whether acting directly or indirectly, in  
11 connection with the advertising, marketing, promotion, offering for sale, or selling of any  
12 product or service, are hereby permanently restrained and enjoined from misrepresenting  
13 or assisting others in misrepresenting, expressly or by implication:

- 14 A. That a consumer has authorized or otherwise consented to the purchase of a  
15 product or service;  
16 B. The likelihood of any particular outcome or result from a product or  
17 service;  
18 C. The nature or terms of any refund, cancellation, exchange, or repurchase  
19 policy, including, but not limited to, the likelihood of a consumer obtaining  
20 a full or partial refund, or the circumstances in which a full or partial refund  
21 will be provided to the consumer; and  
22 D. Any other fact material to consumers concerning any product or service,  
23 such as: the total costs; any material restrictions, limitations, or conditions;  
24 or any material aspect of its performance, efficacy, nature, or central  
25 characteristics.

26 **IV. Consumer Information**

27 IT IS FURTHER ORDERED that Defendant and its officers, agents, employees,  
28 and attorneys, and those Persons or entities in active concert or participation with any of

1 them who receive actual notice of this Order, whether acting directly or indirectly, are  
2 permanently restrained and enjoined from directly or indirectly:

3 A. Failing to provide sufficient consumer information to enable the FTC to  
4 administer efficiently consumer redress. If a representative of the FTC  
5 requests in writing any information related to redress, Defendant must  
6 ed by the FTC, within 14 days.

7 B. Disclosing, using, or benefitting from consumer information, including the  
8 name, address, telephone number, email address, social security number,  
9 other identifying information, or any data that enables access to a  
10 consumer's account (including a credit card, bank account, or other  
11 financial account) of any person that any defendant obtained prior to entry  
12 of this Order in connection with the marketing or offering of payday loans  
13 or other extensions of credit.

14 C. Failing to destroy such consumer information in all forms in Defendant's  
15 possession, custody, or control within thirty (30) days after entry of this  
16 order.

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(collectively, “financial representations”) submitted to the Commission, namely, the Financial Statement of Defendant LeapLab, LLC signed by John Ayers, manager, on October 1, 2015, including the attachments;

- C. The suspension of the judgment will be lifted if, upon motion by the Commission, the Court finds that Defendant failed to disclose any material asset, materially misstated the value of any asset, or made any other material misstatement or omission in the financial representations identified above.
- D. If the suspension of the judgment is lifted as to Defendant, the judgment becomes immediately due as to Defendant in the amount specified in Subsection V.A. above (which the parties stipulate to only for purposes of this Section represents the consumer injury alleged in the Complaint), less any payment previously made pursuant to this Section, plus interest computed from the date of entry of this Order.
- E. All money paid to the FTC pursuant to this Order may be deposited into a fund administered by the FTC or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress funds. If a representative of the FTC decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the FTC may apply any remaining money for such other equitable relief (including consumer information remedies) as the FTC determines to be reasonably related to the practices alleged in the Complaint. Any money not used for such equitable relief is to be deposited to the United States Treasury as equitable disgorgement. Defendant has no right to challenge any actions the FTC or its representatives may take pursuant to this Subsection.

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- F. Defendant relinquishes dominion and all legal and equitable right, title, and interest in all assets transferred pursuant to this Order and may not seek the return of any assets.
- G. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the FTC, in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.
- H. The facts alleged in the Complaint establish all elements necessary to sustain an action by the FTC pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.





1 in any acts or practices subject to this Order.

2 C. Defendant must submit to the FTC notice of the filing of any bankruptcy  
3 petition, insolvency proceeding, or any similar proceeding by or against  
4 Defendant within 14 days of its filing.

5 D. Any submission to the FTC required by this Order to be sworn to under  
6 penalty of perjury must be true and accurate and comply with 28 U.S.C.  
7 § 1746, such as by concluding: “I declare under penalty of perjury under  
8 the laws of the United States of America that the foregoing is true and  
9 correct. Executed on:\_\_\_\_\_” and supplying the date, signatory’s full name,  
10 title (if applicable), and signature.

11 E. Unless otherwise directed by an FTC representative in writing, all  
12 submissions to the FTC pursuant to this Order must be emailed to  
13 DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service)  
14 to: Associate Director for Enforcement, Bureau of Consumer Protection,  
15 Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington,  
16 DC 20580. The subject line must begin: *FTC v. Sitemsearch, et al.*

17 **VIII. Recordkeeping**

18 IT IS FURTHER ORDERED that Defendant must create certain records for 20  
19 years after entry of the Order and retain each such record for 5 years. Specifically,  
20 Defendant must create and maintain the following records:

21 A. Proof of consumers’ express, informed consent to have their Sensitive  
22 Personal Information transferred or disclosed, which includes the name, address,  
23 contact information, phone number, and e-mail address, of the consumer, and the date,  
24 time, and location of collection, and the purpose for which the information was  
25 collected, and the date, time, and location of disclosure, and the purpose for which  
26 the information was disclosed, and the date, time, and location of collection, and the  
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refer to the initiatives, as consumers, suppliers, or other

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