



the television, internet, and print ads depicted in the attached Exhibits A, B, and C. Consumers who view Respondent's advertisements can select and purchase Wagner OE<sup>X</sup> brake pads at various third-party automobile parts retailers and repair shops in order to accomplish the installation themselves or by their preferred installer. The materials contain the following statements and depictions:

**A. Storyboard of Television Advertisement (Exhibit A)**

(Fade In) (Woman driving vehicle #1)

(Woman in vehicle #1 smiles at woman in vehicle #2)

(A truck is crossing in front of vehicles)

(Brake lights activated on both vehicles)

(Vehicle #1 stops safely while vehicle #2 continues moving forward)

(Driver and passengers of vehicle #1 look fearful)

(Vehicle #2 crashes into truck)

WOMAN in vehicle #1: Is everybody okay?

VOICE OVER: Wagner OE<sup>X</sup> brake pads...

Text: Fictionalization, simulated accident, involves stunt drivers

can stop

Do you know what's on your vehicle?

Text: \*Results from an independent testing compared Wagner OE<sup>X</sup> in competitive brake pads on 2014 Ford F-150, 2014 Ford SUV and 2013 Chevy Tahoe

installed at

(Fade Out)

**B. Storyboard of YouTube advertisement (Exhibit B)**



(Fade In) (Woman driving vehicle #1)



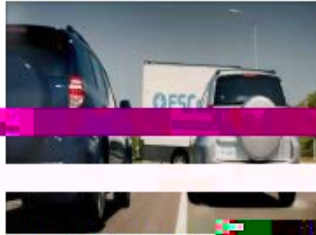
(Woman in vehicle #1 gazes at woman in vehicle #2)



(A truck is approaching)



(Brake lights activated on both vehicles)



(Vehicle #1 stops safely while vehicle #2 continues moving forward)



(Driver and passengers look fearful)



(Vehicle #2 crashes into truck)



WOMAN in Vehicle #1 : Is everybody okay?



VOICE OVER: Wagner OE' brakes

Text: Fictionalization of accident, involves...



can stop you up to 30 feet sooner.



vehicle?



(Fade Out)

Text: \*Results based on independent testing comparing Wagner's brake pads to competitors' brake pads on a 2011 F-150, 2011 RAV4 and 2013 Tahoe

C. Print advertisement (Exhibit C)



**Stopping  
on a dime.  
It's worth  
every penny**

Wagner OE<sup>®</sup> brake pads can stop your truck, SUV or crossover up to 30 feet sooner than other leading pads\*. It can mean 50 feet saved when you need it.

**WAGNER OE<sup>x</sup>**

\*Results based on independent testing comparing Wagner OE<sup>®</sup> to competitor's brake pads on 2011 Ford F150, 2011 Toyota SUV. ©2012 Federal-Mogul Motorparts Corporation. All trademarks shown are owned by Federal-Mogul Corporation, or one of its subsidiaries.

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A. In an emergency, when a driver is trying to stop in the shortest distance possible, Wagner OE<sup>X</sup> brake pads will stop a pickup truck, SUV, or CUV up to 50 feet sooner than competing brake pads; and

B. In an emergency, when a driver is trying to stop in the shortest distance possible, Wagner OEX brake pads installed on a pickup truck, SUV, or CUV, significantly reduce the risk of collisions compared to competing brake pads.

8. The representations set forth in Paragraph 7 are false or misleading, or were not substantiated at the time the representations were made.

### **Violations of Section 5**

9. The acts and practices of Respondent as alleged in this Complaint constitute unfair or deceptive acts or practice in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

**THEREFORE**, the Federal Trade Commission this twelfth day of May, 2020, has issued this Complaint against Respondent.

By the Commission.

April J. Tabor  
Acting Secretary

SEAL: