

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

**Aleksandr Kogan,
an individual, and**

**Alexander Nix, Individually and as Chief
Executive Officer of Cambridge Analytica,
LLC, and**

FILE NOS: 182 3106, 182 3107

**AGREEMENT CONTAINING CONSENT
ORDER AS TO RESPONDENT
ALEXANDER NIX**

The Federal Trade Commission (“Commission”) has conducted an investigation of certain acts and practices of Aleksandr Kogan and Alexander James Ashburner Nix. The Commission’s Bureau of Consumer Protection (“BCP”) has prepared a draft of an administrative Complaint (“draft Complaint”). BCP and Proposed Respondent Alexander James Ashburner Nix (“Proposed Respondent”) enter into this Agreement Containing Consent Order (“Consent Agreement”) to resolve the allegations in the attached draft Complaint through a proposed Decision and Order to present to the Commission, which is also attached and made a part of this Consent Agreement.

IT IS HEREBY AGREED by and between the Proposed Respondent and BCP, that:

1. The Proposed Respondent is Alexander James Ashburner Nix (“Nix”), a British citizen currently residing in the United Kingdom.
2. Proposed Respondent neither admits nor denies any of the allegations in the Complaint, except as specifically stated in the Decision and Order. Only for purposes of this action, Proposed Respondent admits the facts necessary to establish jurisdiction.
3. Proposed Respondent waives:
 - a. Any further procedural steps;
 - b. The requirement that the Commission’s Decision contain a statement of findings of fact and conclusions of law; and
 - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Decision and Order issued pursuant to this Consent Agreement.

ALEXANDER JAMES ASHBURNER NIX

FEDERAL TRADE COMMISSION

By: _____
Alexander James Ashburner Nix

By: _____
Linda Holleran Kopp
Attorney, Bureau of Consumer Protection

Date: _____

APPROVED:

By: _____
Kory Langhofer
Statecraft PLLC
Attorney for Proposed Respondent
Alexander James Ashburner Nix

By: _____
Robert Schoshinski
Assistant Director
Division of Privacy & Identity Protection

Date: _____

By: _____
Maneesha Mithal
Associate Director
Division of Privacy & Identity Protection

By: _____
Daniel Kaufman

public comments. The Commission duly considered any comments received from interested persons pursuant to Section 2.34 of its Rules, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order:

Findings

1. The Respondent is Alexander James Ashburner Nix (“Nix”), a British citizen currently residing in the United Kingdom.
2. The Commission has jurisdiction over the subject matter of this proceeding and over Respondent, and the proceeding is in the public interest.

ORDER

Definitions

For purposes of this Order, the following definitions apply:

- A. “Covered Information” means the following information from or about an individual consumer, including: (a) a first and last name; (b) a physical address or precise geolocation; (c) an email address or other online contact information, such as an instant messaging user identifier or a screen name; (d) a telephone number; (e) a Social Security number; (f) a driver’s license or other government-issued identification number; (g) a financial institution account number; (h) credit or debit card information; (i) a persistent identifier, such as a customer number held in a “cookie,” a mobile device ID, or processor serial number; (j) data fields that can be accessed or collected through Facebook from or about Facebook Users or their Friends (*e.g.*, “likes,” “hometowns,” “birthdates,” “photos,” “gender,” “educational information,” “religious or political views” or “marital” or other “relationship” status); (k) information that is created, maintained, or accessed by the consumer (*e.g.*, “messages”); (l) any data regarding a consumer’s activities online (*e.g.*, searches conducted, web pages visited, or content viewed); or (m) any user credentials, such as a username and password.
- B. “Facebook” means Facebook Inc., its wholly or partially owned subsidiaries, unincorporated divisions, joint ventures, operations under assumed names, and affiliates, and all directors, officers, members, employees, agents, consultants, and other persons working for or on behalf of the foregoing.
- C. “GSRApp” means all iterations of the GSRApp Facebook application that first began operating on the Facebook platform in May 2014.
- D. “Respondent” means Alexander James Ashburner Nix.
- E. “U.S. Entity” means any business entity that is domiciled, incorporated, maintains a physical presence, or transacts business in the United States, or collects or uses Covered Information from or about individuals known to be domiciled in the United States.

Provisions

I. Prohibition against Misrepresentations about Covered Information

IT IS ORDERED that Respondent, and Respondent's officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with any product or service must not misrepresent in any manner, expressly or by implication, the extent to which they protect the privacy and confidentiality of any Covered Information, including:

- A. The extent to which they collect, use, share, or sell any Covered Information; and
- B. The purposes for which they collect, use, share, or sell any Covered Information.

II. Required Deletion of Data

IT IS FURTHER ORDERED that Respondent, and Respondent's officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, must:

- A. Provide, within ten (10) days from the effective date of this Order, the Commission with a written statement, sworn under penalty of perjury, providing the name, address, and phone number for each person with whom Respondent shared any Covered Information collected from consumers through GSRApp, and any information that originated, in whole or in part, from this Covered Information;
- B. Delete or destroy all Covered Information collected from consumers thrt, TR3.9 eng the mpp, and an

and services offered

- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Individual Respondent or any individual or entity affiliated with Respondent, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

VII. Order Effective Dates

IT IS FURTHER ORDERED that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate twenty (20) years from the date of its issuance (which date may be stated at the end of this Order, near the Commission's seal), or twenty (20) years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Provision in this Order that terminates in less than twenty (20) years;
- B. This Order's application to any Respondent that is not named as a defendant in such complaint; and
- C. This Order if such complaint is filed after the Order has terminated pursuant to this Provision.

Provided, further, that if such complaint is dismissed or a federal court rules that Respondent did not violate any Provision of the Order, and the dismissal or ruling is either not appealed or upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission.

April J. Tabor
Acting Secretary