# BEFORE THE FEDERAL TRADE COMMISSION

N 05 29 2014
570245

COMMISSIONERS:

Edith Ramirez, Chairwoman

Julie Brill

Maureen K. Ohlhausen Joshua D. Wright

In the matter of:

Jerk, LLC, a limited liability company.

DOCKET NO 9361

Also d/b/a JERK.COM, and

**RECDONIDENTE TOTAL DANS** 

Pursuant to Rule 3.32(b), Respondent John Fanning provides the following responses to Complaint Counsel's First Requests for Admissions:

1. Respondents have operated the website Jerk.com.

Denied.

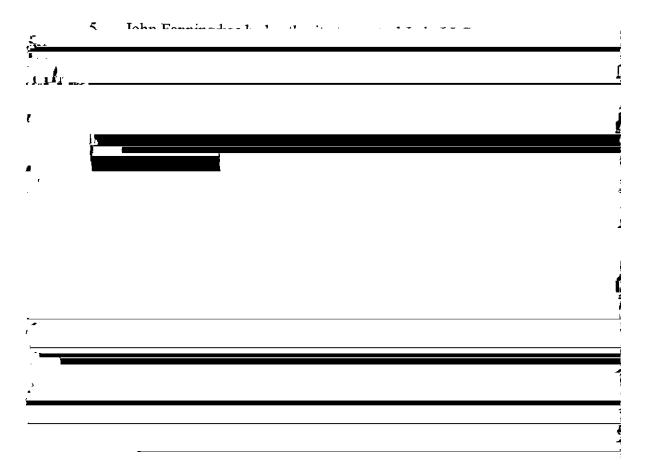


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4. Jerk, LLC has represented P.O. Box 277 Hingham, MA 02043 as a business address.

#### Admit.



### Denied.

- 6. John Fanning hired Harvard Business Services to incorporate Jerk, LLC and serve as Jerk, LLC's registered agent.
  - 12. John Fanning has rented P.O. Box 277, Hingham, MA 02043.

#### Denied.

12. John Fanning has solicited persons to invest in Jerk, LLC.

### Denied.

13. John Fanning has supervised nercong modern for an all 1 to constant

## Denied.

14. John Fanning has corresponded through the email address <a href="mailto:support@jerk.com">support@jerk.com</a>.

## Denied.

15. John Fanning has received complaints from consumers regarding <u>Jerk.com</u>.

## Denied.

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the burden of proof from the FTC to Jerk. Notwithstanding the objection, Respondent Fanning denies.

20.	The majority	of profiles o	n <u>Jer</u> k.com	have not	contained	comments	about
the profiled		-					

information was deriving or ascer	readily available taining whether t	profile" is undefined an to the FTC at Jerk.o he "majority of profile filed subject" is substan	com and the burden s on Jerk.com have n
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as for Jerk. (3) This Request for Admission is an improper attempt by the FTC to shift the burden of proof from the FTC to Jerk. Notwithstanding the objection, Respondent Fanning denies.

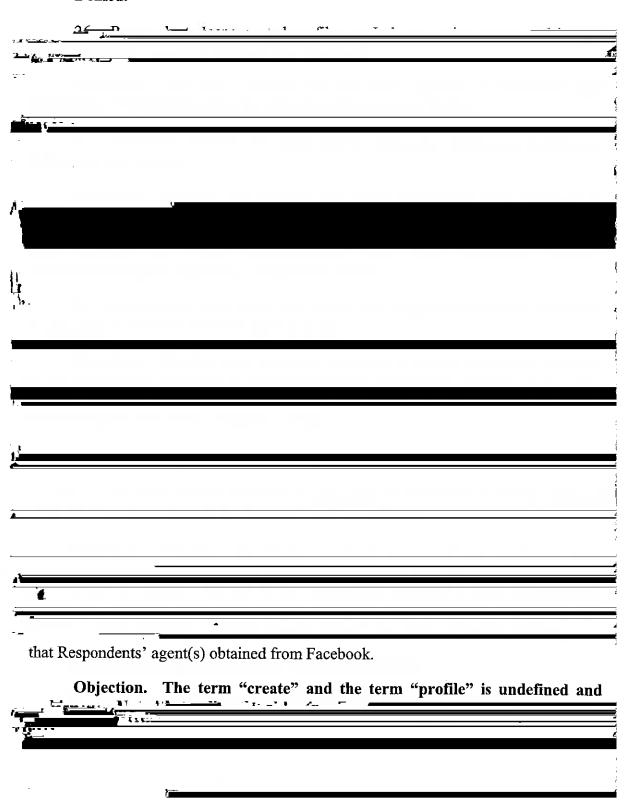
21. Respondents have created the majority of profiles on <u>Jerk.com</u>.

Objection. The term "created" and "profile" is undefined and ambiguous. Notwithstanding the objection, Respondent Fanning denies.

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25. Respondents' agent(s) have downloaded names and images of Facebook users by accessing Facebook's application programming interfaces.

Denied.



relevant to, n	on. Whether "Jerk.comhas not displayed any physical address, s, or telephone number for Jerk.com or Jerk, LLC" is neither or reasonably expected to yield information relevant to, whether lleged decentive representations regarding the "course of lost-
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### **CERTIFICATE OF SERVICE**

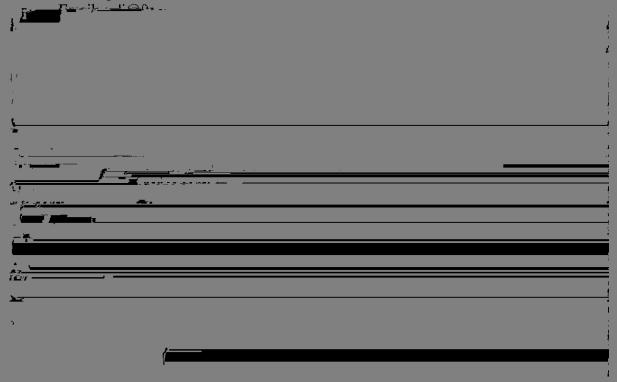
I hereby certify that on May 29, 2014, I caused a true and accurate copy of the foregoing document entitled Respondent John Fanning's Responses to Complaint Counsel's First Requests for Admissions to be served electronically through the FTC's e-filing system and I caused a true and accurate copy of the foregoing to be served as follows:

One electronic copy electronic courtesy copy to the Office of the Secretary

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Ave., N.W., Room H-159
Washington, DC 20580
Email: secretary@ftc.gov

One paper copy and one electronic copy to the Office of the Administrative Law Judge:

The Honorable D. Michael Chappell Chief Administrative Law Judge 600 Pennsylvania Avenue, N.E., Room H-110 Washington, DC 20580



/s/ Peter F. Carr, II
Peter F. Carr, II
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Dated: May 29, 2014