

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

JUN 13

FEDERAL TRADE COMMISSION

Plaintiff,

v.

Case No.

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

1:18-cv-04115

9140-9201 QUEBEC INC., a Quebec Corporation,

also doing business as AMETECK GROUP,  
MARKETING MIDWEST, MIDWEST  
MARKETING, and MIDWEST MARKETING  
INC.;

MIDWEST ADVERTISING & PUBLISHING INC.,  
INC., a Quebec Corporation, also doing  
MIDWESTERN ADVERTISING AND  
PUBLISHING and GLOBAL SITE DESIGN;

THE LOCAL BUSINESS PAGES, a Quebec  
company;

PREMIUM BUSINESS PAGES INC., a Delaware  
corporation;

AMETECK GROUP LLC, a dissolved Nevada  
limited liability company;

AMETECK GROUP LLC, a Delaware limited  
liability company;

DATA NET TECHNOLOGIES, LLC, a Georgia  
limited liability company;

RÉMY MUNILLA, *et al.*, as an owner  
officer, or director of Defendants 9140-9201

Quebec Inc. and Midwest Advertising &  
Publishing Inc.; and as an owner and/or manager  
of Defendants The Local Business Pages, Premium  
Business Pages Inc., Ametech Group LLC,  
Ameteck Group LLC, and Data Net Technologies,  
LLC; and

Judge: Beherra R. H.  
Magistrate Judge, Mr. David Weisman



appro...  
or monies paid, and the disgorgement of ill-gotten monies. U.S.C. § 53(b).

**DEFENDANT**

6. Defendant 9140-9201 Quebec Inc. ("9140-9201 Quebec") is a Quebec corporation with its registered address at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada, H1S 0B5, and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada. 9140-9201 Quebec is the parent company of Midwest Marketing, Midwest Marketing, and Midwest Marketing Inc. 9140-9201 Quebec transacts or has transacted business in this district and throughout the United States.

7. Defendant Midwest Advertising & Publishing Inc. ("Midwest Advertising & Publishing") is a Quebec corporation with its registered address at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada, H1S 0B5, and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada. Midwest Advertising & Publishing also transacts or has transacted business in this district and throughout the United States.

8. Defendant The Local Business Pages is a Quebec corporation with its registered address at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada, H1S 0B5, and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada. The Local Business Pages transacts or has transacted business in this district and throughout the United States.

9. Defendant Premium Business Pages, Inc. ("Premium Business Pages") is a Delaware corporation with its registered address at 501 Silvercreek Road, Suite 105, Wilmington, Delaware, U.S.A.

Delaware 191809 and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada H3W 3E7. Plaintiff has transacted or has transacted business in this district and throughout the United States.

10. Defendant Ametek Group LLC ("Ametek Group") is a Nevada limited liability company that was dissolved on November 18, 2016. Its registered office is Nevada Discount Registered Agent, Inc., 831 Iona Street, Dayton, Nevada 89401. Plaintiff's principal place of business was at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada H3W 3E7. Plaintiff has transacted or has transacted business in this district and throughout the United States.

11. Defendant Ametek Group LLC ("Ametek Group") is a Delaware limited liability company with its registered office at 1100 Delaware Drive, Suite 2106, Old Capitol Trail, Suite 700, Wilmington, Delaware 19808, and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada H3W 3E7. Plaintiff has transacted or has transacted business in this district and throughout the United States.

12. Defendant DataNet Technologies, LLC ("DataNet Technologies"), is a Georgia limited liability company with its registered address at 101 City Park Drive, Suite 300, Cumming, Georgia 30070, and its principal place of business at 5180 Ch. Queen-Mary, Suite 300-330, Montréal, Québec, Canada H3W 3E7. Plaintiff has transacted or has transacted business in this district and throughout the United States.

13. Defendant 9140-9201 Quebec and Midwest Advertising & Publishing, and an owner and/or partner of Defendant Ametek Group, and Defendant Ametek Group, and Defendant DataNet Technologies, LLC, are all parties to this lawsuit.

alone or in concert with others, Defendant [REDACTED], Director, [REDACTED] authority, [REDACTED] control, or participated in the acts and practices set forth in this Complaint. Among other things, Defendant Munnah has controlled all aspects of Defendants' financial and business operations, including [REDACTED] Quebec [REDACTED] incorporated or registered [REDACTED] for the entities through which Defendant [REDACTED]. He opened a merchandise processing account [REDACTED] and is regularly present at the business premises. Defendant Munnah [REDACTED] Canada. Defendant [REDACTED] transacted business in this district and throughout the United States.

14 [REDACTED] [REDACTED] officer or director of

Defendant Premium Business Pages. [REDACTED] concert with others, Defendant Beaudoin has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. Among other things, Defendant Beaudoin [REDACTED] operated, including Defendant Premium Business Pages. She opened and controlled accounts [REDACTED] commercial mail receiving agency mail drop boxes used by the enterprise. She also opened a merchandise processing account [REDACTED] and is regularly present at the business premises. Defendant Beaudoin is a citizen of [REDACTED] and resides [REDACTED] in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

COMMON ENTERPRISE

15. Defendants [redacted] and [redacted] have published, through the Local Business Pages, Premium Business Pages, AOL, and the Grom, Ametek Group, [redacted] Technologies (collectively, Corporate Defendants) have operated [redacted] enterprise while engaging in the deceptive and unlawful acts and practices alleged herein. [redacted] conducted the business practices described below through an internet website [redacted] that have [redacted] officers, managers, business [redacted] operate from a common business location, and [redacted] Defendants have operated [redacted] the acts and practices alleged below. Defendants Munilla and Beaudoin have [redacted] directed, controlled, had the authority to control, or participated in [redacted] Corporate Defendants that constitute the common enterprise.

COMMERCE

16. At all times material to this Complaint, Defendants have maintained a substantial course of [redacted] in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS' BUSINESS ACQUISITION

In [redacted] Defendants have [redacted] business [redacted] the United States [redacted] unorderd Internet directory listings, search engine optimization services, or website [redacted] hosting services. (Defendants' [redacted])



thirty days. Defendants' invoices typically seek payment of amounts ranging from several hundred to

23. Based on Defendants' representation, many consumers believe that Defendants' invoices are legitimate. Defendants' invoices state that consumers have ordered products or services from Defendants. Many consumers pay Defendants' invoices.

24. To pay, consumers are asked to provide bank account information that Defendants use to debit their accounts. Alternatively, consumers may be asked to provide credit card information, or by mail using a drop box controlled by Defendants.

25. In many instances, however, consumers dispute that they, or anyone in their organization, ordered Defendants' services. Some consumers claim that they never placed an order. In some instances, consumers claim that they never received a recording of the call where the order was placed. When consumers dispute the recording, however, Defendants telemarketers often ignore the consumers' demands, or they claim that the recording is not currently accessible to them.

26. In numerous instances, consumers refuse to pay Defendants' invoices. When consumers refuse to pay, Defendants often take additional steps to coerce them, including by making threats of legal action or reporting consumers to credit bureaus. Some consumers eventually pay believing that doing so will put an end to Defendants' harassing calls.

27. In some instances, even after consumers pay, Defendants call them again several times weeks or months later and demand payment for additional services. Defendants often demand payment for services that were never ordered or for services that were already paid for. The telemarketers often represent in these instances that the initial payment was insufficient and that the remaining balance must be immediately paid.



28. In earlier instances, Defendants used a different business name to who preyed upon one of their invoices. Defendants rely on marketers' claim that the consumer has an outstanding or past-due balance owed to what appears to be a completely separate business. As a matter of course, consumers have unknowingly paid Defendants multiple times for unordered services.

29. Thousands of consumers who have been deceived by Defendants' practices have paid Defendants hundreds or thousands of dollars for services they never wanted.

**VIOLATIONS OF THE FTC ACT**

30. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits "unfair or deceptive acts or practices in or affecting commerce."

31. Misrepresentations or deceptive omissions of material fact constitute deceptive acts under Section 5(a) of the FTC Act.

**COUNT I**

32. In numerous instances, in connection with the offering of search engine optimization, directory listings, search engine optimization services, and website design and hosting services, Defendants have a preexisting business relationship with Defendants.

33. In truth and in fact, in numerous instances, Defendants' deceptive representation set forth in the foregoing paragraph, in connection with the offering of search engine optimization, directory listings, search engine optimization services, and website design and hosting services, in connection with their preexisting business relationship with Defendants.

34. Therefore, Defendants' representation that the Complaint is false and misleading and constitutes a deceptive act or practice in violation of Section 15(a) of the FTC Act, 15 U.S.C. § 15(a).

### COUNT II

35. In numerous instances, in connection with the offering of Internet directory listings, search engine optimization services, and website design and hosting services, Defendants have represented, directly or indirectly, expressly or by implication, that they or one of their agents have ordered one of Defendants' services.

In truth and in fact, no such representation set forth in Paragraph 35 of this Complaint is complete. Users have not ordered any of

37. Therefore, Defendants' representation as set forth in Paragraph 35 of this Complaint is false and misleading and constitutes a deceptive act or practice in violation of Section 15(a) of the FTC Act, 15 U.S.C. § 15(a).

### COUNT III

38. In numerous instances, in connection with the offering for sale or sale of Internet directory listings, search engine optimization services, and website design and hosting services, Defendants have represented, directly or indirectly, expressly or by implication, that they or one of their agents owe money to Defendants for one of Defendants' services.

In truth and in fact, Defendants have made the representation set forth in Paragraph 38 of this Complaint false and misleading. Defendants for any

40. Therefore, Defendants' representation set forth in Paragraph 38 of this Complaint is in violation of the FTC Act, 15 U.S.C. § 5(a) and Section 5(a) of the FTC Act, 15 U.S.C. § 5(a).

**CONSUMER INJURY**

41. Consumers have suffered and continue to suffer substantial injury as a result of Defendants' violations of the FTC Act. In addition, as a result of Defendants' actions, consumers have suffered substantial injury at

**THIS COURT'S POWER TO GRANT RELIEF**

42. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b) empowers the Court to grant relief in any case brought under the FTC Act. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including but not limited to, restitution, the return of money paid, and the disgorgement of ill-gotten gains. The Court may remedy any violation of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including but not limited to, restitution, the return of money paid, and the disgorgement of ill-gotten gains. The Court may remedy any violation of any provision of law enforced by the FTC.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays, pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and the Court's equitable jurisdiction, that the Court grant the following relief:

- A. Award Plaintiff such preliminary injunctive relief as may be necessary to prevent the continuation of consumer injury during the pendency of this action and to preserve the possibility of effective final relief, including but not limited to, preliminary injunctive relief, and other relief as may be warranted.

B. Enter a permanent injunction to prevent future violations of the FTC Act by Defendants;


C. Award Plaintiff the costs of bringing this action, including, but not limited to, reasonable attorneys' fees, costs of discovery, and costs of expert testimony, and any other costs incurred by Plaintiff in bringing this action, including, but not limited to, costs of discovery, and costs of expert testimony, and any other costs incurred by Plaintiff in bringing this action;

D. Award Plaintiff the costs of bringing this action, including, but not limited to, reasonable attorneys' fees, costs of discovery, and costs of expert testimony, and any other costs incurred by Plaintiff in bringing this action;

Dated: June 13, 2018

Respectfully submitted,

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FEDERAL TRADE COMMISSION