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**PETITIONS FOR REVIEW**

**(A) Orders to Cease and Desist**

***TRAFFIC JAM EVENTS v. FTC***, No. 21-60947 (5th Cir.)

Parties: 1-800 Contacts, Inc.

Assigned Attorneys: Joel Marcus (OGC)  
Imad Abyad

Nature of Action: Petition for review of final Commission order.

Status: Petition for review filed 12/21/21.  
Traffic Jam Event's opening brief filed 3/28/22; Commission's  
answering brief filed 6/10/22.

**(B) Rulemakings**

(None Pending)

**INJUNCTIONS AND CONSUMER REDRESS**

**(A) Preliminary Injunctions (Mergers/Acquisitions)**

***FTC v. HACKENSACK MERIDIAN HEALTH***, No. 21-2603 (3d Cir); No. 20-cv-18140  
(D.N.J.)

Parties: Hackensack Meridian Health  
Englewood Healthcare Foundation

Assigned Attorneys: Jonathan Lasken (Office of Director/BC)  
Mariel Goetz (OGC)

Nature of Action: Action for preliminary injunction to block the proposed merger between  
Hackensack Meridian Health and Englewood Healthcare.

Status: Complaint filed 12/4/20.  
TRO entered 12/4/20.  
Commission motion for preliminary injunction filed 3/22/21; Defendants'  
opposition filed 4/12/21; Commission reply filed 4/29/21.  
Evidentiary hearing held from 5/10/21 to 5/18/21.  
Order granting motion for preliminary injunction entered 8/4/21.  
Notice of appeal from Englewood and Hackensack filed 8/25/21.





Assigned Attorneys: James Weingarten (BC/Office of Director)  
Jessica Moy  
Adam Pergament (BC/Mergers IV)  
Alexander Bryson  
Cory Gordon  
Emily Blackburn  
Karen Hunt  
Mark Seidman  
Rohan Pai  
Ryan Andrews  
Ryan Maddock

(C)



Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and FTC's Telemarketing Sales Rule in connection with the marketing and sale of student loan debt relief services.

Status: Complaint filed 11/4/19.  
Ex parte TRO with asset freeze, appointment of temporary receiver, and immediate access entered 11/4/19.  
Preliminary injunction hearing held 11/18/19; chambers order granting preliminary injunction entered 11/26/19.  
Preliminary injunction order entered 12/17/19.  
Notice of appeal by defendants Carey G. Howe, Shunmin Mike Hsu, Ruddy Palacios, and Oliver Pomaz filed 1/24/20.  
Stipulated order for permanent injunction and monetary relief against Carey G. Howe, Anna C. Howe, Shunmin "Mike" Hsu, Ruddy Palacios, and Oliver Pomazi entered 9/9/20.  
Appellants' motion to dismiss (z)4 1 (')3 ( -)-2ww-19.2atos,ger geæd 9/9/20.

Cynthia Powell  
Commonwealth of Pennsylvania (co-plaintiff)

Assigned Attorneys: Amy Hocevar (ECR)  
Christian Capece  
Derek Diaz  
Harris Senturia  
Maris Snell  
Fil de Banate

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act and the Unordered Merchandise Statute, and in violation of Pennsylvania consumer protection law, in connection with Defendants' deceptive selling of and collection of payment for publication subscriptions.

Status: Complaint filed 5/13/20.  
Motion to file first amended complaint adding

Order granting FTC's motion for summary judgment in part and denying in part, leaving amount of equitable monetary relief to be determined at trial, entered 4/6/22.

Order vacating trial and directing parties to confer regarding remaining monetary relief issues entered 4/8/22.

Joint status report, reporting that parties have been unable to reach agreement to settle case and are prepared to proceed with bench trial on appropriate amount of monetary relief, filed 5/9/22.

***FTC v. APEX CAPITAL GROUP, LLC***, No. 22-55342 (9th Cir.); No. 2:18-cv-09573 (C.D. Cal.)

Parties: Apex Capital Group, LLC  
Capstone Capital Solutions Limited  
Clik Trix Limited  
Empire Partners Limited  
Interzoom Capital Limited  
Lead Blast Limited  
Mountain Venture Solutions Limited  
Nutra Global Limited  
Omni Group Limited  
Rendezvous it Limited  
Sky Blue Media Limited  
Tactic Solutions Limited  
Phillip Peikos  
David Barnett  
SIA Transact Pro  
Mark Moskvins  
Thomas W. McNamara (Receiver)  
Wells Fargo & Co. (Proposed Intervenor)  
Wells Fargo Bank N.A. (Proposed Intervenor)

Assigned Attorneys: Jonathan W. Ware (BCP/ENF)  
Sarah Waldrop  
Delilah Vinzond  
As

Amended complaint naming SIA Transact Pro and Mark Moskvins filed 5/30/19.

Stipulated orders for permanent injunction and monetary judgment as to David Barnett, Phillip Peikos, Apex Capital Group, LLC, Capstone Capital Solutions Limited, Clik Trix Limited, Empire Partners Limited, Interzoom Capital Limited, Lead Blast Limited, Mountain Venture Solutions Limited, Nutra Global Limited, Omni Group Limited, Rendezvous IT Limited, Sky Blue Media Limited, and Tactic Solutions Limited entered 9/11/19.

Stipulated order for permanent injunction and monetary judgment as to Mark Moskvins and SIA Transact Pro entered 1/15/20.

Motion to set aside monetary judgment in light of *AMG* filed 7/9/21; Commission's opposition filed 8/9/21; reply filed 8/16/21; motion denied 9/3/21.

Wells Fargo's motion to intervene to challenge monetary judgment filed 1/18/22; Commission's opposition filed 2/7/22; Wells Fargo's reply filed 2/21/22; order denying motion to intervene entered 3/10/22.

Danielle Cadiz  
Redwood Scientific Technologies, Inc. (California Corp.) d/b/a Rengalife  
Redwood Scientific Technologies, Inc. (Nevada Corp.)  
Redwood Scientific Technologies, Inc. (Delaware Corp.)  
Identify, LLC  
Advanced Mens Institute Prolongz LLC d/b/a AMI  
Runway Products, LLC  
Carols Place Limited Partnership  
Jacques Poujade (third party)  
True Pharmastrip, Inc. (proposed intervenor)  
VPL Medical, Inc. (intervenor limited to VPL TRO and PI)  
Inter/Media Time Buying Corporation (third party)

Assigned Attorneys: Stacy Rene Procter (WRLA)  
Edwin Rodriguez (BCP/AP)  
Elizabeth Sanger  
James Prunty  
Shira Modell  
Mark Hegedus (OGC)

Alleged Conduct: Deceptive acts or practices in violation of the Federal Trade Commission Act (15 U.S.C. § 52) and the California Consumer Protection Act (CPLA) (Civ. Code § 1770) and the California Unfair Practices Act (CUPA) (Civ. Code § 1770.03).

Commission's application for contempt against defendants Eunjung Cardiff, Jason Cardiff, and third-party Jacques Poujade for violations of the TRO and preliminary injunction filed 6/17/19; opposition to contempt motion filed 7/8/19; reply in support of contempt motion filed 7/15/19.

Order finding defendant Jason Cardiff in contempt entered 7/29/19; order finding defendant Jason Cardiff no longer in contempt entered 7/30/19.

Motion to intervene by True Pharmastrip, Inc. filed 10/18/19; Commission's opposition to motion filed 10/28/19; reply in support of motion filed 11/4/19; order denying motion entered 1/10/20.

Order requiring turnover of funds entered 10/29/19.

Application to modify or stay order requiring turnover of funds pending appeal filed 11/22/19; Commission's opposition to application filed 11/26/19; reply in support of application filed 11/27/19; order denying application entered 12/17/19.

Notice of appeal by Jacques Poujade filed 11/27/19.

Motion by Jaques Poujade in 9<sup>th</sup> Circuit to stay lower court action filed 12/23/19; motion denied 2/28/20.

Notice of appeal by True Pharmastrip, Inc., filed 1/15/20.

Motion to dissolve preliminary injunction by Eunjung Cardiff and Jason Cardiff filed 1/20/20; motion denied 3/30/20.

Commission's motion for contempt against Eunjung Cardiff and Jason Cardiff for violation of preliminary injunction filed 3/2/20; order holding Cardiff Defendants in contempt entered 3/31/20.

Notice of appeal by Eunjung Cardiff and Jason Cardiff filed 4/7/20; appeal dismissed for lack of jurisdiction on 6/26/20.

Appellants Poujade and TPI's opening brief filed 4/6/20; FTC's answering brief filed 7/13/20; Poujade and TPI reply brief filed 8/3/20.

Commission's motion for contempt against Jacques Poujade filed 5/29/20.

Commission's motion for contempt sanctions against Jason Cardiff and Eunjung Cardiff for failure to comply with 3/31/20 contempt order filed 6/19/20; opposition to sanctions motion filed 7/10/20; reply in support of sanctions motion filed 7/17/20; reply in opposition filed 7/21/20; order of contempt and provisional sanctions entered 7/24/20.

Cardiffs' "notice of purge of contempt" filed 9/3/20; Commission's opposition filed 9/4/20; Cardiff reply filed 9/5/20; order finding Cardiffs in contempt but deferring incarceration entered 9/9/20.

Temporary restraining order with asset freeze and other equitable relief refiled agrh a0.004 's 15.47 -715 Td[(7/-)2 8.EM0 Tc 0 Tw 2 (20.)]TJ( )Tj7MC /P \*



AM Property Management, LLC  
Fmg Partners, LLC  
Zinly, LLC  
Jonathan P. Hanley  
Benjamin R. Horton  
Sandra X. Hanley  
American Home Loans, LLC

Assigned Attorneys: Gregory Ashe (BCP/FP)  
Jack Metzler (OGC)







Christian, Chan Martin, Julie Santos, David Heiman, and  
Heartland Property Group, Inc

Assigned Attorneys: Jonathan Cohen (BCP/ENF)  
Amanda Kostner  
Benjamin Theisman  
Elizabeth Averill  
Khouryanna DiPrima  
Theodore (Jack) Metzler (OGC)

Alleged Conduct:

Order denying defendant Anris Pukke's motion to dismiss entered 4/30/19.

Appellant Atlantic International Bank, LTD's (No. 19-1925) opening brief filed 5/14/19; Commission's response brief filed 6/12/19;

Commission's motion for stay of proceedings as to defendants Frank Costazno, Ecological Fox LLC, and Deborah Connelly filed 7/23/19; order granting motion entered 7/26/19.

Commission's proposed preliminary injunction filed 8/12/19; defendant Chadwick's opposition to proposed preliminary injunction filed 8/22/19; Commission's reply in support of preliminary injunction filed 9/3/19.

Defendant Chadwick's motion to dismiss for lack of jurisdiction filed 8/22/19; Commission's response to motion filed 8/27/19; order denying motion to dismiss entered 9/5/19.

Order extending stay of litigation against Atlantic International Bank entered 9/6/19.

Joint motion to dismiss Atlantic International Bank's appeal (No. 19-1925) filed 9/10/19.

Stipulated order for permanent injunction and monetary judgment against defendant Atlantic International Bank entered 9/25/19.

Preliminary injunction as to defendants Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Certain Corporate Defendants, and the estate of John Pukke entered 10/3/19.

Memorandum opinion and order addressing calculation of equitable monetary relief entered 10/17/19.

Order that defendants' are not entitled to jury trials on the contempt motions entered 10/22/19.

Notice of appeal of preliminary injunction by defendant Peter Baker (No. 19-2306) filed 10/25/19.

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Notice of appeal by Peter Baker (No. 20-1594) filed 5/26/20.  
Baker's opening brief filed 6/23/20; Commission's response brief filed  
7/10/20.

Baker's appeal dismissed 9/28/20.

Notice of appeal (No. 20-2215) by Andris Pukke filed 11/9/20.

Final order for permanent injunction and monetary judgment against  
Defendants Andris Pukke, Peter Baker, and Luke Chadwick

Consolidated appeals tentatively calendared for oral argument

Motion for judgment on the pleadings by John Dorsey and Thomas McCann filed 6/11/19; Commission's opposition filed 6/25/19; defendants' reply filed 7/12/19; motion denied 8/28/19.

Motion to reconsider or certify denial of motion to dismiss by Electronic Payment Systems, LLC, and Electronic Payment Transfer, LLC filed 9/10/19; Commission's opposition filed 9/24/19; defendants' reply filed 10/1/19; motion denied 10/23/19.

Motion for summary judgment by Electronic Payment Systems, LLC and Electronic Payment Transfer filed 3/18/20; FTC's opposition filed 4/16/20; reply filed 4/22/20; motion denied 8/31/20.

Motion for summary judgment by John Dorsey and Thomas McCann filed 9/25/20; Commission's opposition filed 10/16/20; defendants' reply filed 11/10/20.

Motion for summary judgment by the Commission filed 9/25/20; defendants' oppositions filed 11/25/20; Commission response filed 1/8/21

Stipulated orders for permanent injunction and judgment against Defendants Electronic Payment Systems of America, Inc., Electronic Payment Services Inc., and Jay Wigdore entered 1/22/21.

Motion for reconsideration of motion for judgment on the pleadings by Defendants John Dorsey and Thomas McCann filed 5/10/21.

Order 1) denying defendants' motion to strike, 2) granting in part and denying in part the FTC's motion for summary judgment against Defendants Electronic Payment Systems LLC, Electronic Payment Transfer LLC, John Dorsey, and Thomas McCann, and entering judgment against these Defendants on Counts II and VI of the First Amended Complaint, 3) granting the FTC's motion to withdraw parts of motion for summary judgment regarding monetary relief, 4) denying a permanent injunction, 5) granting in part and denying in part Dorsey and McCann's motion for summary judgment, 6) dismissing without prejudice the FTC's claim for equitable monetary relief against El

***FTC v. ELEGANT SOLUTIONS, INC.***, Nos. 20-55766 (9th Cir.); 8:19-cv-01333 (C.D. Cal.)

Parties:                   Elegant Solutions, Inc., d/b/a Federal Direct Group  
Trend Capital Ltd., d/b/a Mission Hills Federal  
Dark Island Industries, Inc., d/b/a Federal Direct Group, and f/k/a  
Cosmopolitan Funding Inc.  
Heritage Asset Management, Inc., d/b/a National Secure Processing  
Tribune Management, Inc., d/b/a The Student Loan Group  
Mazen Radwan  
Rima Radwan  
Labiba Velazquez  
Dean Robbins

Assigned Attorneys: Michelle Grajales (BCP/FP)  
Samuel Jacobson  
John Jacobs  
Imad Abyad (OGC)  
Matthew Hoffman

Alleged Conduct:       Deceptive acts or practices in violation of Section 5 of the FTC Act and  
the Telemarketing Sales Rule in connection with marketing and sale of  
student loan debt relief services.

Status:



***FTC v. ENDO PHARMACEUTICALS INC.***, No. 22-5137 (D.C. Cir.); No. 1:21-cv-00217  
(D.D.C.)

Parties: Endo Pharmaceuticals Inc.  
Endo International, plc  
Impax Laboratories, LLC  
Amneal Pharmaceuticals, Inc.

Assigned Attorneys: James Weingarten (BC/Office of the Director)  
Eric Sprague (BC/HC)  
Kara Monahan  
Markus Meier  
Emma Dick  
Evan Cartagena  
Garth Huston  
Jamie Towey  
Mark Hegdus (OGC)

Alleged Conduct: Violations of Sections 1 and 2 of the Sherman Act and unfair methods of competition in violation of Section 5 of the FTC Act, in connection with an illegal agreement to eliminate competition in the oxymorphone market, a long-acting opioid used for the treatment of moderate to severe pain.

Status: Complaint filed 1/25/21.  
Defendants' motions to dismiss filed 4/26/21; FTC opposition filed 6/10/21; Defendants' replies filed 7/02/21; motion to dismiss granted 3/4/22  
FTC notice of appeal filed 5/23/22.  
FTC's opening brief due 9/12/22; appellees' brief due 11/23/22; FTC's reply brief due 12/23/22.

***FTC v. F9 ADVERTISING LLC***, No. 3:19-cv-01174 (D.P.R.)

Parties: F9 Advertising LLC  
Gopalkrishna Pai  
Ace Initiative Group, LLC  
Connected AD Station LLC  
Fastlane Sales, LLC  
Hyper Marketing Solutions LLC  
Media Redefined LLC  
Primed Marketing LLC  
Responsive Media LLC

Assigned Attorneys: Michael Schaefer (BCP/ENF)  
Gregory J. Madden

Alleged Conduct:

Assigned Attorneys: Brittany Frassetto (BCP/FP)  
Greg Madden

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the FTC Act in connection with the advertising, marketing, and offering of commercial fuel card products.

Status: Complaint filed 12/20/19.  
Commission motion for summary judgment filed 4/16/21; Defendants' cross motion for partial summary judgment and opposition to Commission's motion filed 5/16/21; Commission response filed 6/18/21.  
Commission motion to stay pending resolution of administrative litigation or dismiss without prejudice filed 8/13/21; Defendants' response filed 8/27/21; Commission reply filed 9/10/21; motion denied 2/7/22.  
Trial set to begin 8/29/22.

***FTC v. FRONTIER COMMUNICATIONS CORP.***, No. 2:21-cv-4155 (C.D. Cal.)

Parties: Frontier Communications Corporation  
Frontier Communications Parent, Inc.  
Frontier Communications Intermediate, LLC  
Frontier Communications Holdings, LLC  
State California, (Co-Plaintiff)  
States of Arizona, Florida, Indiana, Michigan, North Carolina, and Wisconsin (dismissed Co-Plaintiffs)

Assigned Attorneys: Barbara Chun (WRLA)  
Robert Quigley  
Miles Freeman  
Matthew Fine

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5 of the FTC Act in connection with the advertising and sale of Internet service plans that failed to reach speeds promised to consumers.

Status: Complaint filed 5/19/21.  
Motion to dismiss the complaint by defendants filed 7/20/21; plaintiffs' consolidated opposition filed 8/13/21; defendants' reply filed 8/30/21.  
Order denying in part and granting in part defendants' motion to dismiss, dismissing all state claims except California's for lack of personal jurisdiction, entered 10/4/21.

Stipulated order for permanent injunction and monetary judgment entered  
5/6/22.

***FTC v. F&G INTERNATIONAL GROUP HOLDINGS, LLC***, No. 6:20-cv-73 (S.D. Ga.)

Parties: F&G International Group Holdings, LLC.  
FG International, LLC.  
J. Glenn Davis

Assigned Attorneys: Anna Burns (SER)  
Brian Martin Welke (BCP/ENF)  
Philip Brown  
Alejandro Rosenberg

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in  
connection with false or unsubstantiated R-value claims about their  
architectural coating products.

Status: Complaint filed 7/28/20.  
Commission motion for sanctions for spoliation filed 2/24/21; Defendants'  
response filed 3/12/21; Commission reply filed 3/26/21.  
Commission's motion for summary judgment against all Defendants  
filed 10/5/2021; Defendants' opposition filed 10/26/21;  
Commission's reply filed 11/9/21.  
Defendants' motion to dismiss or, in the alternative, motion for summary  
judgment on FTC's claims for equitable monetary relief filed  
10/15/2021; Commission's opposition filed 10/20/21.

***FTC v. GOLDEN SUNRISE NUTRACEUTICAL, INC.***, No. 1:20-cv-01060 (E.D. Cal.)

Parties: Golden Sunrise Nutraceutical, Inc.  
Golden Sunrise Pharmaceutical, Inc.  
Huu Tieu  
Stephen Meis

Assigned Attorneys: Edward Hynes (SWR)  
Reid Tepfer

Alleged Conduct: Deceptive acts and practices in violation of Sections 5(a) and 12 of the  
FTC Act in connection with the marketing and sale of purported COVID-  
19, cancer, and Parkinson's disease treatments.

Status: Complaint filed 07/30/20.  
TRO entered 08/05/20.  
Stipulated preliminary injunctions entered 08/27/20.

Stipulated order for permanent injunction and monetary judgment as to Defendant Stephen Meis entered 6/11/21.

Motion for summary judgment as to defendants Golden Sunrise Nutraceutical, Inc., Golden Sunrise Pharmaceutical, Inc., and Huu Tieu filed 10/1/21.

Motion to self-represent by Huu Tieu on behalf of himself, Golden Sunrise Nutraceutical, and Golden Sunrise Pharmaceutical filed 6/21/22; motions denied 6/23/22.

***FTC v. GRAHAM***, No. 3:22-cv-655 (M.D. Fla.)

Parties: Treashonna P. Graham, a/k/a Shonna Graham, a/k/a Treashonna Lee Williams, a/k/a Shonna Lee Williams  
C Lee Enterprises LLC, also d/b/a The Grant Bae and Grant Bae Consulting and More

Assigned Attorneys: Daniel Wilkes (BCP-ENF)  
Miriam Lederer

Alleged Conduct: Deceptive acts or practices in violation of Section HH , Tw 3 e[(H)2 c.haok9e .75io rJTc -

Chet Andrews  
Patricia Brandmeier Robinson [executor of estate of Jerry L. Robinson]

Assigned Attorneys: Korin Felix (BCP/ENF)  
Omolara Joseney  
Reenah L. Kim  
Hong Park  
Amanda C. Basta  
Kimberly L. Nelson

Motions to dismiss for failure to state a claim by defendants iStream Financial Services, Inc, Chet Andrews, Patricia Brandmeier Robinson, Dale Paul Cleveland, EDebitPay, LLC, William Wilson, James McCarter, Mark Ward, and Earl Robinson filed 11/15/18; Commission's opposition filed 12/13/18; defendants' reply filed 2/8/19; order denying motions to dismiss entered 2/12/19.

Order granting Defendants' request for leave to file an interlocutory appeal entered 7/24/19.

Order of 11th Circuit denying petition to appeal entered 11/20/19.

Defendants' motion to stay pending the Supreme Court's decision in *AMG Capital Mgmt., LLC v. FTC* filed 7/20/20; Commission's opposition filed 8/3/20; defendants' reply filed 8/10/20; order denying motion to stay entered 9/10/20.

Commission motions for summary judgment as to Defendants EDebitPay LLC, Dale Paul Cleveland, William Wilson, Earl Robinson, Patricia Brandmeier Robinson, James McCarter, Mark Ward, iStream Financial Services Inc., Kris Axberg, Richard Joachim, and Guadalupe Andrews filed 2/8/21; Defendants' oppositions filed 4/8/21; Commission replies filed 5/20/21.

Motion for summary judgment by Defendants Kris Axberg, Richard Joachim, and iStream Financial Services, Inc. filed 6/17/21.

Pending motions for summary judgment terminated without prejudice 6/21/21.

Cross-motions for summary judgment by Commission and Defendants filed 8/10/21; oppositions filed 10/29/21; replies filed 12/3/21; opposition by defendant Earl G. Robinson filed 12/13/21.

Unopposed motion to stay resolution of motions as to defendants iStream Financial Services, Inc., Kris Axberg, and Richard Joachim pending finalization of settlement filed 12/15/21.

Stipulated permanent injunction and monetary relief as to defendants iStream Financial Services, Kris Axberg, and Richard Joachim entered 2/24/22.

Motion to dismiss Guadalupe Andrews on behalf of estate of defendant Chet Andrews filed 3/9/22; Commission's opposition brief filed 3/23/22; reply filed 4/6/22; order finding motion moot entered 6/23/22.

Order denying Commission's motions for summary judgment, granting in part and denying in part motion for summary judgment by defendants EDebit Pay, Dale Cleveland and William Wilson, and orders denying other motions for summary judgment, entered 3/28/22.

Stipulated orders resolving claims against estates of defendants Jerry Robinson and Chet Andrews entered 6/22/22.

***FTC v. HUMAN RESOURCE DEVELOPMENT SERVICES***, No. 1:22-cv-1919 (N.D. Ill.)

Parties: Human Resource Development Services Inc, d/b/a Saint James School of  
Medicine and HRDS.  
Delta Financial Solutions Inc.  
Kaushik Guha

Assigned Attorneys: Quinn Martin (BCP/FP)  
James Davis (MWR)

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a), the Telemarketing



Defendant's application for attorney's fees and expenses un

Notice of stipulated proposed orders for permanent injunction and monetary judgment against all defendants except Kevin Guice filed 9/1/17.

Order for permanent injunction and monetary relief against Kevin Guice entered 12/7/18.

Order granting summary judgment, with permanent injunction and monetary relief, against Kevin Guice entered 12/10/18.

Motion to Alter or Amend Judgment against Kevin Guice filed on 01/8/19. Stipulated final orders against defendants Chase Jackowski, Linda McNealy, Clarence Wahl, Karen Wahl, and corporate defendants Life Management Services of Orange County, LLC, Loyal Financial & Credit Services, LLC, IVD Recovery, LLC, KWP Services, LLC, KWP Services of Florida LLC, LPSOFFLA LLC, LPSOFFLORIDA L.L.C., PW&F Consultants of Florida LLC, UAD Secure Services LLC, UAD Secure Service of FL LLC, URB Management, LLC, YCC Solutions LLC, and YFP Solutions LLC entered 4/23/19.

Stipulated final orders against relief defendants Robert Guice and Timothy Woods entered 4/23/19.

Order denying motion to alter or amend judgement against Kevin Guice entered 9/24/19.

Notice of appeal of final judgment by Kevin Guice (No. 19-14248) filed 10/24/19.

Order denying motion to alter or amend judgment and for stay pending appeal and granting Receiver's motion for order directing marshals to put Receiver into possession of Oriskany Drive Property entered 1/29/21,

Notice of appeal (No. 21-10688) filed 2/28/21.

Appellant Kevin Guice's opening brief filed 2/22/21; Commission's brief filed 4/19/21.

Clerk's entry of dismissal for want of prosecution (No. 21-10688) entered 5/19/21.

Opinion affirming summary judgment (No. 19-14248) issued 3/9/22.

***FTC v. MAIL TREE INC.***, No. 0:15-cv-61034 (S.D. Fla.)

Parties:

Awards Research Consultant, LLC  
 John Leon  
 MCP Marketing Activities, LLC d/b/a Magellan Mail and Magellan Marketing  
 Mail Tree Inc.  
 Mailpro Americas Corp.

Master -0.00 ( dS0 Td[(9 [(M)-5 (ar)-1 (k1)-4 (et)-6 (i)-6 (n)-4 ((n)- ( i)-2 (nt) (er)--5 ( W (

Michael McKay Co.  
Matthew Pisoni  
Serena Pisoni  
Marcus Pradel  
Victor Ramirez  
Romeria Global, LLC d/b/a Lowenstein Varick and Nagel  
Spin Mail, Inc.  
Supreme Media, LLC  
Trans National Concepts, Inc.  
Vernier Holdings, Inc.

Assigned Attorneys: Guy Ward (MWR)  
Douglas McKenney

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with sweepstakes scam.

Status: Complaint filed 5/18/15.  
Ex parte TRO entered 5/19/15.  
Preliminary injunction against all defendants except Marcus Pradel and Trans National Concepts entered 6/12/15.  
Stipulated preliminary injunction as to defendants Marcus Pradel and Trans National Concepts entered 6/12/15.  
Order staying case entered 6/12/15.  
Unopposed motion for specific relief from asset freeze filed 10/4/19; order granting motion entered 10/7/19.  
Commission status report on status of criminal case filed 3/1/21.  
Unopposed motion for specific relief from asset freeze filed 5/4/22; order granting motion entered 5/9/22.

***FTC v. META PLATFORMS, INC.,*** No. 1:20-cv-3590 (D.D.C.)

Parties: Meta Platforms, Inc., f/k/a Facebook, Inc.

Assigned Attorneys: Daniel John Matheson (BC/Office of the Director)  
David Owyang (BC/TED)  
Eric Cochran  
Gary London, Jr.  
Krisha Cerilli  
Maria DiMoscato  
Mark Silvia  
Michael Mikawa  
Michael Smith  
Noel Miller  
Owen Masters  
Patricia Galvan  
Rebecca Weinstein



Edwin Rodriguez  
Alejandro Rosenberg  
Valerie Verduce

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 of the FTC Act in connection with the sale of a purported weight loss product.

Status: Complaint filed 11/10/04.  
Final judgment entered 12/16/08.  
Notice of appeal filed 2/4/09.  
Opinion affirming district court order entered 12/15/09.  
Petition for rehearing *en banc* filed 1/29/10; order denying petition entered 4/26/10.  
Appellant's petition for a writ of certiorari filed 7/23/10; Commission's opposition filed 9/24/10; appellant's petition denied 11/1/10.  
Commission's motion to hold defendants Hi-Tech Pharmaceuticals, Stephen Smith and Jared Wright in contempt filed 11/1/11; defendant's opposition filed 12/2/11.  
Commission's motion to hold defendant Terrill Mark Wright in contempt filed 3/21/12.  
Order to show cause why defendants Wright, Hi-Tech Pharmaceuticals, Stephen Smith, and Jared Wright should not be held in contempt entered 5/11/12; response filed 11/13/12.  
Motion for contempt judgment filed 10/22/12; defendants' response filed 2/14/12; Commission's reply brief filed 1/10/13.  
Order finding defendants liable for contempt and ordering further proceedings on remedy entered 8/8/13.  
Trial on contempt remedies held on 1/21/14 - 1/24/14.  
Order holding defendants liable for contempt and directing compensatory sanctions to redress consumers entered 5/14/14.  
Defendants' notices of appeal filed 7/11/14 and 7/14/14.  
Order by district court imposing coercive contempt sanction and directing that defendants Jared Wheat and Stephen Smith be incarcerated until they comply with product recall entered 9/2/14.  
Petition for mandamus by defendants Wheat and Smith seeking to overturn coercive contempt order filed 9/4/14; denied 9/4/14.  
Notice of appeal from coercive contempt order and emergency motion for a stay by defendants Wheat and Smith filed 9/4/14; Commission's opposition filed 9/5/14; motion for stay denied 9/5/14; motion to

Motion to stay execution of judgment pending appeal entered 10/30/14; denied 1/23/15.

Appellants' briefs (No. 14-13131) filed 10/30/14.

Order that the US Marshal's Service release Jared Wheat and Stephen Smith from incarceration entered 11/10/14.

Commission's answering brief (No. 14-13131) filed 1/9/15; appellants' reply briefs filed 2/17/15.

Oral argument in Eleventh Circuit held 4/17/15.

Opinion vacating district court's judgment of contempt and remanding case to district court for further proceedings entered 5/5/15.

Commission's motion for clarification filed 6/4/15; Hi-Tech Pharmaceuticals response filed 6/18/15.

Commission's motion for entry of contempt judgement relating to Hi-Tech Pharmaceuticals, Inc., Jared Wheat, and Stephen Smith's violation of section VI and motion for compensatory sanctions filed 8/20/15; opposition filed 10/9/15; Commission's reply filed 10/26/15; order denying motion with leave to refile entered 11/4/15.

Contempt hearing held 3/27/17 - 4/7/17.

Final judgment against defendants Hi-Tech Pharmaceuticals, Inc., Jared Wheat, and Stephen Smith, and Terrill Mark Wright entered 10/31/17.

Defendants Hi-Tech Pharmaceuticals, Inc., Stephen Smith and Jared Wheat's notice of appeal filed 12/21/17; appellants' briefs filed 3/30/18; Commission's answering brief filed 6/14/18; reply briefs filed 7/30/18.

Oral argument held 7/26/19.

Opinion affirming district court judgment entered 9/18/19.

Appellants' petition for rehearing en banc filed 11/1/19; denied 1/29/20.

Appellant Hi-Tech Pharmaceuticals' petition for writ of certiorari filed 6/26/20; certiorari denied 11/2/20.

Motion for relief from judgment by Defendants Hi-Tech Pharmaceuticals, Inc. and Jared Wheat filed 5/13/21; Commission's opposition filed 5/26/21; Defendants' reply filed 6/9/21; motion denied 9/30/21.

Notice of appeal filed by Hi-Tech Pharmaceuticals, Stephen Smith, and Jared Wheat filed 11/22/21.

Appellants' opening brief filed 3/4/22; Commission's brief filed 5/4/22; appellants' reply brief filed 6/24/22.

***FTC v. NORTH AMERICAN AUTOMOTIVE SERVICES***, No. 1:22-cv-01690 (N.D. Ill.)

Clermont Motors, LLC  
North Palm Motors, LLC  
Napleton's Ellwood Motors, Inc.  
Napleton Mid River Imports, Inc.  
Hitko Kadric  
State of Illinois (Co-Plaintiff)

Assigned Attorneys: Helen Clark (BCP/FP)  
William Hodor (MWR)

Alleged Conduct: Deceptive and unfair acts or practices in violation of Section 5(a) of the FTC Act, the Equal Credit Opportunity Act (ECOA), and the Truth in Lending Act (TILA) for including illegal junk fees for unwanted "add-ons" onto customers' bills and for discriminating against Black customers by charging them more for financing.

Status: Complaint filed 3/31/22.  
Stipulated order for permanent injunction, monetary judgment, and other relief entered 4/5/22.

***FTC v. NEORA LLC***, No. 3:19-cv-19699 (D. N.J.); No. 3:20-cv-01979 (N.D. Tex.)

Parties: Neora LLC, f/k/a Nerium International, LLC  
Jeffrey Olson  
Signum Biosciences, Inc.  
Signum Nutralogix

Assigned Attorneys: Guy Ward (MWR)  
Katharine Roller  
Lisa Bohl  
Douglas McKenney  
Christine Carson

Alleged Conduct: Deceptive acts and practices in violation of Section 5(a) and 12 of the FTC Act in connection with advertising, promoting, and distributing a nutritional supplement.

Status: Complaint filed 11/1/19.  
Stipulated order for permanent injunction as to Defendants Signum Biosciences Inc. and Signum Nutralogix entered 11/15/19.  
Defendants Neora LLC and Jeffrey Olson's motion to dismiss filed 12/11/19; Commission's opposition filed 12/23/19; defendants reply filed 12/30/19.  
Order granting defendants' motion to transfer case to the U.S. District Court for the Northern District of Texas entered 7/27/20.

Defendants Neora LLC and Jeffrey Olson's motion for judgment on the pleadings filed 5/17/21; Commission response filed 6/7/21; Defendant's response filed 6/21/21.

Order granting defendants' motion for judgment on the pleadings with respect to FTC's claim for monetary relief, but denied in all other respects, entered 8/2/21.

Commission's motion for judgment on the pleadings on all affirmative defenses filed 5/3/22;



Contempt motion against the FTC by contempt defendants filed 2/24/22;  
Commission's opposition filed 3/10/22; contempt defendants'  
reply filed 3/16/22; motion denied 3/28/22.  
Order denying without prejudice Commission's motion for contempt

Motion for summary judgment as to liability filed 3/12/21; Defendants' opposition filed 5/3/21; Commission's reply filed 6/28/21.

Order denying motion to intervene by Success by Health affiliates entered 4/1/21; notice of appeal by would-be intervenors filed 4/19/21; appellants' motion for voluntary dismissal of appeal granted 7/23/21.

Motion for preliminary injunction with asset freeze and receivership filed 5/18/21; Defendants' opposition filed 6/11/21; Commission's reply filed 6/16/21.

Commission's motion for summary judgment as to monetary remedies filed 6/23/21; defendants' opposition filed 8/6/21; Commission's reply filed 8/16/21.

Motion to dissolve the preliminary injunction order and stay or dismiss 13(b) proceedings by individual defendants filed 7/30/21; Commission's opposition filed 8/6/21; defendants' reply filed 8/13/21.

FTC motion for sanctions for intentional spoliation of evidence granted 8/30/21.

Order granting FTC's motion for summary judgment on liability entered 9/9/21.

Order granting FTC motion for preliminary injunction with asset freeze and receivership, and denying individual defendants' motion to dissolve preliminary injunction and stay or dismiss 13(b) proceedings, entered 9/23/21.

Notice of appeal of preliminary injunction order and denial of motion to dismiss by individual defendants filed 10/8/21.

Order denying FTC motion for summary judgment on remedies entered 11/23/21.

Motion for voluntary dismissal of appeal granted 12/14/21.

FTC's motion to apply summary judgment on liability order to corporate defendants filed 1/31/22; defendants' opposition filed 2/14/22; denied without prejudice 2/17/22.

Motion to set aside judgment by individual defendants filed 2/22/22; FTC's opposition filed 3/4/22; reply filed 3/10/22; denied 3/28/22.

***FTC v. NUDGE LLC***, No. 2:19-cv-00867 (D. Utah)

Parties: Nudge LLC

Wealth Tribe, Women's Empowerment, Yancey Events, Yancey,  
LLC, and Your Real Estate Today

BuyPD

Brandon B. Lewis

Ryan C. Poelman

Third party complaint in intervention for declaratory relief against all defendants by American Estate and Trust DBO Erryl Sloan IRA, Erryl Sloan, E&R Enterprise, Rosemary Sloan, American Estate and Trust FBO Rosemary Sloan IRA filed 12/22/20.

Motion to dismiss for failure to state a claim by Defendants Dean Graziosi and Scott Yancey filed 1/19/21; Commission opposition filed 2/16/21; Defendants' reply filed 3/2/21.

Motion for partial summary judgment on availability of monetary relief by Defendants BuyPD, Shawn Finnegan, Brandon Lewis, Nudge LLC, Ryan Poelman, Response Marketing Group, Clint Sanderson, and Phillip Smith filed 5/5/21; Commission opposition filed 6/2/21; Defendants' reply filed 6/16/21.

Hearing held on 7/9/21.

Order denying cross-motions for partial summary judgment on Utah's claim entered 7/9/21.

Memorandum decision and order denying motion to dismiss for failure to state a claim entered 7/26/21.

Order granting Defendants' motion for partial summary judgment on monetary relief entered 9/15/21.

Cross-motions for summary judgment filed 10/18/21; oppositions filed 11/23 and 11/24/21; replies filed 12/15/21.

Order granting in part and denying in part both Commission's and defendants' motions for summary judgment entered 6/14/22.

***FTC v. ONE OR MORE UNKNOWN PARTIES DECEIVING CONSUMERS***, No. 5:20-cv-2494 (N.D. Ohio)

Parties: One or more unknown parties deceiving consumers into making purchases through [www.cleanyos.com](http://www.cleanyos.com) | [www.arlysol.com](http://www.arlysol.com) | [www.broclea.com](http://www.broclea.com) | [www.cadclea.com](http://www.cadclea.com) | [www.cleancate.com](http://www.cleancate.com) | [www.cleankler.com](http://www.cleankler.com) | [www.cleanula.com](http://www.cleanula.com) | [www.clean-sale.com](http://www.clean-sale.com) | [www.clean-sell.com](http://www.clean-sell.com) | [www.clorox-sale.com](http://www.clorox-sale.com) | [www.clorox-sales.com](http://www.clorox-sales.com) | [www.cloroxstore.com](http://www.cloroxstore.com) | [www.crllysol.com](http://www.crllysol.com) | [www.elysol.com](http://www.elysol.com) | [www.littletoke.com](http://www.littletoke.com) | [www.lybclean.com](http://www.lybclean.com) | [www.lysoiclean.com](http://www.lysoiclean.com) | [www.lysol-clean.com](http://www.lysol-clean.com) | [www.lysol-cleaners.com](http://www.lysol-cleaners.com) | [www.lysol-free.com](http://www.lysol-free.com) | [www.lysolsales.com](http://www.lysolsales.com) | [www.lysolSERVICEBEST.com](http://www.lysolSERVICEBEST.com) | [www.lysol-sell.com](http://www.lysol-sell.com) | [www.lysol.com](http://www.lysol.com)



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Status: Complaint filed 5/14/08.  
Amended complaint filed 2/5/09.  
Commission's motion for summary judgment filed 7/31/09; opposition filed 11/23/09; reply filed 12/7/09.  
Order granting the Commission's motion for summary judgment entered 4/7/10.  
Order for permanent injunction as to all defendants entered 4/7/10.  
Commission's opening brief on the issue of damages filed 4/20/10.  
Final judgment as to all defendants entered 7/25/11.  
Commission's opening brief filed 2/13/12; defendants' answering brief filed 4/13/12; reply brief filed 5/11/12.  
Memorandum disposition remanding case to district court entered 9/19/13.  
Petition for writ of certiorari filed 2/27/14.  
Petition for writ of certiorari denied 6/9/14.  
Commission's motion for monetary judgment filed 5/31/16; defendants' brief on damages filed 7/19/16; Commission's reply filed 8/9/16.  
Order granting Commission's motion for judgment entered 3/2/17.  
Notice of appeal filed 3/31/17.  
Appellants' opening brief filed 8/30/17; Commission's answering brief filed 10/30/17; reply brief filed 12/20/17.  
Oral argument held 8/15/18.  
Opinion affirming judgment of the district court entered 8/31/18.  
Appellants' petition for rehearing filed 10/15/18; Commission's opposition filed 12/20/18.  
Order denying appellants' petition for rehearing *en banc* entered 6/19/19.  
Petition for writ of certiorari filed 10/18/19; Commission's brief in opposition filed 12/13/19; reply brief filed 12/23/19; supplemental brief of petitioners filed 6/30/20.  
Writ of certiorari granted and order remanding to the Ninth Circuit in light of the Court's ruling in *AMG* entered 5/3/21.  
Ninth Circuit opinion affirming the district court's permanent injunction, vacating the awarded monetary judgment for equitable relief under 13(b), and remanding for further proceedings to determine if further relief is warranted, entered 6/10/21.  
Stipulated consent order entered 5/25/22.

***FTC v. QUINCY BIOSCIENCE HOLDING CO., INC.***, No. 17-3745 (2d Cir.); No. 17-3791 (2d Cir.); No. 1:17-cv-00124 (S.D.N.Y.)

Parties: Quincy Bioscience Holding Company, Inc.  
Quincy Bioscience, LLC  
Prevagen, Inc. d/b/a Sugar River Supplements  
Quincy Bioscience Manufacturing, LLC  
Mark Underwood

State of New York (Plaintiff)





Kyle W. Dennis  
Jason Bond  
MFA Holdings Corp.  
Jason Bond, LLC  
Winston Corp.  
Winston Research, Inc.  
Sherwood Ventures, LLC

Motion to dismiss by Kyle Dennis filed 4/5/22; Commission's opposition filed 4/19/22; reply filed 5/3/22.

***FTC v. RANDO et al.***, No. 3:22-cv-487 (M.D. Fla.)

Parties: Michael Rando  
Valerie Rando  
Prosperity Training Technology  
Elite Customer Services, LLC  
Digital Business Scaling LLC  
First Coast Matchmakers Inc.  
First Coast Matchmakers LLC  
Financial Consulting Management Group LLC  
Resource Management Investments, LLC  
Maria Yip (Receiver)

Assigned Attorneys: Brian Welke (BCP/ENF)  
Hong Park  
Sana Chaudhry

Alleged Conduct: Deceptive acts or practices in violation of Section 5, the Telemarketing Sales Rules (TSR), the COIVD-19 Consumer Protection Act (CCPA), and multiple provisions of the Business Opportunity Rule (BOR) for falsely promising consumers quick boosts to their credit scores and for misleading them to think they could run their own credit repair companies.

Status: Complaint filed 5/2/22.  
TRO with asset freeze entered 5/3/22.

***FTC v. SIMPLE HEALTH PLANS, LLC***, Nos. 19-10840, 19-11932, 21-13116 (11th Cir.), No. 18-cv-62593 (S.D. Fla.)

Parties: Simple Health Plans, LLC  
Health Benefits One LLC d/b/a Health Benefits Center d/b/a Simple Health d/b/a Simple Health Plans d/b/a Simple Insurance d/b/a Simple Insurance Plans d/b/a Simple Auto d/b/a Simple Home d/b/a Simple Home Plans d/b/a Simple Care d/b/a Simple Life d/b/a National Dental Savings  
Health Center Management LLC  
Innovative Customer Care LLC  
Simple Insurance Leads LLC d/b/a Health Insurance Services  
Senior Benefits One LLC  
Steven J. Dorfman

Assigned Attorneys: Elizabeth Scott (MWR)  
Purba Mukerjee

Joannie Wei  
Roberto Menjivar  
Brad Grossman (OGC)  
Matthew Hoffman

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC Act and FTC's Telemarketing Sales Rule in connection with the sale and marketing of limited benefit insurance plans and medical discount memberships.

**Status:** Complaint filed 10/29/18  
TRO entered 10/31/18; order extending TRO entered 12/21/18.  
Notice of appeal by defendant Steven J. Dorfman as to order on motion for temporary restraining order, order on motion to appoint receiver, order on motions for order to show cause, and order on motion to strike filed 3/4/19.  
Order of dismissal from USCA for lack of jurisdiction entered 4/16/19.  
Preliminary injunction hearing held 4/16/19.  
Preliminary injunction entered 5/14/19.  
Notice of appeal of preliminary injunction filed 5/15/19.  
Order by district court denying defendants' motion to stay proceedings pending appeal entered 5/31/19.  
Order by 11<sup>th</sup> Circuit denying appellant Steven Dorfman's motion to stay lower court proceedings entered 6/11/19.  
Defendant Steven Dorfman's motion to dissolve preliminary injunction filed 6/4/19; Commission's opposition filed 6/17/19.  
Appellant Steven Dorfman's opening brief filed 5/24; Commission's brief filed 7/24/19; Dorfman's reply brief filed 8/14/19.  
Amended complaint filed 10/31/19.  
Motion to dismiss amended complaint filed 12/16/19; Commission's response filed 12/30/19; Dorfman's response filed 1/6/20; motion granted in part 6/15/20.  
Eleventh Circuit opinion affirming district court's preliminary injunction against Steven Dorfman entered 2/5/20.

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Commission motion for summary judgment filed 1/15/21; Steven Dorfman's opposition filed 2/12/21; Commission's reply filed 2/16/21.

Defendant Steven Dorfman's motion for summary judgment filed 1/15/21; Commission's opposition filed 2/12/21; Steven Dorfman's reply filed 2/16/21.

Defendant Steven Dorfman's emergency motion to dissolve preliminary injunction filed 4/22/21; Commission opposition filed 4/30/21; Dorfman's reply filed 5/3/21; Commission supplemental brief filed 6/10/21; Dorfman's supplemental brief filed 6/10/21.

Order denying Dorfman's emergency motion to dissolve preliminary injunction entered 9/5/21.

Stipulated order for permanent injunction and suspended monetary judgment as to defendant Candida Girouard entered 9/8/21.

Notice of appeal from order denying motion to dissolve preliminary injunction filed 9/10/21.

Dorfman opening brief filed 11/24/21.

FTC brief filed 1/26/22.

Dorfman reply brief filed 3/18/22.

Argument scheduled for week of 9/12/22.

***FTC v. SPM THERMO-SHIELD, INC.***, No. 2:20-cv-542 (M.D. Fla.)

Parties: SPM Thermo-Shield, Inc.  
Peter J. Spiska  
George P. Spiska

Assigned Attorneys: Joshua Millard (BCP/ENF)  
Kristy Tillman

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act in connection with false or unsubstantiated R-value and energy savings claims about their architectural coating products.

Status: Complaint filed 7/28/20.  
Defendants' motion to dismiss filed 10/5/20; Commission's opposition filed 10/19/20; order denying defendants' motion entered 11/6/20.  
Motion to dismiss by Defendants filed 5/14/21; Commission's opposition filed 5/24/21; order granting motion in part as to request for equitable monetary relief and denying in all other respects entered 5/27/21.  
Amended complaint filed 6/2/21.  
Motion for summary judgment by FTC filed 2/7/22; defendants' opposition to summary judgment filed 2/28/22; reply filed 3/4/22; order granting FTC's motion for summary judgment entered 3/21/22.



Commission's notice of change in law and withdrawal of request for equitable monetary relief filed 5/10/21.  
Motion for leave to file amended complaint filed 6/22/21; Defendants' response filed 7/6/21; FTC's reply filed 7/20/21; motion granted 8/27/21.  
Amended complaint filed 8/30/21.  
Cross-motions for summary judgment filed 3/14/22; oppositions filed 4/26/22; replies filed 5/10/22.

***FTC v. SURESCRIPTS, LLC***, No. 1:19-cv-01080 (D.D.C.)

Parties: Surescripts, LLC

Assigned Attorneys: Bradley Albert (BC/HC)  
Markus Meier  
David B. Schwartz  
Joseph P. Mathias  
Tanya O'Neil  
Daniel Matheson  
Jordy Hur  
Timothy Grayson  
Nicholas Leefer

Alleged Conduct: Unfair methods of competition in violation of Section 5(a) of the FTC Act, in connection with the defendants' anticompetitive scheme to maintain its monopolies in markets for electronic prescription routing and eligibility.

Status: Complaint filed 4/17/19.  
Surescripts' motion to dismiss for lack of jurisdiction filed 7/12/19;  
Commission's opposition to motion filed 8/23/19; reply to motion filed 9/13-2 (on f)3 (i)-2 (l)8c,2( )Tj3 0 (i)8 of o 0 Tdfysur  
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**FTC v. VYERA PHARMACEUTICALS, LLC**, No. 22-728 (2d. Cir.); No. 1:20-cv-00706  
(S.D.N.Y.)

Parties: Vyera Pharmaceuticals, LLC  
Phoenixus AG  
Kevin Mulleady  
Martin Shkreli  
State of New York (Co-Plaintiff)  
State of California (Co-Plaintiff)  
State of Illinois (Co-Plaintiff)  
State of North Carolina (Co-Plaintiff)  
State of Ohio (Co-Plaintiff)  
Commonwealth of Pennsylvania (Co-Plaintiff)  
Commonwealth of Virginia (Co-Plaintiff)

Assigned Attorneys: Markus H. Meier (BC/HC)  
Bradley A. Albert  
Armine Black  
Daniel W. Butrymowicz  
Leah Hubinger  
Lauren Peay  
Neal Perlman  
Maren Haneberg  
James Weingarten (BC/Office of the Director)  
Brad Grossman (OGC)

Alleged Conduct: Violations of Sections 1 and 2 of the Sherman Act and unfair methods of competition in violation of Section 5 of the FTC Act, in connection with scheme to maintain a monopoly for the life-saving drug, Daraprim.

Status: Complaint filed 1/27/20.  
Amended complaint adding six state plaintiffs filed 4/14/20.  
Defendants' motions to dismiss filed 5/22/20; FTC's opposition to defendants' motions to dismiss filed 7/6/20; defendants' replies filed 7/27/20; order denying the motions to dismiss entered 8/18/20.  
Commission letter motion for spoliation sanctions against Defendants filed 5/17/21; defendants' responses filed 5/21/21; order imposing sanctions entered 6/1/21.  
Order dismissing Commission's prayer for equitable monetary relief entered 6/2/21.  
Stipulated order for permanent injunction and equitable monetary relief against Phoenixus AG, Vyera Pharmaceuticals, LLC, and Kevin Mulleady entered 12/7/21.  
Trial against Martin Shkreli held 12/10/21 to 12/22/21.





***FTC v. ZYCAL BIOCEUTICALS HEALTHCARE COMPANY, INC.***, No. 4:20-cv-10249 (D. Mass.)

Parties:                   Zycal Bioceuticals Healthcare Company, Inc.  
                                  James J. Scaffidi

Assigned Attorneys: James Nelson (DOJ/CPB)  
Zachary Dietert  
Michael Blume (DOJ/EDNY)  
Michael Shane (FDA)  
Robert van Someren Greve (BCP/AP)

Alleged Conduct: Violations of the COVID-19 Consumer Protection Act, and Sections 5 and 12 of the FTC Act, in connection with false or unsubstantiated claims that an herbal tea containing aloe vera and honey treats or prevents COVID-19, is as good or better than available vaccines at treating or preventing the virus, and is clinically proven to treat and prevent COVID-19.

Status: Complaint filed 3/3/22.  
Defendant Sinclair’s motions to dismiss filed 6/1/22; United States’ opposition filed 6/15/22.  
Order granting 60-day stay entered 6/30/22.

**UNITED STATES OF AMERICA v. BURGERIM GROUP USA**, No. 2:22-cv-825 (C.D. Cal.)

Parties: Burgerim Group USA, Inc.  
Burgerim Goup, Inc.  
Oren Loni

Assigned Attorneys: Marcus Smith (DOJ)  
Stephen Tosini

Alleged Conduct: Violations of Section 5 of the FTC Act and the Franchise Rule by enticing consumers to purchase franchises using false promises while withholding information required by the rule.

Status: Complaint filed 2/7/22.  
United States’ application for clerk to enter default against Burgerim Group USA, Inc. and Burgerim Group, Inc. filed 5/23/22.





TEAM.XYZ LLC  
123 LLC  
XYZ LLC  
GREAT LLC  
General LLC  
Media LLC  
ADV MARKET DIRECT LLC  
Direct Ad Sales LLC  
MARKETING SOLUTIONS 33 LLC  
DEC MKT LLC  
Ads Full3 LLC  
Sunset Marketing Services LLC  
Arrow Eagle, LLC  
Arrow Hawk, LLC  
Gen Ads, LLC  
Michael Ambrose  
Daniel Negari  
Jason Ramin  
Grant Carpenter  
Anisha Hancock  
Sione Kaufusi

Assigned Attorneys: Matthew Fine (WRLA)  
Daniel Hanks (BCP/FP)  
Michael Tankersley

Alleged Conduct: Violations of Sections 5(a) of the FTC Act and provisions of the Fair Credit Reporting Act (FCRA) for enticing consumers to share sensitive financial information and selling that information to marketing companies.

Status: Complaint filed 1/5/22.  
Stipulated final order for permanent injunction and monetary judgment of \$1.5 million entered 1/10/22.

***UNITED STATES OF AMERICA v. KOHL'S INC.***, No. 1:22-cv-964 (D.D.C.)

Parties: Kohl's Inc., f/k/a Kohl's Department Stores, Inc.

Assigned Attorneys: Rachael Doud (DOJ)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 of the FTC Act, the Textile Fiber Products Identification Act ("Textile Act"), the Rules and Regulation Under the Textile Fiber Products Identification Act ("Textile Rules") for marketing dozens of rayon products falsely as bamboo.

Status: Complaint filed 4/8/22.



***FTC v. MATCH GROUP, INC.***, No. 3:19-cv-02281 (N.D. Texas)

Parties: Match Group, Inc.

Assigned Attorneys: Reid Tepfer (SWR)  
Hasan Aijazcv





Assigned Attorneys: Michael Mora (BCP/ENF)  
Christopher Erickson

Alleged Conduct: Violations of Sections 5(a) and 12 of the FTC Act, the Mail Order Rule, and the COVID-19 Consumer Protection Act in connection with the marketing and sale of personal protective equipment during the COVID-19 pandemic.

Status: Complaint filed 6/29/21.  
Motion to dismiss complaint by Frank Romero filed 8/30/21; FTC opposition filed 9/20/21; Romero's reply filed 10/19/21.  
Motion to stay by Frank Romero 3/04/22; FTC's opposition filed 3/18/22; order denying defendants' motion to stay entered 4/26/22.  
Order denying motion to dismiss entered 6/29/22.

***UNITED STATES OF AMERICA v. TURBO SOLUTIONS INC. et al.***, 4:22-mc-369 (S.D. Tex.)

Parties: Turbo Solutions Inc., f/k/a Alex Miller Financial Services Inc., d/b/a Alex Miller Credit Repair  
Alexander V. Miller

Assigned Attorneys: Daniel Hu (DOJ)  
Marcus Smith  
Stephen Tosini

Alleged Conduct: Deceptive acts or practices in violation of Section 5(a) of the FTC Act, the Telemarketing Sales Rule (TSR), and the Credit Repair Organization Act ("CROA") for inducing consumers to purchase the defendants' credit repair services.

Status: Complaint filed 3/1/22.  
Ex parte TRO entered 3/4/22.  
Preliminary injunction entered 3/18/22.



Courtney Estep

**Alleged Conduct:** Violations of the COVID-19 Consumer Protection Act and Sections 5 and 12 of the FTC Act in connection with false or unsubstantiated claims that Xlear nasal spray treats or prevents COVID-19.

**Status:** Complaint filed 10/28/21.

***FTC v. ZURIXX LLC***, No. 2:19-cv-00713 (D. Utah)

**Parties:** Zurixx, LLC  
Brand Management Holdings, LLC  
CAC Investment Ventures, LLC (Puerto Rico)  
CAC Investment Ventures, LLC (Utah)  
Carlson Development Group, LLC (Utah)  
Carlson Development Group, LLC (Puerto Rico)  
CJ Seminar Holdings, LLC  
Dorado Marketing and Management, LLC  
JSS Investment Ventures, LLC  
JSS Trust  
Zurixx Financial, LLC (Utah)  
Zurixx Financial, LLC (Puerto Rico)  
Cristopher A. Cannon  
James M. Carlson  
Jeffrey D. Spangler  
Gerald D. Spangler  
Stephenie J. Spangler (relief defendant)  
Utah Division of Consumer Protection (co-plaintiff)

**Assigned Attorneys:** Robert Anguizola (BCP/MP)  
Joshua Doan  
Amanda Grier  
Thomas Harris  
Miry Kim

**Alleged Conduct:** Deceptive acts or practices in violation of Section 5(a) of the FTC, the Consumer Review Fairness Act, the Telemarketing Sales Rule, as well as the Utah Consumer Sales Practices Act and the Utah Business Opportunity Disclosure Act in connection with the marketing and sale of real estate investment products and services.

**Status:** Complaint filed 9/30/19.  
TRO entered 10/1/19.  
Preliminary injunction entered 11/1/19.  
Defendants' motion for partial dismissal filed 11/19/19; Commission's opposition file 12/17/19; defendants' reply filed 12/31/19.  
Order denying defendants' motion to dismiss entered 2/26/20.

Defendants' motion for interlocutory appeal and partial dismissal filed 3/11/20; Commission's opposition filed 3/25/20; defendants' reply filed 4/8/20.

Order denying defendants' motion for interlocutory appeal and partial dismissal entered 4/28/20.

Amended complaint filed 5/12/20.

Defendants' motion to dismiss filed 8/17/20; Commission's opposition filed 9/14/20; defendants' reply filed 9/28/20.

Order denying defendants' motion to dismiss, to stay discovery, and for relief from the preliminary injunction entered 11/24/20.

Amended complaint filed 2/12/21.

Motion to intervene by Annelise Agee, Byron Aldrink, Brian Banks, Joshua Jackson, Polar Prutaseranee, and Jeanne Rietzke filed 5/11/21; Commission opposition filed 6/7/21; movants' reply filed 6/28/21.

Motion for partial summary judgment by Defendants Brand Management Holdings, CAC Investment Ventures, CAC Investment Ventures Utah, CJ Seminar Holdings, Christopher Cannon, James Carlson, Carlson Development Group Puerto Rico, Carlson Development Group Utah, Dorado Marketing and Management, Jeffrey Spangler, Zurixx, Zurixx Financial Puerto Rico, and Zurixx Financial Utah filed 5/12/21; Commission opposition filed 6/9/21; Defendants' reply filed 6/23/21.

Motion for partial summary judgment by Defendants JSS Investment Ventures, JSS Trust, Gerald Spangler, and Stephanie Spangler filed 5/28/21; Commission opposition filed 6/9/21; Defendants' reply filed 6/29/21.

Stipulated order for permanent injunction and monetary judgment entered  
2/15/22.

**(B) Competition**

***UNITED STATES OF AMERICA v. BIGLARI HOLDINGS, INC.***, 1:21-cv-03331 (D.D.C.)

Parties: Biglari Holdings, Inc.

Assigned Attorneys: Kenneth Libby (BC/Compliance)  
Kelly Horne

Alleged Conduct: Violations of the notice and waiting period requirements of the Hart-Scott-Rodino Act with respect to the acquisition of shares of Cracker Barrel Old Country Store, Inc.

Status: Complaint filed 12/22/21.  
FTC's motion for entry of judgment filed 5/9/22.

***UNITED STATES OF AMERICA v. WERNER***, No. 1:21-cv-3332 (D.D.C.)

Parties: Clarence L. Werner

Assigned Attorneys: Kenneth Libby (BC/Compliance)  
Kelly Horne

Alleged Conduct: Violations of the notice and waiting period requirements of the Hart-Scott-Rodino Act with respect to the exercise of options to acquire shares of Werner Enterprises, Inc.

Status: Complaint filed 12/22/21.  
Order for stipulated final judgment entered 4/21/22.

**SUBPOENA AND CID ENFORCEMENT PROCEEDINGS**

***FTC v. CARIS LIFE SCIENCES***, No. 1:21-mc-00115 (D.D.C.)

Parties: Caris Life Sciences, Inc.

Assigned Attorneys: Michael Bergman (OGC)

Nature of Action: Petition to enforce subpoenas issued in Part 3 administrative proceeding.

Status: Petition filed 9/30/21.  
Order to show cause entered 10/5/21

Response to petition filed 11/10/21; Commission's reply filed 11/16/21.  
Commission's motion to stay proceedings pending agency decision  
regarding dismissal of action filed 2/10/22; order granting motion  
to stay entered 2/11/22.

Commission's motion for voluntary dismissal filed 3/3/22; Order granting  
Commission's motion and ordering that case is dismissed  
voluntarily entered 3/4/22.

***FTC v. NETLATITUDE INC.***, No. 4:21-mc-1300 (S.D. Tex.)

Parties: Netlatitude, Inc.

Assigned Attorneys: Miles Freeman (WR-LA)

Nature of Action: Petition to enforce a CID.

Status: Petition filed 11/17/21.  
Order to show cause entered 12/06/21.  
Order adopting joint stipulation resolving matter entered 1/05/22.

***FTC v. THE STRATICS GROUP INC.***, No. 0:21-cv-61250 (S.D. Fla.)

Parties: The Stratics Group, Inc.

Assigned Attorneys: Suzanne Barth (BCP/MP)  
Christopher Brown

Nature of Action: Petition to enforce a CID.

Status: Petition filed 6/15/21.  
Stratics motion for leave to file response to petition filed 7/06/21; FTC opposition filed 7/07/21; Stratics reply filed 7/12/21.  
Telephonic hearing held 11/30/21.  
FTC request for clarification of oral ruling filed 12/16/21.  
Stratics response and motion for summary judgment filed 12/23/21; FTC response filed 1/03/22; Stratics reply filed 1/10/22.  
Order denying as moot Stratics motion for leave to file a response to FTC petition entered 7/19/22.

***FTC v. XCAST LABS***, No. 22-55322 (9th Cir.); No. 2:21-mc-1026 (C.D. Cal.)

Parties: XCast Labs, Inc.

Assigned Attorneys: Allen Dreschel (BCP/MP)  
Miles Freeman (WRLA)

Nature of Action: Petition to enforce a CID.

Status: Petition filed 8/6/21.  
Opposition to petition by XCast Labs filed 9/24/21; FTC reply filed 10/8/21; surreply in opposition by XCast Labs filed 10/25/21; FTC surreply in support of petition filed 11/2/21.  
Magistrate judge's report and recommendation that the CID be enforced issued 12/9/21.  
XCast Labs objection to report and recommendation filed 12/23/21; FTC response filed 1/5/22.  
Order accepting findings and recommendations of magistrate judge and judgment enforcing CID entered 1/06/22.  
Notice of appeal by XCast Labs filed 3/07/22.  
Stipulated motion to voluntarily dismiss appeal filed 5/2/22; order

dismissing appeal filed 5/6/22.

**SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION**

***ALDABE v. UNITED STATES OF AMERICA***, No. 1:21-cv-803 (D. Md.)

Parties: Fermin Aldabe

Assigned Attorneys: Kimberly Phillips (AUSA)  
Joel Marcus (OGC)

Nature of Action: Action seeking a judicial declaration that the Commission exceeded its authority in its litigation against Atlantic International Bank. Ltd., causing negligent personal injury to a non-party consumer.

Status: Complaint filed 3/30/21.  
Motion to substitute United States for FTC Defendants filed 5/3/21;  
Plaintiff's cross motion to stay motion to substitute filed 5/24/21;  
United States' reply filed 6/7/21.  
Order granting motion to substitute United States entered 3/30/22.  
Motion to dismiss by United States filed 4/19/22.

***AMERICANS FOR PROSPERITY FOUNDATION v. FTC***, No. 1:21-cv-03207 (D.D.C)

Parties: Americans for Prosperity Foundation

Assigned Attorneys: Anna Walker (AUSA)  
Michele Arington (OGC)

Nature of Action: Action seeking records under the Freedom of Information Act.

Status: Complaint filed 12/8/21.  
FTC answer filed 2/9/22.  
Order directing parties to file a joint status report and proposed schedule for proceeding entered 2/10/22.  
Joint status report with proposed schedule filed and order adopting schedule entered 3/10/22.  
Joint status report filed 5/9/22.

***AMERICAN VEHICLE PROTECTION CORP., v. FTC***, No. 0:22-cv-60298 (S.D. Fla.)

Parties: American Vehicle Protection Corp.  
CG3 Solutions Inc.  
Tony Allen Gonzalez  
Tony Gonzalez Consulting Group, Inc.  
Charles Gonzalez



Assigned Attorneys: Matthew Hoffman (OGC)

Nature of Action: Action seeking declaratory ruling that FTC lacks

Axon motion to stay mandate to file writ of certiorari filed 4/15/21;  
Commission opposition filed 4/19/21; motion granted 4/21/21.  
Axon petition for writ of certiorari filed 7/20/21; Commission opposition  
filed 9/22/21; Axon's reply filed 10/6/21; Axon's supplemental  
brief filed 12/20/21.  
Certiorari granted 1/24/22.  
Axon's merits brief filed 5/9/22.

Nature of Action: Action seeking records under the Freedom of Information Act.

Status: Complaint filed 6/7/22.

***GRAVITY DEFYER MEDICAL TECHNOLOGY CORP. V. FTC***, No. 1:22-cv-1157 (D.D.C.)

Parties: Gravity Defyer Medical Technology Corp.  
Alexander Elnekaveh

Assigned Attorneys: Joel Marcus (OGC)

Nature of Action: Action seeking declaratory judgment that FTC's prospective civil penalty action against Gravity Defyer would violate the First Amendment.

Status: Complaint filed 4/26/22; amended complaint filed 7/22/22.  
Commission motion to dismiss for failure to state a claim filed 7/8/22.

***LABMD, INC., v. FTC and DAUGHERTY v. FTC***, Nos. 1:21-cv-3525, No. 1:21-cv-3526  
(N.D. Ga.)

Parties: LabMD, Inc.  
Michael J. Daugherty

Assigned Attorneys: Aaron Joshua Ross (AUSA)  
Burke Kappler (OGC)

Nature of Action: Suit for damages under the Federal Tort Claims Act, alleging that the FTC was negligent in investigating and litigating its data security case against LabMD.

Status: Complaints filed 8/25/21.  
Amended complaints filed 11/23/21.  
Commission's motion to dismiss filed 3/5/22; plaintiff's response to motion filed 5/23/22; Commission's reply filed 6/21/22.

***LOUISIANA v. HORSERACING INTEGRITY & SAFETY AUTHORITY, INC.***, No. 6:22-cv-01934 (W.D. La.)

Parties: State of Louisiana  
Louisiana State Racing Commission  
Louisiana Horsemen's Benevolent & Protective Association  
Louisiana Thoroughbred Breeders Association  
Jockeys Guild  
State of West Virginia  
West Virginia Racing Commission  
Bernard Chatters  
Edward Fenasci

Larry Findley, Sr.  
Warren Harang  
Gerard Melancon

Assigned Attorneys: Alexander Sverdlov (DOJ)  
Marie Choi (OGC)  
Austin King

Nature of Action: Action seeking a temporary restraining order and a preliminary injunction against the Commission and the Horseracing Integrity and Safety Authority to prevent the enforcement of the horseracing rules approved by the Commission and declare them invalid under the Administrative Procedure Act.

Status: Complaint filed 6/30/22.

***NATIONAL HORSEMEN'S BENEVOLENT AND PROTECTIVE ASSOCIATION et al v. BLACK***, No. 22-10387 (5th Cir.); No. 5:21-cv-71 (N.D. Tex.)

Parties: National Horsemen's Benevolent and Protective Association  
Arizona Horsemen's Benevolent and Protective Association  
Arkansas Horsemen's Benevolent and Protective Association  
Indiana Horsemen's Benevolent and Protective Association  
Illinois Horsemen's Benevolent and Protective Association  
Louisiana Horsemen's Benevolent and Protective Association  
Mountaineer Park Horsemen's Benevolent and Protective Association  
Nebraska Horsemen's Benevolent and Protective Association  
Oklahoma Horsemen's Benevolent and Protective Association  
Oregon Horsemen's Benevolent and Protective Association  
Pennsylvania Horsemen's Benevolent and Protective Association  
Washington Horsemen's Benevolent and Protective Association  
Tampa Bay Horsemen's Benevolent and Protective Association

Assigned Attorneys: Alexander Sverdlov (DOJ)  
Brian Stoltz  
Joe Busa, Jr.  
Mark Stern  
Marie Choi (OGC)  
Austin King

Nature of Action: Action seeking a declaratory judgment that the Horseracing Integrity and Safety Act (HISA) is unconstitutional and the Commission should be permanently enjoined from implementing and enforcing the law.

Status: Complaint filed 3/15/21.  
Amended complaint filed 4/2/21.

Commission



Status: Brief for the Commission as amici curiae supporting rail shipper plaintiffs filed 12/22/21.  
Oral argument held 3/07/22.  
Opinion affirming the District Court decision in part and dismissing in part, vacating the District Court order and remanding for reconsideration of evidence, entered 5/17/22.

***JOHN FRALISH v. BANK OF AMERICA, N.A.***, No. 21-2846 (7th Cir.)

Assigned Attorneys: Mark Hegedus (OGC)

Nature of Action: Private action alleging violations of the Equal Credit Reporting Act and raising the question of who is an “applicant” subject to the protections of the ECOA, which prohibits discrimination in credit transactions based on membership in protected categories.

Status: Amicus brief for the Commission, Department of Justice, and the Consumer Financial Protection Bureau, and the Board of Federal Reserve filed 12/2/21.  
Notice of joint stipulation of dismissal filed 1/28/22.

***REGENERON PHARMACEUTICALS v. NOVARTIS PHARMA AG et al.***, No. 22-427 (2d Cir.)

Assigned Attorneys: Matthew Hoffman (OGC)  
Joel Marcus

Nature of Action: Private antitrust action raising product market definition questions.

Status: Amicus brief for the Commission and the United States in support of neither party filed 6/17/22.

***SESSA v. TRANSUNION, LLC***, No. 22-87 (2d Cir.)

Assigned Attorneys: Joel Marcus (OGC)  
Seth Frotman (CFPB)  
Steven Bressler  
Laura Hussain  
Ryan Cooper

Nature of Action: Private action raising question whether the Fair Credit Reporting Act draws

Status: Brief for the CFPB and the Commission as amici curiae supporting plaintiff filed 5/5/22.

***TERADATA v. SAP***, No. 22-1286 (Fed. Cir.)

Assigned Attorneys: Patrick Kuhlmann (DOJ)  
Bradley Grossman (OGC)

Nature of Action: Private action alleging illegal tying in violation of the antitrust laws, involving dismissal of the antitrust claims for failure to define the relevant markets.

Status: Brief for the United States and the Commission as amici curiae supporting neither party filed 5/25/22.

***UFCW LOCAL 1500 WELFARE FUND v. ABBVIE, INC.***, No. 20-2402 (7th Cir.)

Assigned Attorneys: Bradley Grossman (OGC)

Nature of Action: Private action alleging anticompetitive conduct and involving the interpretation and application of *FTC v. Actavis, Inc.*

Status: Commission's amicus brief filed 10/13/20.  
Oral argument held 2/25/21.