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FEDERAL TRADE COMMISSION

3
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ASSET & CAPITAL
MANAGEMENT GROUP, also d/b/a
ACM Group and ACMG,

Case No. CV13-5267 DSF(JCx)

COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF

RECORDED

2013 JUN 12 PM 1:15
DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

1 **CROWN FUNDING COMPANY,**
2 **LLC,**
3 **GREEN FIDELITY ALLEGIANCE,**
4 **INC.,** also d/b/a WRA,
5 **SJ CAPITOL, LLC,** also d/b/a SCG,
6 **WESTERN CAPITAL GROUP,**
7 **INC.,** also d/b/a ERA and LMR,
8 **CREDIT MP, LLC,** also d/b/a AFGA
9 and CMP,
10 **ONE FC, LLC,** also d/b/a WPG and
11 Western Performance Group,
12 **THAI HAN,**
13 **JIM TRAN PHELPS,**
14 **KEITH HUA,** and
15 **JAMES NOVELLA,**
16
17
18 Defendants.

19
20 Plaintiff, the Federal Trade Commission (“FTC”), for its Complaint alleges:

21 1. The FTC brings this action under Section 13(b) of the Federal Trade
22 Commission Act (“FTC Act”), 15 U.S.C. § 53(b), and Section 814 of the Fair Debt
23 Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692i, to obtain temporary,
24 preliminary, and permanent injunctive relief, rescission or reformation of contracts,
25 restitution, the refund of monies paid, disgorgement of ill-gotten monies, the
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1 appointment of a receiver, and other equitable relief for Defendants' acts or
2 practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and in
3 violation of the FDCPA, 15 U.S.C. §§ 1692-1692p, in connection with their
4 abusive and deceptive debt collection practices.
5

6 **JURISDICTION AND VENUE**
7

8 2. This Court has subject matter jurisdiction over this action pursuant to
9 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a), 53(b), and 1692l.
10

11 3. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(2), (c)(1),
12 (c)(2), and (d), and 15 U.S.C. § 53(b).
13

14 **PLAINTIFF**

15 4. The FTC is an independent agency of the United States Government
16 created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC
17 Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or
18 affecting commerce. The FTC also enforces the FDCPA, 15 U.S.C. §§ 1692-
19 1692p, which prohibits abusive, deceptive, and unfair debt collection practices.
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22 5. The FTC is authorized to initiate federal district court proceedings, by
23 its own attorneys, to enjoin violations of the FTC Act and the FDCPA, and to
24 secure such equitable relief as may be appropriate in each case, including
25 rescission or reformation of contracts, restitution, the refund of monies paid, and
26 the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 56(a)(2)(A), and
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1 1692l(a). Section 814 of the FDCPA further authorizes the FTC to use all of its
2 functions and powers under the FTC Act to enforce compliance with the FDCPA,
3 including the power to enforce the provisions of the FDCPA in the same manner as
4 if the violations were violations of an FTC trade regulation rule. 15 U.S.C.
5 § 1692l.
6

7
8 **DEFENDANTS**

9 6. Defendant **Asset & Capital Management Group, Inc.** ("ACMG"),
10 also doing business as ACM Group and ACMG, is a California corporation that
11 has held itself out as doing business from addresses including the following:
12 17671 Irvine Blvd., Ste. 207, Tustin, CA 92780; and 17291 Irvine Blvd., No. 304,
13 Tustin, CA 92780. ACMG also uses the mailing address P.O. Box 15848, Santa
14 Ana, CA 92735. ACMG transacts or has transacted business in this District and
15 throughout the United States.
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18 7. Defendant **Crown Funding Company, LLC** ("Crown"), is a
19 Wyoming limited liability company that has held itself out as doing business from
20 addresses including the following: One City Blvd., No. 1130, Orange, CA 92868;
21 1100 Town & Country Rd., Ste. 1340, Orange, CA 92868; and 2710 Thomes Ave.,
22 Ste. 191-88, Cheyenne, WY 82001. Crown also uses the mailing address P.O. Box
23 15848, Santa Ana, CA 92735. Crown transacts or has transacted business in this
24 District and throughout the United States.
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1 8. Defendant **Green Fidelity Allegiance, Inc.** (“Green Fidelity”), also
2 doing business as WRA, is a California corporation that has held itself out as doing
3 business from addresses including the following: 1520 Brookhollow Dr., Ste. 42,
4 Santa Ana, CA 92705; and 2312 Park Ave., No. 407, Tustin, CA 92782. Green
5 Fidelity transacts or has transacted business in this District and throughout the
6 United States.
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9 9. Defendant **SJ Capitol, LLC** (“SJ Capitol”), also doing business as
10 SCG, is a California limited liability company that has held itself out as doing
11 business from addresses including the following: 21478 Harvill Rd., Ste. 1, Perris,
12 CA 92570; 75 Nuevo Rd., Ste. E-138, Perris, CA 92571; 12831 Moreno Beach
13 Dr., Ste. 107-353, Moreno Valley, CA 92555; and 27588 Rosemont Court, Moreno
14 Valley, CA 92555. SJ Capitol transacts or has transacted business in this District
15 and throughout the United States.
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19 10. Defendant **Western Capital Group, Inc.** (“Western Capital”), also
20 doing business as ERA and LMR, is a Nevada corporation that has held itself out
21 as doing business from addresses including the following: 41695 Date St., Ste. B,
22 Murrieta, CA 92562; and 75 Nuevo Rd., Suite E-336, Perris, CA 92571. Western
23 Capital also uses the mailing address P.O. Box 15848, Santa Ana, CA 92735.
24 Western Capital transacts or has transacted business in this District and throughout
25 the United States.
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1 11. Defendant **Credit MP, LLC** ("Credit MP"), also doing business as
2 AFGA and CMP, is a California limited liability company that has held itself out
3 as doing business from the following address: 801 Park Center Dr., Ste. 120, Santa
4 Ana, CA 92705. Credit MP also uses the mailing address P.O. Box 15848, Santa
5 Ana, CA 92735. Credit MP transacts or has transacted business in this District and
6
7 throughout the United States.
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9 12. Defendant **One FC, LLC** ("One FC"), also doing business as WPG
10 and Western Performance Group, is a California limited liability company that has
11 held itself out as doing business from addresses including the following: 1801 E.
12 Parkcourt Place, Ste. B-102, Santa Ana, CA 92705; 28015 Smyth Dr., Valencia,
13 CA 91355; and 13681 Newport Ave., Ste. 8#365, Tustin, CA 92780. One FC also
14 uses the mailing address P.O. Box 15848, Santa Ana, CA 92735. One FC transacts
15 or has transacted business in this District and throughout the United States.
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19 13. Defendant **Thai Han** ("Han") is or has been the president, chief
20 financial officer, secretary, and manager of ACMG, the manager of Crown, and the
21 president, treasurer, secretary, and director of Western Capital. He also is or has
22 been a signatory to the bank accounts of ACMG, Crown, Western Capital, Credit
23 MP, and One FC. At times material to this Complaint, acting alone or in concert
24 with others, he has formulated, directed, controlled, had the authority to control, or
25 participated in the acts and practices of Defendants, including the acts and
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1 practices set forth in this Complaint. Defendant Han resides in this district and, in
2 connection with the matters alleged herein, transacts or has transacted business in
3 this district and throughout the United States.
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5 14. Defendant **Jim Tran Phelps** (“Phelps”) is or has been the secretary
6 and treasurer of ACMG and secretary, treasurer, and director of Western Capital.
7 He also is or has been a signatory to the bank accounts of ACMG and Western
8 Capital. At times material to this Complaint, acting alone or in concert with others,
9 he has formulated, directed, controlled, had the authority to control, or participated
10 in the acts and practices of Defendants, including the acts and practices set forth in
11 this Complaint. Defendant Phelps resides in this district and, in connection with
12 the matters alleged herein, transacts or has transacted business in this district and
13 throughout the United States.
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18 15. Defendant **Keith Hua** (“Hua”) is or has been an officer of One FC
19 and Credit MP, and a manager of Crown and Western Capital. He also is or has
20 been a signatory to the bank accounts of Crown and Western Capital. At times
21 material to this Complaint, acting alone or in concert with others, he has
22 formulated, directed, controlled, had the authority to control, or participated in the
23 acts and practices of Defendants, including the acts and practices set forth in this
24 Complaint. Defendant Hua resides in this district and, in connection with the
25 matters alleged herein, transacts or has transacted business in this district and
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1 throughout the United States.

2 16. Defendant **James Novella** (“Novella”) is or has been the president of
3 Green Fidelity and a director of ACMG. At times material to this Complaint,
4 acting alone or in concert with others, he has formulated, directed, controlled, had
5 the authority to control, or participated in the acts and practices of Defendants,
6 including the acts and practices set forth in this Complaint. Defendant Novella
7 resides in this district and, in connection with the matters alleged herein, transacts
8 or has transacted business in this district and throughout the United States.
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11 17. Defendants are “debt collectors” as defined in Section 803(6) of the
12 FDCPA, 15 U.S.C. § 1692a(6).
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15 **COMMON ENTERPRISE**

16 18. Defendants ACMG, Crown, One FC, Credit MP, Western Capital, SJ
17 Capitol, and Green Fidelity (collectively, “Corporate Defendants”) have operated
18 as a common enterprise while engaging in the deceptive and abusive acts and
19 practices alleged below. Defendants have conducted the business practices
20 described below through an interrelated network of companies that have common
21 officers, managers, business functions, employees, and office locations, and that
22 commingled funds. Because these Corporate Defendants have operated as a
23 common enterprise, each of them is jointly and severally liable for the acts and
24 practices alleged below. Defendants Han, Phelps, Hua, and Novella have
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1 formulated, directed, controlled, had the authority to control, or participated in the
2 acts and practices of the Corporate Defendants that constitute the common
3 enterprise.
4

5 COMMERCE

6 19. At all times material to this Complaint, Defendants have maintained a
7 substantial course of trade in or affecting commerce, as "commerce" is defined in
8 Section 4 of the FTC Act, 15 U.S.C. § 44.
9

10 DEFENDANTS' BUSINESS ACTIVITIES

11 20. Defendants are third-party debt collectors that purchase portfolios of
12 past-due consumer debt, primarily credit card debt, and collect payment on their
13 own behalf from consumers nationwide.
14

15 21. Defendants attempt to collect debts by contacting consumers using
16 instrumentalities of interstate commerce including telephones, United States mail,
17 and electronic mail.
18

19 22. Defendants regularly use deception and false threats to extract money
20 from consumers. In numerous instances, Defendants: (1) falsely represent to
21 consumers that a lawsuit has been filed against them or will be filed imminently;
22 (2) falsely represent or imply that Defendants or their collectors are process
23 servers, or working with process servers, or employed by or working with lawyers;
24 (3) falsely threaten consumers with arrest, imprisonment, property seizure, or wage
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1 garnishment; (4) communicate with third parties, including consumers' employers
2 and family members, for purposes other than obtaining location information about
3 a consumer; and (5) fail to provide statutorily-required disclosures to consumers,
4 including a disclosure explaining that consumers have the right to dispute and
5 obtain verification of their alleged debts.
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7

8 23. Since at least 2009, Defendants have operated their debt collection
9 enterprise through a conglomeration of entities, including more than a dozen debt
10 collection companies, as well as domestic and foreign shell companies that receive
11 payments from the enterprise. Operating from boiler room locations in Orange and
12 Riverside counties, the Defendants have registered the enterprise's debt collection
13 companies to do business under numerous fictitious names consisting of three or
14 four letters – ACMG, WRA, SCG, ERA, LMR, AFGA, CMP, and WPG among
15 them – creating a virtual alphabet soup of business names and an elaborate
16 corporate structure that has no apparent legitimate business rationale. As various
17 collection entities have gained notoriety or been restrained under federal court
18 order, Defendants have replaced them with new collection entities. The new
19 entities engage in illegal debt collection practices that are indistinguishable from
20 the illegal practices of the debt collection companies that preceded them.
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26 **Defendants' Misrepresentations to Consumers**

27 24. Defendants' collection scheme is predicated on convincing consumers
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1 that a debt collection lawsuit has been, or will soon be, filed against them and will
2 result in dire consequences unless the consumer pays Defendants promptly.

3
4 25. In fact, in numerous instances, no lawsuit has been filed nor will soon
5 be filed against the consumers. Rather, Defendants misrepresent the legal status of
6 consumers' purported debts as the subject of pending lawsuits to intimidate
7 consumers into paying them.
8

9 26. In furtherance of the scheme, Defendants often use a two-step
10 collection process to lend credence to the central misrepresentation that legal
11 action against a consumer has begun or is imminent.
12

13 27. In the first step, Defendants' collectors generally call consumers or
14 consumers' employers, family members, or other third parties and represent that
15 they are process servers, or are working with process servers, and are seeking to
16 serve the consumer with legal papers pertaining to a lawsuit against the consumer.
17 Often, Defendants' collectors add a sense of urgency to their call by asserting that
18 they are seeking to confirm that the consumer will be available to receive personal
19 service at a certain time and location. In numerous instances, the collectors claim
20 that the consumer must call another number to obtain any information about the
21 lawsuit, then provide a callback number and a "case" number for the consumer to
22 reference when calling. In numerous instances, Defendants' collectors warn that if
23 the consumer does not call within a limited time period, generally two or three
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1 hours, he or she will be personally served with process to appear in court. Often,
2 the collectors warn that the police or local sheriff will serve the consumer at the
3 consumer's workplace.
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5 28. In numerous instances, in placing these initial calls to consumers or
6 third parties, Defendants' collectors do not state their name and capacity, and do
7 not disclose enough information so as not to mislead the recipient as to the purpose
8 of their call.
9

10 29. In numerous instances, in their initial communications with
11 consumers, Defendants' collectors do not disclose that they are debt collectors
12 attempting to collect a debt and that any information they obtain will be used for
13 that purpose.
14

15 30. In truth and in fact, Defendants do not employ or contract with
16 process servers to contact consumers or third parties, there is no lawsuit pending
17 against the consumer, and neither a process server, the police, nor a sheriff is about
18 to serve the consumer with legal process.
19

20 31. The second step of Defendants' collection process generally occurs
21 when a consumer calls the number that Defendants' collectors provide in the initial
22 call and is connected with a collector whose job is to secure the consumer's
23 payment for Defendants.
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25 32. In numerous instances, the collectors who answer the consumers' calls
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1 falsely represent that they are with a law office or litigation department that is
2 handling a lawsuit against the consumer. Even when Defendants' collectors
3 disclose that the consumer is reaching a debt collector, in numerous instances they
4 falsely assert that there is a pending lawsuit against the consumer. On these calls,
5 Defendants' collectors generally state that the case involves a debt that the
6 consumer owes. Defendants' collectors make additional representations to falsely
7 imply that legal action has been taken or will be taken shortly against the consumer
8 because of non-payment of the debt. In numerous instances, Defendants'
9 collectors advise consumers that they can "settle" the action for an immediate
10 payment of the entire debt, or offer consumers a payment plan. Generally,
11 Defendants' collectors instruct the consumer that payment should be made over the
12 telephone via his or her credit or debit card.

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18 33. In numerous instances, Defendants' collectors threaten that if the
19 consumer does not resolve the debt immediately, Defendants will have the
20 consumer arrested, or jailed, or will garnish the consumer's wages and/or seize the
21 consumer's property.
22

23 34. In truth and in fact, when Defendants' collectors threaten consumers
24 with legal action, in numerous instances, no legal action has been taken against the
25 consumer and Defendants do not intend to take any such legal action. In addition,
26 Defendants cannot have a consumer arrested for non-payment of a private debt,
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1 and, in numerous instances, cannot have a consumer's wages garnished or property
2 seized because they have not filed an action and obtained a judgment against the
3 consumer.
4

5 35. In numerous instances, Defendants' collectors also communicate, or
6 threaten to communicate, with consumers' employers, family members, or other
7 third parties to apply pressure and create a sense of urgency on the part of the
8 consumer so the consumer will pay the alleged debt to resolve the matter.
9

10 36. In numerous instances, when Defendants communicate, or threaten to
11 communicate, with consumers' employers, family members, or other third parties,
12 Defendants already possess contact information for the consumer including the
13 consumer's place of abode, telephone number, or place of employment.
14

15 37. In numerous instances, when Defendants' collectors communicate
16 with a third party in connection with the collection of a consumer's purported debt,
17 Defendants' collectors disclose the consumer's purported debt to the third party.
18

19 38. In numerous instances, Defendants do not, within five days of their
20 initial communication with a consumer, provide the consumer with a written notice
21 containing the amount of the debt and the name of the creditor, along with a
22 statement that the collector will assume the debt to be valid unless the consumer
23 disputes the debt within 30 days, as well as a statement that the debt collector will
24 send a verification of the debt or a copy of the judgment if the consumer timely
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1 disputes the debt in writing.

2 **VIOLATIONS OF SECTION 5 OF THE FTC ACT**

3
4 39. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or
5 deceptive acts or practices in or affecting commerce.”

6
7 40. Misrepresentations or deceptive omissions of material fact constitute
8 deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

9 **COUNT I**

10
11 41. In numerous instances in connection with the collection of purported
12 consumer debts, Defendants have represented, directly or indirectly, expressly or
13 by implication, that:

14
15 a. Defendants’ collector is a process server, or is working with a
16 process server, and is seeking to serve the consumer with legal papers
17 pertaining to a lawsuit against the consumer;

18
19 b. Defendants’ collector is employed by, or working with, a
20 lawyer who has reviewed the consumer’s case and is preparing a lawsuit
21 against the consumer;

22
23 c. Non-payment of a purported debt will result in the consumer’s
24 arrest, or in the seizure, garnishment, or attachment of the consumer’s
25 property or wages; or

26
27 d. Defendants have filed, or intend to file imminently, a lawsuit
28

1 against the consumer.

2 42. In truth and fact, in numerous instances in which Defendants have
3
4 made the representations set forth in Paragraph 41 of this Complaint,

5 a. Defendants' collector is not a process server, is not working
6 with a process server, and is not seeking to serve the consumer with legal
7 papers pertaining to a lawsuit against the consumer;
8

9 b. Defendants' collector is not employed by, or working with, a
10 lawyer who has reviewed the consumer's case and is preparing a lawsuit
11 against the consumer;
12

13 c. Non-payment of a purported debt will not result in the
14 consumer's arrest, or in the seizure, garnishment, or attachment of the
15 consumer's property or wages; and
16

17 d. Defendants have not filed, and do not intend to file imminently,
18 a lawsuit against the consumer.
19

20 43. Therefore, Defendants' representations as set forth in Paragraph 41
21 are false or misleading and constitute deceptive acts or practices in violation of
22 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).
23

24
25 **VIOLATIONS OF THE FDCPA**

26 44. In 1977, Congress passed the FDCPA, 15 U.S.C. §§ 1692-1692p,
27 which became effective on March 20, 1978, and has been in force since that date.
28

1 Section 814 of the FDCPA, 15 U.S.C. § 1692l, provides that a violation of the
2 FDCPA shall be deemed an unfair or deceptive act or practice in violation of the
3 FTC Act.
4

5 45. The term “consumer” as defined in Section 803(3) of the FDCPA, 15
6 U.S.C. § 1692a(3), means “any natural person obligated or allegedly obligated to
7 pay any debt.”
8

9 46. The term “debt” as defined in Section 803(5) of the FDCPA, 15
10 U.S.C. § 1692a(5), means “any obligation or alleged obligation of a consumer to
11 pay money arising out of a transaction in which the money, property, insurance or
12 services which are the subject of the transaction are primarily for personal, family,
13 or household purposes, whether or not such obligation has been reduced to
14 judgment.”
15

16 47. The term “location information” as defined in Section 803(7) of the
17 FDCPA, 15 U.S.C. § 1692a(7), means “a consumer’s place of abode and his
18 telephone number at such place, or his place of employment.”
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22 COUNT II

23 Prohibited Communications With Third Parties

24 48. In numerous instances, in connection with the collection of debts,
25 Defendants have communicated with third parties for purposes other than
26 acquiring location information about a consumer, without having obtained directly
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1 the prior consent of the consumer or the express permission of a court of
2 competent jurisdiction, and when not reasonably necessary to effectuate a post-
3 judgment judicial remedy.
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5 49. Defendants' acts or practices, as described in Paragraph 48, violate
6 Section 805(b) of the FDCPA, 15 U.S.C. § 1692c(b).
7

8 **COUNT III**

9 **Failure To Meaningfully Disclose The Caller's Identity**

10 50. In numerous instances, in connection with the collection of debts,
11 Defendants have engaged in conduct the natural consequence of which is to harass,
12 oppress, or abuse a person by placing telephone calls without meaningful
13 disclosure of the caller's identity.
14

15 51. Defendants' acts or practices, as described in Paragraph 50, violate
16 Section 806(6) of the FDCPA, 15 U.S.C. § 1692d(6).
17

18 **COUNT IV**

19 **False, Deceptive, or Misleading Representations to Consumers**

20 52. In numerous instances, in connection with the collection of debts,
21 Defendants have used false, deceptive, or misleading representations or means, in
22 violation of Section 807 of the FDCPA, 15 U.S.C. § 1692e, including, but not
23 limited to:
24

25 a. Falsely representing the character, amount, or legal status of a
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1 debt, in violation of Section 807(2) of the FDCPA, 15 U.S.C. § 1692e(2);

2 b. Falsely representing or implying that non-payment of a debt
3 will result in the arrest or imprisonment of a person or the seizure,
4 garnishment, or attachment of a person's property or wages, when such
5 action is not lawful or when Defendants have no intention of taking such
6 action, in violation of Section 807(4) of the FDCPA, 15 U.S.C. § 1692e(4);

7
8 c. Threatening to take action that is not lawful or that Defendants
9 do not intend to take, such as filing a lawsuit, in violation of Section 807(5)
10 of the FDCPA, 15 U.S.C. § 1692(5);

11
12 d. Using a false representation or deceptive means to collect or
13 attempt to collect a debt, or to obtain information concerning a consumer, in
14 violation of Section 807(10) of the FDCPA, 15 U.S.C. § 1692(10); and

15
16 e. Failing to disclose in the initial communication with a
17 consumer that Defendants are debt collectors attempting to collect a debt and
18 that any information obtained will be used for that purpose, in violation of
19 Section 807(11) of the FDCPA, 15 U.S.C. § 1692(11).
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22

23 **COUNT V**

24 **Failure To Provide A Validation Notice**

25
26 53. In numerous instances, in connection with the collection of debts,
27 Defendants have failed to provide consumers, either in the initial communication
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1 with a consumer or in a written notice sent within five days after the initial
2 communication, with statutorily-required information about the debt and the right
3 to dispute the debt.
4

5 54. Defendants' acts or practices, as described in Paragraph 53, violate
6 Section 809(a) of the FDCPA, 15 U.S.C. § 1692g(a).
7

8 **CONSUMER INJURY**

9 55. Consumers have suffered and will continue to suffer substantial injury
10 as a result of Defendants' violations of the FTC Act and the FDCPA. In addition,
11 Defendants have been unjustly enriched as a result of their unlawful acts or
12 practices. Absent injunctive relief by this Court, Defendants are likely to continue
13 to injure consumers, reap unjust enrichment, and harm the public interest.
14
15

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

17 56. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Section 814(a)
18 of the FDCPA, 15 U.S.C. § 1692l(a), empower this Court to grant injunctive and
19 such other relief as the Court may deem appropriate to halt and redress violations
20 of any provision of law enforced by the FTC. The Court, in the exercise of its
21 equitable jurisdiction, may award ancillary relief, including rescission or
22 reformation of contracts, restitution, the refund of monies paid, and the
23 disgorgement of ill-gotten monies, to prevent and remedy any violation of any
24 provision of law enforced by the FTC.
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PRAYER FOR RELIEF

WHEREFORE, Plaintiff FTC, pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), and the Court's own equitable powers, requests that the Court:

A. Award Plaintiff such preliminary injunctive and ancillary relief as may be necessary to avert the likelihood of consumer injury during the pendency of this action and to preserve the possibility of effective final relief, including but not limited to, temporary and preliminary injunctions, an order freezing assets, immediate access to business premises, and appointment of a receiver;

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

C. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act and the FDCPA, including but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and disgorgement of ill-gotten monies; and

D. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

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Respectfully submitted,

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