

Sealed

FILED by _____ D.C.
OCT 20 2014
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CENTRO NATURAL CORP, a corporation,
SUMORE, L.L.C., a limited liability company,
CAROLINA ORELLANA,
DAMIAN BIONDI, JAVIER SUMBRE, and
JESSICA ANZOLA,

Defendants, and

BIONORE INC., a corporation,

Relief Defendant.

Filed Under Seal

Case No **14-23879**
CIV - ALTONAGA

**COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER EQUITABLE
RELIEF**

**MAGISTRATE JUDGE
O'SULLIVAN**

Plaintiff, the Federal Trade Commission ("FTC"), for its Complaint alleges:

1. The FTC brings this action under Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b) and 57b, Section 814 of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692l, and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, to obtain temporary, preliminary, and permanent injunctive relief, rescission or reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten monies, the appointment of a receiver, and other equitable relief for Defendants' acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), the FDCPA, 15 U.S.C. § 1692 *et seq.*, and the FTC's Telemarketing Sales Rule ("TSR"), 16 C.F.R. Part 310.

SUMMARY OF THE CASE

2. This case concerns Defendants' nationwide telemarketing scheme that preys on Spanish-speaking consumers. Defendants use deceptive and abusive tactics to pressure consumers to "settle" debts that consumers do not actually owe and to pay for goods consumers do not seek or want. Defendants regularly hold themselves out to consumers as – or as agents of – court officials, government officials, or lawyers. They threaten consumers with harsh consequences, such as arrest or referral to law enforcement, if consumers fail to make the payments that Defendants demand. Defendants have abused and deceived many thousands of consumers across the country, while enjoying the ill-gotten gains of their unlawful operations.

JURISDICTION AND VENUE

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

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

PLAINTIFF

5. The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC enforces the FDCPA, 15 U.S.C. § 1692 *et seq.*, which prohibits abusive, deceptive, and unfair debt collection practices. The FTC also enforces the Telemarketing Act, 15 U.S.C. §§ 6101-6108. Pursuant to the Telemarketing Act, the FTC promulgated and enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing acts or practices.

6. The FTC is authorized to initiate federal district court proceedings, by its own

attorneys, to enjoin violations of the FTC Act, the FDCPA, and the TSR, and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 56(a)(2)(A), 1692l(a), 6102(c), and 6105(b). Section 814 of the FDCPA further authorizes the FTC to use all of its functions and powers under the FTC Act to enforce compliance with the FDCPA, including the power to enforce the provisions of the FDCPA in the same manner as if the violations were violations of an FTC trade regulation rule. 15 U.S.C. § 1692l.

DEFENDANTS

7. As detailed below, two corporate entities and the four individuals that control them have executed the unlawful scheme at issue in this Complaint.

8. Defendant **Centro Natural Corp** (“**Centro Natural**”) is a Florida corporation with a registered business address of 5220 South University Drive, Suite C-102, Davie, Florida 33328. Centro Natural has also conducted business from additional Florida addresses, including 1001 N. Federal HWY Suite 319, Hallandale, FL 33009. Centro Natural transacts or has transacted business in this district and throughout the United States.

9. Defendant **Sumore, L.L.C.** (“**Sumore**”) operates or has operated as a Florida limited liability company with a registered business address of 2404 NE 9th Street, Hallandale, Florida 33009. Sumore also conducted business from additional Florida addresses, including 1001 N. Federal HWY Suite 319, Hallandale, FL 33009. Sumore transacts or has transacted business in this district and throughout the United States.

10. Defendant **Carolina Orellana** is or has been a principal and founding member of both Centro Natural and Sumore. She is the President of Centro Natural and a signatory to the

bank account of Centro Natural. At times material to this Complaint, she was also a manager of Sumore. At times material to this Complaint, she was also an owner and officer of Relief Defendant Bionore Inc. At times material to this Complaint, acting alone or in concert with others, she has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Centro Natural and Sumore, including the acts and practices set forth in this Complaint. Defendant Orellana, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

11. Defendant **Damian Biondi** is an authorized signatory to the bank account of Centro Natural. At times material to the Complaint, he authorized numerous payments from Centro Natural's bank account, including international wire transfers totaling over a half a million dollars. At times material to this Complaint, he was also an owner and officer of Relief Defendant Bionore Inc. At times material to this Complaint, acting alone or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Centro Natural, including the acts and practices set forth in this Complaint. Defendant Biondi, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

12. Defendant **Javier Sumbre** is or has been a principal of Sumore. He is the founding member and was a manager of Sumore. At times material to this Complaint, Defendant Sumbre was the 50% owner of Sumore. At times material to this Complaint, he was the account holder for Sumore's financial and merchant account. At times material to this Complaint, Defendant Sumbre was the owner of a Post Office Box in the name of Sumore. At times material to this Complaint, acting alone or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of

Sumore, including the acts and practices set forth in this Complaint. Defendant Sumbre resides in this district and, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

13. Defendant **Jessica Anzola** is or has been a principal of Sumore. At times material to this Complaint, Defendant Anzola was a manager and registered agent of Sumore. At times material to this Complaint, she has been a signatory to the bank accounts of Sumore and authorized payments on behalf of Sumore. At times material to this Complaint, acting alone or in concert with others, she has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Sumore, including the acts and practices set forth in this Complaint. Defendant Anzola resides in this district and, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

RELIEF DEFENDANT

14. Relief Defendant **Bionore Inc.** (“Bionore”) is a Florida corporation with a registered business address of 2401 SW 56 Terrace, West Park, Florida 33023. Bionore is or has been controlled and managed by Defendants Carolina Orellana and Damian Biondi. At times material to this Complaint, Bionore has received funds and other property that can be traced directly to Defendants’ unlawful acts or practices alleged below. Relief Defendant Bionore has no legitimate claim to these funds.

COMMERCE

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

DEFENDANTS' UNLAWFUL PRACTICES

16. Since at least 2011, Defendants have used abusive, unfair, and deceptive tactics to pressure consumers into settling purported debts and to purchase goods consumers have not sought or wanted.

17. Defendants cold call consumers nationwide. Their scheme targets Spanish-speaking consumers and they primarily address consumers in Spanish.

18. Defendants regularly hold themselves out to consumers as court officials, government officials, or lawyers or as calling on behalf of officials or lawyers.

19. In all or most of those instances, however, Defendants are not court officials, government officials, or lawyers, nor are Defendants calling on their behalf.

20. Defendants represent to consumers that they are calling about debts – often ranging from \$3,000 to \$9,000 – the consumers failed to pay, or regarding claims or legal actions relating to such debts.

21. Defendants routinely tell consumers that the consumers' alleged debts and associated lawsuits or claims stem from charges for goods the consumers purchased from, typically, a company other than Centro Natural or Sumore.

22. Defendants routinely represent to consumers that consumers must pay Defendants in order to settle the alleged debts.

23. In all or most instances, however, consumers do not actually owe the alleged debts that Defendants call them about and no legal actions or claims have been initiated against the consumers in connection with those alleged debts.

24. Defendants regularly threaten consumers with dire consequences – such as arrest, referral to law enforcement, or legal proceedings – if consumers fail to make the demanded payments.

25. For example, Defendants left the following voice-message for one of Defendants' many consumer victims:

Esta es Carla Villa, le hablo de la Corte Suprema Número 11 de la ciudad de Tallahassee del estado de Florida en el área de español. El motivo de mi llamado es hacer de su conocimiento una demanda aprobada en contra de ustedes...Dicha demanda ya ha sido presentada también ante la Corte de Record y Fraude de su estado...Por este motivo nos comunicamos con usted del área de conciliación de esta Corte Suprema, para verificar si decide proseguir con la demanda o desea darle algún tipo de solución. Le recuerdo que enviaremos un informe correspondiente al área de Record y Fraude del gobierno federal y también otra copia al área de Colección Migratoria los cuales ya comenzaron la evaluación de su residencia aquí en los Estados Unidos. Comuníquese usted para mayor información, de caso contrario, recibirá la citación y deberá responder por la misma ya que conlleva una multa mínima de USD 3,970.

26. When translated into English, the voicemail quoted in Paragraph 25 reads:

[T]his is Carla Villa, calling from Supreme Court Number 11, of the City of Tallahassee, State of Florida, in the Spanish area. The reason for my call is to inform you about an approved claim against you . . . Said claim has already been filed also before the Record and Fraud Court of your state . . . For this reason, we are contacting you from the conciliation area of this Supreme Court, to verify if you will decide to proceed with the claim or if you wish to reach some kind of solution. I remind you that we will be sending the corresponding report to the Record and Fraud area of the federal government and also another copy will be sent to the Immigration office area, which has already started an evaluation of your residence here in the United States. Please contact us for more information otherwise, you will be summoned and will have to answer, as it has a minimum penalty of USD 3,970.

27. In all or most instances, however, Defendants do not have the right or ability to have consumers arrested for non-payment of the alleged debts, and have no legal grounds to refer the consumers to law enforcement or initiate legal proceedings against them in connection with the alleged debts.

28. Defendants regularly harass consumers with repeated telephone calls about consumers' alleged debts.

29. In numerous instances, Defendants pressure consumers to pay Defendants in exchange for a purported release of the alleged debts.

30. The payments that Defendants demand from consumers typically range from \$300 to \$500.

31. Defendants sometimes tell consumers that they are required to purchase certain goods from Defendants as part of settling the alleged debts.

32. In numerous instances, Defendants fail to identify what goods they would ship to consumers who yield to Defendants' unlawful pay demands.

33. Defendants regularly ship those consumers whom they successfully pressure into agreeing to make Defendants' demanded payments a box with goods, which are often purported health or beauty goods.

34. In all or most such instances, the consumers who receive Defendants' goods did not seek these goods from Defendants and/or did not want to purchase such goods from Defendants.

35. Many consumers ultimately yield to Defendants' aggressive and unlawful payment demands because they are afraid of the threatened repercussions of failing to pay and/or in order to stop Defendants' harassing and abusive calls.

36. Defendants have initiated outbound calls to consumers who previously told Defendants that they do not wish to receive calls made by or on behalf of Defendants.

37. In some instances, Defendants use abusive or profane language.

38. To induce consumers to pay Defendants for purported debts and goods, Defendants have initiated outbound calls to telephone numbers on the National Do Not Call Registry.

39. Defendants have also called telephone numbers in various area codes without first paying the annual fee for access to the telephone numbers within such area codes that are included in the National Do Not Call Registry.

40. Since 2011, Defendants have taken in more than two million dollars in consumer payments.

VIOLATIONS OF SECTION 5 OF THE FTC ACT

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

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

COUNT I

Misrepresentations in Violation of the FTC Act

43. In numerous instances in connection with the collection of purported consumer debts and the sale of goods, Defendants have represented, directly or indirectly, expressly or by implication, that:

- a. the consumer is delinquent on a debt that Defendants have the authority to collect; or
- b. the consumer has a legal obligation to pay Defendants in order to settle the debt; or
- c. Defendants are affiliated with government entities, including courts and law

enforcement agencies; or

- d. Defendants are attorneys or are associated with a law firm; or
- e. the consumer will be arrested or reported to law enforcement agencies for failing to pay Defendants to satisfy the debt; or
- f. a legal action has been filed or is about to be filed against the consumer for failure to satisfy the debt.

44. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 43 of this Complaint,

- a. the consumer was not delinquent on a debt that Defendants had the authority to collect; or
- b. the consumer did not have a legal obligation to pay Defendants in order to settle the debt; or
- c. Defendants were not affiliated with government entities, including courts and law enforcement agencies; or
- d. Defendants were not attorneys or associated with a law firm; or
- e. the consumer would not have been arrested or reported to law enforcement agencies for failing to pay Defendant to satisfy the debt; or
- f. a legal action was not filed and was not about to be filed against the consumer for failure to satisfy the debt.

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

VIOLATIONS OF THE FDCPA

46. In 1977, Congress passed the FDCPA, 15 U.S.C. § 1692 *et seq.*, which became effective on March 20, 1978, and has been in force since that date. Section 814 of the FDCPA, 15 U.S.C. § 1692*l*, provides that a violation of the FDCPA shall be deemed an unfair or deceptive act or practice in violation of the FTC Act.

47. Throughout this Complaint, the term “consumer” as defined in Section 803(3) of the FDCPA, 15 U.S.C. § 1692a(3), means “any natural person obligated or allegedly obligated to pay any debt.”

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

49. Defendants are “debt collectors” as the term is defined in Section 803(6) of the FDCPA, 15 U.S.C. § 1692a(6) – “any person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose of which is the collection of any debt, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.”

COUNT II

Misrepresentations in Violation of the FDCPA

50. In numerous instances, in connection with the collection of debts or purported debts, Defendants, directly or indirectly, have used false, deceptive, or misleading

representations or means, in violation of Section 807 of the FDCPA, 15 U.S.C. § 1692e,

including:

- a. falsely representing that the Defendants are affiliated with the United States or any State, including government law enforcement agencies, in violation of Section 807(1) of the FDCPA, 15 U.S.C. § 1692e(1);
- b. falsely representing the character, amount, or legal status of a debt, in violation of Section 807(2) of the FDCPA, 15 U.S.C. § 1692e(2);
- c. falsely representing or implying that the Defendants are attorneys or that the Defendants' communications are from an attorney, in violation of Section 807(3) of the FDCPA, 15 U.S.C. § 1692e(3);
- d. falsely representing or implying that non-payment of a debt will result in the arrest of a person, when such action is not lawful, in violation of Section 807(4) of the FDCPA, 15 U.S.C. § 1692e(4);
- e. threatening to take action that is not lawful or that Defendants do not intend to take, such as reporting consumers to law enforcement agencies for failing to pay Defendants to settle debts or initiating a lawsuit, in violation of Section 807(5) of the FDCPA, 15 U.S.C. § 1692e(5);
- f. falsely representing or implying that a consumer has committed any crime or other conduct in order to disgrace the consumer, in violation of Section 807(7) of the FDCPA, 15 U.S.C. § 1692e(7); and
- g. using a false representation or deceptive means to collect or attempt to collect a debt, or to obtain information concerning a consumer, in violation of Section 807(10) of the FDCPA, 15 U.S.C. § 1692e(10).

VIOLATIONS OF THE TSR

51. Congress directed the FTC to prescribe rules prohibiting abusive and deceptive telemarketing acts or practices pursuant to the Telemarketing Act, 15 U.S.C. §§ 6101-6108. The FTC adopted the original TSR in 1995, extensively amended it in 2003, and amended certain provisions thereafter. 16 C.F.R. Part 310.

52. Defendants are “sellers” or “telemarketers” engaged in “telemarketing,” as those terms are defined in the TSR, 16 C.F.R. §§ 310.2(aa), (cc), and (dd).

53. A “seller” means any person who, in connection with a telemarketing transaction, provides, offers to provide, or arranges for others to provide goods or services to the customer in exchange for consideration. 16 C.F.R. § 310.2 (aa).

54. A “telemarketer” means any person, who in connection with telemarketing, initiates or receives telephone calls to or from a customer or donor. 16 C.F.R. § 310.2 (cc).

55. “Telemarketing” means a plan, program, or campaign which is conducted to induce the purchase of goods or services or a charitable contribution, by use of one or more telephones and which involves more than one interstate telephone call. 16 C.F.R. § 310.2 (dd).

56. It is a deceptive telemarketing act or practice, and a violation of the TSR, for any seller or telemarketer to misrepresent, directly or by implication, in the sale of goods and services a seller’s or telemarketer’s affiliation with, or endorsement or sponsorship by, any person or government entity. 16 C.F.R. § 310.3(a)(2)(vii).

57. It is an abusive telemarketing act or practice and a violation of the TSR for any seller or telemarketer to engage in threats, intimidation, or the use of profane or obscene language. 16 C.F.R. § 310.4(a)(1).

58. It is an abusive telemarketing act or practice and a violation of the TSR for any

seller or telemarketer to initiate any outbound calls to a person when that person previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the seller whose goods or services are being offered. 16 C.F.R. § 310.4(b)(1)(iii)(A).

59. It is an abusive telemarketing act or practice and a violation of the TSR for any seller or telemarketer to initiate any outbound calls to a person when that person's telephone number is on the Do Not Call Registry. 16 C.F.R. § 310.4(b)(1)(iii)(B).

60. It is also a violation of the TSR for any seller to initiate, or cause any telemarketer to initiate, an outbound telephone call to any person whose telephone number is within a given area code unless the seller or telemarketer, either directly or through another person, first has paid the annual fee for access to the telephone numbers within that area code. 16 C.F.R. § 310.8.

61. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. § 6102(c), and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of the TSR constitutes an unfair or deceptive act or practice in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT III

Misrepresentation of Affiliation with Government Entity in Violation of the TSR

62. In numerous instances, in connection with telemarketing their goods and services, Defendants have misrepresented, directly or by implication, in the sale of goods or services, their affiliation with, or endorsement or sponsorship by, any person or government entity, in violation of the TSR, 16 C.F.R. § 310.3(a)(2)(vii).

COUNT IV

Abusive Telephone Calls Violation of the TSR

63. In numerous instances, in connection with telemarketing their goods and services, Defendants engaged in abusive telemarketing acts or practices including, but not limited to threats, intimidation or the use of profane or obscene language, in violation of the TSR, 16 C.F.R. § 310.4(a)(1).

COUNT V

Violations of the Entity-Specific Do-Not-Call Rule

64. In numerous instances, in connection with telemarketing their goods and services, Defendants initiated, or caused others to initiate, an outbound call to a person when that person previously has stated that he or she does not wish to receive an outbound telephone call made by or on behalf of the Defendants, in violation of the TSR, 16 C.F.R. § 310.4(b)(1)(iii)(A).

COUNT VI

Do Not Call Registry Violations

65. In numerous instances, in connection with telemarketing their goods and services, Defendants initiated, or caused others to initiate, an outbound telephone call to a person's telephone number on the Do Not Call Registry, in violation of the TSR, 16 C.F.R. § 310.4(b)(1)(iii)(B).

COUNT VII

Failure to Pay Do Not Call Registry Fees

66. In numerous instances, in connection with telemarketing their goods and services, Defendants have initiated outbound telephone calls to telephone numbers on the National Do Not

Call Registry without paying the annual fee for access to telephone numbers that are included in the National Do Not Call Registry, in violation of the TSR, 16 C.F.R. § 310.8.

COUNT VIII

Unjust Enrichment of Relief Defendant

67. Relief Defendant Bionore has received, directly or indirectly, funds and other assets from Defendants that are traceable to funds obtained from consumers through Defendants' deceptive, abusive, and unlawful acts and practices described in this Complaint.

68. Relief Defendant Bionore is not a bona fide purchaser with legal and equitable title to funds or other assets obtained from consumers through Defendants' deceptive, abusive, and unlawful acts and practices described in this Complaint. Relief Defendant will be unjustly enriched if it is not required to disgorge the funds or the value of the benefit it received as a result of Defendants' deceptive, abusive, and unlawful acts and practices. By reason of the foregoing, Relief Defendant holds funds and assets in constructive trust for the benefit of consumers harmed by Defendants.

CONSUMER INJURY

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

THIS COURT'S POWER TO GRANT RELIEF

70. 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), empower this Court to grant injunctive and such other relief as

the Court may deem appropriate to halt and redress violations of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies, to prevent and remedy any violation of any provision of law enforced by the FTC.

71. Section 19 of the FTC Act, 15 U.S.C. § 57b, and Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), authorize this Court to grant such relief as the Court finds necessary to redress injury to consumers or other persons resulting from Defendants' violations of the TSR, including the rescission and reformation of contracts, and the refund of money.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff FTC, pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), 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, the FDCPA, and the TSR by Defendants;

C. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act, the FDCPA, and the TSR including but

not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and disgorgement of ill-gotten monies;

D. Enter an order requiring Relief Defendant Bionore to disgorge all funds and assets, or the value of the benefit it received from the funds and assets, which are traceable to Defendants' unlawful acts or practices; and

E. 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.

Dated: October 20, 2014

Respectfully submitted,

JONATHAN E. NUECHTERLEIN
General Counsel



JANICE L. KOPEC (Special Bar # A5501818)
DOTAN WEINMAN (Special Bar # A5501798)
Federal Trade Commission
600 Pennsylvania Ave., N.W.
Mail Stop CC-8528
Washington, D.C. 20580
Telephone: 202-326-2550 (Kopec)
Telephone: 202-326-3049 (Weinman)
Facsimile: 202-326-3768
Email: jkopec@ftc.gov; dweinman@ftc.gov
Attorneys for Plaintiff Federal Trade Commission