

1 ALDEN F. ABBOT
2 General Counsel

3 SARAH SCHROEDER, Cal. Bar No. 221528
4 ROBERTA TONELLI, Cal. Bar No. 278738
5 EVAN ROSE, Cal. Bar No. 253478
6 Federal Trade Commission
7 901 Market Street, Suite 570
8 San Francisco, CA 94103
9 sschroeder@ftc.gov, rtonelli@ftc.gov, erose@ftc.gov
10 Tel: (415) 848-5100; Fax: (415) 848-5184

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 FEDERAL TRADE COMMISSION,

15 Plaintiff,

16 vs.

17 AMERICAN FINANCIAL BENEFITS CENTER,
18 a corporation, also d/b/a AFB and AF STUDENT
19 SERVICES;

20 AMERITECH FINANCIAL, a corporation;

21 FINANCIAL EDUCATION BENEFITS CENTER,
22 a corporation; and

23 BRANDON DEMOND FRERE, individually and as
24 an officer of AMERICAN FINANCIAL BENEFITS
25 CENTER, AMERITECH FINANCIAL, and
26 FINANCIAL EDUCATION BENEFITS CENTER,

27 Defendants.
28

Case No. 4:18-cv-00806-SBA

**DECLARATION OF KELLY ORTIZ
IN SUPPORT OF FEDERAL TRADE
COMMISSION'S ADMINISTRATIVE
MOTION TO SCHEDULE A CASE
MANAGEMENT CONFERENCE**

1. I am a Senior Federal Trade Investigator for the Federal Trade Commission (“FTC”), the plaintiff in this matter. I submit this declaration in support of the *FTC’s Administrative Motion to Schedule a Case Management Conference*.
2. As a Senior Federal Trade Investigator, my duties include monitoring and investigating persons or companies suspected of engaging in unfair or deceptive acts or practices in violation of the Federal Trade Commission Act and any other laws or rules enforced by the FTC.
3. In the course of my employment, I participated in an investigation of American Financial Benefits Center (“AFBC”), Ameritech Financial (“Ameritech”), Financial Education Benefits Center (“FEBC”), and Brandon Frere (collectively “Defendants”).
4. The FTC maintains a database of consumer complaints for law enforcement partners called Consumer Sentinel (“Sentinel”). The database is a collection of complaints from various sources including local, state, federal, and international law enforcement agencies, as well Better Business Bureaus.
5. Attached hereto as **Ortiz Attachment A**, with personally identifiable information redacted, are 2,030 Sentinel entries about the Defendants that the FTC has received since July 2, 2018. Blank rows indicate that the consumer did not include information in the “comments” section of his or her Sentinel report. Some lengthy consumer comments do not fit into the allocated space and are only partially visible.
6. **Ortiz Attachment B**, which the FTC is filing separately under seal, is a call recording that Defendants produced to the FTC. The recording captures a conversation between Defendants’ employees and a consumer.
7. **Ortiz Attachment C**, with personally identifiable information redacted, is a true and correct copy of the Ortiz Attachment B transcript as provided by For The Record on September 7, 2018.

///

///

///

1 I declare under penalty of perjury that the foregoing statements are true and correct.

2

3 Executed in San Francisco on September 7, 2018.



4

Kelly C. Ortiz

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28