UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FEDERAL TRADE COMMISSION, **Plaintiff,** **v.** **LEADING EDGE PROCESSING, INC., a Florida corporation,** **QUALITY PUBLISHING, INC., a Florida corporation,** **MEGA PROCESSING CORP., a Florida corporation,** **CREATIVE TECH OF AMERICA, INC., a Florida corporation,** **DIGITAL INPUTTING CORP., a Florida corporation,** **THE BAIR GROUP, INC., a Florida corporation,** **MICHAEL J. GARDNER, a/k/a MICHAEL GAIDNEI a/k/a MICHAEL GARDENBAIR, individually, as an officer of the corporations, and d/b/a HOME TYPIST INTERNATIONAL, DATAPROS, PROFESSIONAL DATA SERVICES, NEW AGE INFORMATION SPECIALISTS, and WORK AT HOME DIRECT, and** **REBECCA A. DAHL, individually, as an officer or principal of the corporations, and d/b/a HOME TYPIST INTERNATIONAL, DATAPROS, PROFESSIONAL DATA SERVICES, NEW AGE INFORMATION SPECIALISTS, and WORK AT HOME DIRECT,** **Defendants.**	**CIVIL NO.** **COMPLAINT FOR INJUNCTION AND OTHER EQUITABLE RELIEF**

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

1. The FTC brings this action under Sections 5(a) and 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 45(a) and 53(b), to obtain preliminary, and permanent injunctive relief, rescission of contracts, restitution, disgorgement, and other equitable relief for defendants' violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

JURISDICTION AND VENUE

2. 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. § 53(b). This action arises under 15 U.S.C. § 45(a)(1).

3. Venue in the United States District Court for the Middle District of Florida is proper under 28 U.S.C. §§ 1391(b) and (c), and 15 U.S.C. § 53(b).

THE PARTIES

4. Plaintiff, the Federal Trade Commission, is an independent agency of the United States Government created by statute. 15 U.S.C. § 41 *et seq*. The Commission is charged, *inter alia,* with enforcement of 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 Commission is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act in order to secure such equitable relief as may be appropriate in each case, and to obtain consumer redress. 15 U.S.C. § 53(b).

5. Defendant Leading Edge Processing, Inc. (“Leading Edge”), a Florida corporation with its principal place of business at 3501 West Vine Street, Suite 504, Kissimmee, FL 34741,

7611 South Orange Blossom Trail #169, Orlando, FL 32809, advertises, promotes, and sells data entry training and work-at-home employment opportunities. Bair Group transacts or has transacted business in the Middle District of Florida.

11. Defendant Michael J. Gardner, a/k/a Michael Gaidnei, a/k/a Michael Gardenbair ("Gardner"), the husband of defendant Rebecca A. Dahl, is the president of Leading Edge, Quality Publishing, Mega Processing, Creative Tech, Digital Inputting, and Bair Group, and also does business as Home Typist International, Datapros, Professional Data Services, New Age Information Specialists, and Work at Home Direct. Gardner's principal place of business is 241 Fair Hope Pass, Davenport, FL 33897, the same address as Mega Processing, Creative Tech, Digital Inputting, and Bair Group. At all times material to this complaint, acting alone or in concert with others, he has formulated, directed, controlled, or participated in the acts and practices of the corporate defendants, including the acts and practices set forth in this complaint. He transacts or has transacted business in the Middle District of Florida.

12. Defendant Rebecca A. Dahl (Gardner) ("Dahl"), the wife of defendant Gardner, is an officer, owner or principal of Leading Edge, Quality Publishing, Mega Processing, Creative Tech, Digital Inputting, and Bair Group, and also does business as Home Typist International, Datapros, Professional Data Services, New Age Information Specialists, and Work At Home Direct. Dahl's principal place of business is 241 Fair Hope Pass, Davenport, FL 33897, the same address as Mega Processing, Creative Tech, Digital Inputting and Bair Group. At all times material to this complaint, acting alone or in concert with others, she has formulated, directed, controlled, or participated in the acts and practices of the corporate defendants. She transacts or has transacted business in the Middle District of Florida.

COMMERCE

13. At all times relevant to this complaint, defendants have maintained a substantial course of trade in the offering for sale and sale of data entry work-at-home employment opportunities, in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS' BUSINESS ACTIVITIES

14. Since October 1999, and continuing thereafter, defendants have advertised, promoted, and sold data entry work-at-home employment opportunities to consumers. Defendants, either directly or through third parties, use electronic mail, Internet and newspaper advertisements, as well as Internet Web sites, to promote their data entry work-at-home employment opportunities. Through one or more of these advertising media, defendants lure potential purchasers into buying a work-at-home kit for prices generally ranging from $30-$150. The defendants promise that such kits will enable purchasers to earn money as a data entry clerk, entering orders or processing medical bills supplied by defendants. Defendants promise to pay consumers from $7 to $10 for each order entered, and promise to pay at least $75 for each 100 medical bills processed within two days.

15. Defendants use electronic mail to respond to consumers who post their resumes on Web sites for job seekers, offering the consumers work-at-home data entry positions. Defendants advertise similar work-at-home data entry positions on Web sites for job seekers and in local newspapers. Defendants' electronic mail, and Internet and newspaper advertisements often represent that defendants' employees can typically input two to four orders per hour on their home computers, earning from $14 to $40 per hour, with full health and dental benefits. Defendants promise that after thirty days of employment, consumers who purchase their medical billing opportunity will be paid $187.50 for each 175 bills

processed, and can earn $937.50 per week. The e-mails and advertisements encourage

materials. Defendants assure numerous prospective kit buyers that they "have made this as simple as possible so there are virtually no mistakes."

10. In numerous instances, defendants do not send consumers their kits, and consumers repeatedly attempt to contact the company without success to inquire as to the status of their order. Still other consumers report that the contents of defendants' kits are of very poor quality. In many cases, the software is incompatible with consumers' computer

COUNT I

13. In numerous instances, in the course of offering for sale and selling data entry work-at-home employment opportunities, defendants, and their employees and agents, have represented, expressly or by implication, that consumers who purchase defendants' work-at-home kits will earn a specific level of earnings, such as an income of $14 - $40 per hour doing order entry, or income of $75 per 100 medical bills processed.

14. In truth and in fact, in numerous instances, consumers who purchase defendants' work-at-home kits do not earn a specific level of earnings, such as an income of $14 - $40 per hour doing order entry, or income of $75 per 100 medical bills processed.

15. Therefore, defendants' representations as set forth in Paragraph 24 are false and misleading and constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT II

16. In numerous instances, in the course of offering for sale and sale of data entry work-at-home employment opportunities, defendants or their employees or agents have represented, expressly or by implication, that they have actual job openings performing data entry.

17. In truth and in fact, defendants do not have actual job openings performing data entry.

18. Therefore, defendants' representations as set forth in Paragraph 27 are false and misleading and constitutes deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT III

19. In numerous instances, in the course of offering for sale and selling their data entry employment opportunities, defendants or their employees or agents have represented expressly or by implication, that consumers who purchase defendants' data entry employment opportunities will receive a complete package and training suitable for them to complete data entry.

20. In truth and in fact, in numerous instances, consumers do not receive a complete package and training suitable for them to complete data entry.

21. Therefore, defendants' representations as set forth in Paragraph 30 are false and misleading and constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COMMON ENTERPRISE

22. Defendants Leading Edge, Quality Publishing, Mega Processing, Creative Tech, Digital Inputting, Bair Group, Gardner and Dahl have operated and functioned as a single business enterprise in committing the violations of Section 5(a) of the FTC Act described above in paragraphs 24 through 32.

23. Because each of the defendants functioned as a single business enterprise with the other defendants in the commission of the deceptive acts and practices alleged above, they have each violated Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

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THIS COURT'S POWER TO GRANT RELIEF

25. Section 13(b) of the FTC Act, 15 U.S.C.§ 53(b), empowers this Court to grant injunctive and other ancillary relief, including consumer redress, disgorgement and restitution, to prevent and remedy any violations of any provision of law enforced by the Federal Trade Commission.

26. This Court, in the exercise of its equitable jurisdiction, may award ancillary relief to remedy injury caused by the defendants' law violations.

PRAYER FOR RELIEF

WHEREFORE, plaintiff requests that this Court, as authorized by Section 13(b) of the FTC Act, 15 U.S.C. §53(b), and pursuant to its own equitable powers:

1. Award plaintiff such preliminary injunctive and ancillary relief, including a preliminary injunction and an asset freeze, 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;

2. Permanently enjoin the defendants from violating the FTC Act, as alleged herein;

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

4. 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.

Respectfully submitted,

WILLIAM E. KOVACIC
GENERAL COUNSEL

BARBARA ANTHONY
REGIONAL DIRECTOR

DATED:_____

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ROBIN E. EICHEN (RE 2964)
Attorney for Plaintiff
Federal Trade Commission
Northeast Region