

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NIGHT BOX
FILED

FEB 14 2005

05-80101

CLARENCE MABBOX
CLERK USDC / SD/FL/MIA

UNITED STATES OF AMERICA,

PLAINTIFF,

CIV-RYSKAMP

v.

MAGISTRATE JUDGE
VITUNAC

ERASTUS CORNING DAVIS, A/K/A
CORNING DAVIS, individually and
as an officer of the corporation,

DEFENDANTS.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over all cases filed in this Court.

THE DEFENDANTS' BUSINESS PRACTICES

7. The defendants offer and sell automated self-service coin machine business ventures to prospective purchasers. The defendants promote their business ventures through several franchise websites on the Internet, including www.moneymoversinc.com, www.FranchiseForSale.com, and www.Franchise.com. In their on-line promotional materials

defendants urge consumers to call a toll free telephone number to learn more about defendants'

436.2(a)(1)(ii), (a)(2), and (a)(5).

13. The Franchise Rule requires a franchisor to provide prospective franchisees with a

have achieved the same or better results, 16 C.F.R. § 436.1(e)(3) - (4).

15. Pursuant to Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), and 16 C.F.R.

§ 436.1 violations of the Franchise Rule constitute unfair or deceptive acts or practices in --

[REDACTED]


CONSUMER INJURY

12 Consumers in the United States have suffered and will suffer substantial monetary

PRAYER FOR RELIEF

WHEREFORE, plaintiff requests that this Court, as authorized by Sections 5(a), 5(m)(1)(A), 13(b) and 19 of the FTC Act, 15 U.S.C. §§ 45(a), 45(m)(1)(A), 53(b), and 57b, and pursuant to its own equitable powers:

1. Enter judgment against the defendants and in favor of the plaintiff for each violation alleged in this complaint;

2.  Permanently enjoin the defendants from violating the FTC Act and the

3. Award plaintiff monetary civil penalties from 15 U.S.C. § 57b

Dated: February 14th, 2005

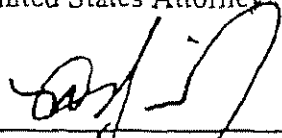
Respectfully submitted,

EILEEN HARRINGTON
Associate Director for Marketing Practices
FEDERAL TRADE COMMISSION

Michael J. Davis
Attorney
Federal Trade Commission
600 Pennsylvania Ave., N.W., Rm. 238
Washington, DC 20580
PHONE: 202-326-2458
FAX: 202-326-3395

PETER D. KEISLER, JR.
Assistant Attorney General
Civil Division
U.S. DEPARTMENT OF JUSTICE

MARCOS D. JIMENEZ
United States Attorney



NORMAN D. HEMMING, III
Assistant U.S. Attorney for the