

¶2J7.9.18-0..STERNISTVISION

UNITED STATES DISTRICT COURT FOR THE
¶2J50..180..STERNISTRICK COOF MISSRT I



JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a), 53(b).

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

PLAINTIFF

4. 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.

5. The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act 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) and 56(a)(2)(A).

DEFENDANTS

6. Defendant Real Wealth, Inc. (“Real Wealth”) is a Missouri corporation with its principal places of business at 2325 SW Pheasant Trail, Lee’s Summit, Missouri 64082 and 402 NW Olive St., Lee’s Summit, Missouri 64063. Real Wealth also does business as American Financial Publications, Emerald Press, Financial Research, National Mail Order Press, Pacific Press, United Financial Publications, Wealth Research Marketing Group, and Wealth Research Publications. Real Wealth transacts or has transacted business in this district and throughout the United States. At times material to this Complaint, acting alone or in concert with others, Real Wealth has advertised, marketed, distributed, or sold work-at-home and grant schemes to consumers throughout the United States.

13. Defendants' direct mail marketing solicitations fall into two general categories: (1) work-at-home schemes and (2) cash grant schemes. Defendants' various work-at-home schemes include, but are not limited to, programs purporting to consist of mailing envelopes, postcards, or forms, as the following exemplars illustrate.

Work-at-Home Schemes

Envelope Mailing Scheme

“money making reports” and sell the reports by sending direct mail solicitations to people on mailing lists or by taking out classified advertisements. Defendants instruct the purchasers to

Form Mailing Scheme

29. Few, if any, purchasers of Defendants' form mailing work-at-home scheme make substantial income. Moreover, Defendants' scheme requires purchasers to spend additional money for stamps, envelopes and mailing lists.

Grant and Cash Schemes

30. In addition to work-at-home schemes, Defendants offer consumers ways to make money by taking advantage of purported grant programs or "cash secrets," collectively referred to herein as "grant schemes."

31. Defendants have disseminated or caused to be disseminated direct mail solicitations that represent, either expressly or by implication, that purchasers of their grant schemes are likely to receive substantial amounts of money from the government or other sources listed in their guides.

32. For example, in numerous instances, Defendants promote their grant schemes by

34. In numerous instances, in exchange for a fee ranging from \$9.99 to \$99.99, Defendants provide purchasers one of their many short booklets containing a list that includes, among other things, grants, contests, loans, and entitlement programs.

35. For example, in the booklets entitled “Lazy Cash” and “Emergency Cash,” Defendants list names and contact information for foundations and government agencies that purportedly have money to give consumers.

36. Another of Defendants’ suggestions, in “Lazy Cash,” “Emergency Cash,” and several other publications, is to make money by sending letters to millionaires and celebrities who purportedly are giving away money.

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

COUNT ONE

DECEPTIVE CLAIMS REGARDING WORK-AT-HOME SCHEMES

42. In the course of marketing, promoting, offering for sale and selling work-at-home schemes, Defendants represent, directly or indirectly, expressly or by implication, that consumers who order their work-at-home schemes are likely to earn substantial income.

43. The representation set forth in Paragraph 42 is false, or was not substantiated at the time the representation was made, or both.

44. Therefore, the making of the representation as set forth in Paragraph 42 of this Complaint constitutes a deceptive act or practice in violation of Section 5(a) of the FTC Act, 15 U.S.C. 45(a).

COUNT TWO

MISREPRESENTATIONS REGARDING NATURE OF WORK-AT-HOME SCHEMES

45. In the course of marketing, promoting, offering for sale and selling their work-at-home schemes, Defendants represent, directly or indirectly, expressly or by implication, that purchasers of Defendants' work-at-home schemes will be paid for simply mailing items.

46. In truth and in fact, purchasers of Defendants' work-at-home schemes are not paid for simply mailing items.

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

COUNT THREE

DECEPTIVE CLAIMS REGARDING GRANTS

48. In the course of marketing, promoting, offering for sale and selling their grant schemes, Defendants represent, directly or indirectly, expressly or by implication, that consumers who order their grant schemes are likely to receive substantial amounts of money from the government or other sources listed in their guides.

49. The representation set forth in Paragraph 48 is false, or was not substantiated at the time the representation was made, or both.

50. Therefore, the making of the representation as set forth in Paragraph 48 of this Complaint constitutes a deceptive act or practice in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

CONSUMER INJURY

51. Consumers have suffered and will continue to suffer substantial injury as a result of Defendants' violations of the FTC Act. 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

52. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers 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.

PRAYER FOR RELIEF

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Dated: January 21, 2010

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