

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

reasonable, and in the public interest, on the Commission's publication of certain information. *Local No. 93, Int'l Ass'n of Firefighters v. Cleveland*, 478 U.S. 501, 521-23 (1986) (court's authority to enter consent decree arises from, and is limited by, voluntary agreement of the parties)

involvement in the deceptive marketing, with links to supporting documents; and (iii) a detailed written summary of the science supporting the Commission's allegation that Defendants' weight-loss claims regarding certain dietary supplements containing acai berry were scientifically implausible, and a link to a supporting declaration by Dr. Ed Blonz, a nutritional expert.

A copy of the text of the Commission's webpage and an index of the documents to which it will link are attached as Exhibits A and B.

The Commission is completing assembly of this webpage, which will be ready for launch by October 19, 2012. Accordingly, the Commission will publish the webpage within two days of the Court's entry of the proposed Order, on or after October 19, 2012.

Respectfully submitted,

Paul J. Fishman
United States Attorney
Paul A. Blaine
Assistant United States Attorney
401 Market Street, Fourth Floor
Camden, NJ 08101
Telephone: 856-757-5026
Facsimile: 856-757-5137

October 12, 2012

/s/ Elizabeth Tucci
Laura M. Sullivan
Elizabeth Tucci
James A. Prunty
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Mail Drop NJ-3212
Washington, DC 20580
Telephone: 202-326-3327 (Sullivan)
202-326-2402 (Tucci)
Facsimile: 202-326-3259
lsullivan@ftc.gov; etucci@ftc.gov
jprunty@ftc.gov
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Elizabeth Tucci, certify that on October 12, 2012, I served, via electronic filing, copies of the foregoing Federal Trade Commission's Response to and Notice of Compliance with the Court's September 11, 2012, Order, including Attachments A and B, on the following counsel for Defendants Andrew Davidson and Circa Direct, LLC:

Lameke E. Cannon (ECF)
Venable LLP
1270 Avenue of the Americas
25th Floor
New York, NY 10020
lecannon@venable.com

Edwin M. Larkin (*pro hac vice*) (ECF)
Venable LLP
emlarkin@venable.com

/s/ Elizabeth Tucci
Elizabeth Tucci