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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

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FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DENNY LAKE, *et al.*

Defendants.

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Case No. SACV 15-00585-CJC (JPRx)

**AMENDED FINAL JUDGMENT  
AND PERMANENT INJUNCTION  
AGAINST DEFENDANT DENNY  
LAKE**

1 Plaintiff Federal Trade Commission (“Commission” or “FTC”) filed its  
2 Complaint for Permanent Injunction and Other Equitable Relief on April 14, 2015,  
3 pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act (“FTC  
4 Act”), 15 U.S.C. §§ 53(b) and 57b, the Telemarketing and Consumer Fraud and  
5 Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§ 6101-6108, and the  
6 2009 Omnibus Appropriations Act, Public Law 111-8, Section 626, 123 Stat. 524,  
7 678 (Mar. 11, 2009) (“Omnibus Act”), as clarified by the Credit Card  
8 Accountability Responsibility and Disclosure Act of 2009, Public Law 111-24,  
9 Section 511, 123 Stat. 1734, 1763-64 (May 22, 2009) (“Credit Card Act”), and  
10 amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act,  
11 Public Law 111-203, Section 1097, 124 Stat. 1376, 2102-03 (July 21, 2010)  
12 (“Dodd-Frank Act”), 12 U.S.C. § 5538. On January 11, 2015, Plaintiff filed a  
13 Motion for Summary Judgment Against Defendant Denny Lake (“Lake”), and the  
14 Court granted that motion on February 24, 2016. The Court later amended and  
15 altered the order granting the motion, based on a clerical mistake. Based on the  
16 Court’s amended order granting summary judgment, the Court enters this  
17 Amended Final Judgment and Permanent Injunction Against Defendant Denny  
18 Lake.

### 19 DEFINITIONS

20 For the purposes of this Order, the following definitions apply:

21 A. “Assisting others” includes:

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1           3.     formulating or providing, or arranging for the formulation or  
2 provision of, any marketing support material or service, including web or Internet  
3 Protocol addresses or domain name registration for any Internet websites, affiliate  
4 marketing services, or media placement services;

5           4.     providing names of, or assisting in the generation of, potential  
6 customers;

7           5.     performing marketing services of any kind including, but not  
8 limited to, telemarketing;

9           6.     performing billing or payment services of any kind;

10          7.     acting or serving as an owner, officer, director, manager, or  
11 principal of any entity.

12          B.     “**Defendant**” means Denny Lake (also d/b/a JD United, U.S. Crush,  
13 Advocacy Division, Advocacy Department, Advocacy Agency, and Advocacy  
14 Program).

15          C.     “**Financial Products**” excludes anything defined as either “mortgage-  
16 related financial product or service” or “secured or unsecured debt relief product or  
17 service” as defined by this Order, and means any

18          1.     product, service, plan, or program represented, expressly or by  
19 implication, to:

20               a.     provide any consumer, arrange for any consumer to  
21 receive, or assist any consumer in receiving, a loan or other extension of credit;

22               b.     provide any consumer, arrange for any consumer to  
23 receive, or assist any consumer in receiving, credit, debit, or stored value cards;

24               c.     improve, repair, or arrange to improve or repair, any  
25 consumer’s credit record, credit history, or credit rating;

26               d.     provide advice or assistance to improve any consumer’s  
27 credit record, credit history, or credit rating;

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1                   c.     obtain any forbearance or modification in the timing of  
2 payments from any secured or unsecured holder or servicer of any mortgage, loan,  
3 debt, or obligation;

4                   d.     negotiate, obtain, or arrange any extension of the period  
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1 of one or more telephones, and which involves a telephone call, whether or not  
2 covered by the Telemarketing Sale  
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1 sale, or selling of any financial products, are permanently restrained and enjoined  
2 from misrepresenting, or assisting others in misrepresenting, expressly or by  
3 implication:

4 A. the terms or rates that are available for any loan or other extension of  
5 credit, including:

- 6 1. closing costs or other fees;
- 7 2. the payment schedule, monthly payment amount(s), any balloon  
8 payment, or other

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1 D. any special connections or relationships with lenders or financial  
2 institutions; or

3 E. any other fact material to consumers concerning any financial product,  
4 service, plan, or program.

5 **V. PROHIBITION AGAINST MISREPRESENTATIONS RELATING**  
6 **TO ANY PRODUCTS OR SERVICES**

7 IT IS FURTHER ORDERED that Defendant, his officers, agents,  
8 employees, and attorneys, and all others in active concert or participation with any  
9 of them, who receive actual notice of this Order, whether acting directly or  
10 indirectly, in connection with the advertising, marketing, promoting, offering for  
11 sale, or selling of any product, service, plan, or program, are permanently  
12 restrained and enjoined from misrepresenting, or assisting others in  
13 misrepresenting, expressly or by implication:

14 A. any material aspect of the nature or terms of any refund, cancellation,  
15 exchange, or repurchase policy, including the likelihood of a consumer obtaining a  
16 full or partial refund, or the circumstances in which a full or partial refund will be  
17 granted to the consumer;

18 B. that any person is affiliated with, endorsed or approved by, or  
19 otherwise connected to any other person, government entity, or any program,  
20 including but not limited to any public, non-profit, or other non-commercial  
21 program;

22 C. the nature, expertise, position, or job title of any person who provides  
23 any product, service, plan, or program;

24 D. the person who will provide any product, service, plan, or program to  
25 any consumer;

26 E. that any person providing a testimonial has purchased, received, or  
27 used the product, service, plan, or program;

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1 F. that the experience represented in a testimonial of the product, service,  
2 plan, or program represents the person's actual experience resulting from the use of  
3 the product, service, plan, or program under the circumstances depicted in the  
4 advertisement;

5 G. that a consumer will receive legal representation;

6 H. any special connections or relationships with lenders or financial  
7 institutions; or

8 I. any other fact material to consumers concerning any product, service,  
9 plan, or program.

10 **VI. PROHIBITION AGAINST UNSUBSTANTIATED CLAIMS**

11 IT IS FURTHER ORDERED that Defendant, his officers, agents,  
12 employees, and attorneys, and all others in active concert or participation with any  
13 of them, who receive actual notice of this Order, whether acting directly or  
14 indirectly, in connection with the sale of any financial product, are permanently  
15 restrained and enjoined from making any representation or assisting others in  
16 making any representation, expressly or by implication, about the benefits,  
17 performance, or efficacy of any financial product, unless the representation is non-  
18 misleading, and, at the time such representation is made, Defendant possesses and  
19 relies upon competent and reliable evidence that is sufficient in quality and  
20 quantity based on standards generally accepted in the relevant fields, when  
21 considered in light of the entire body of relevant and reliable evidence, to  
22 substantiate that the representation is true.

23 **VII. MONETARY JUDGMENT**

24 IT IS FURTHER ORDERED that:  
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