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U.S. DISTRICT COURT E.D.N.Y.

★ SEP 22 2016 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN NOVIS, GARY DENKBERG,
CATHY JOHNSON, HORIZON
MARKETING SERVICES INC.,
QUANTUM MARKETING INC.,
DMCS INC., and DIRECT MARKETING
CONSULTING SERVICES INC.,

Defendants.

LONG ISLAND OFFICE
COMPLAINT

Civil Action No. 16-_____

CV - 16 5263

FEUERSTEIN, J.

LINDSAY, M.J.

Plaintiff, the UNITED STATES OF AMERICA, by and through the undersigned attorneys, hereby alleges as follows:

INTRODUCTION

1. The United States brings this action for a temporary restraining order, preliminary and permanent injunctions, and other equitable relief pursuant to 18 U.S.C. § 1345, in order to enjoin the ongoing commission of criminal mail fraud in violation of 18 U.S.C. § 1341. The United States seeks to prevent continuing and substantial injury to the victims of fraud.

2. Since at least 2012, and continuing to the present, defendants, using the United States mail, have engaged in a predatory mail fraud scheme, targeted primarily at the elderly and vulnerable.

3. Defendants send mass mailings of solicitation letters to potential victims through the U.S. Mail designed to induce those potential victims to send payments to defendants. These solicitations are written to give the misimpression that they are personalized letters, notifying the

recipient that he or she has already won a large multi-million dollar cash prize. These solicitations further create the impression that the recipient will receive delivery of the cash prize in return for payment of a relatively small fee.

4. In reality, the solicitations are form letters sent out by the thousands. Further, none of the corporate entities and individuals from whom the solicitations are purportedly sent exist. They are sent by defendants, using the names of fictional corporate entities to conceal their identities.

5. Victims who pay the required fee and respond to the award solicitations do not receive the promised substantial cash prizes. Many victims receive nothing at all. When victims do receive something, it is a near worthless booklet.

6. Many thousands of victims, especially the elderly and vulnerable, suffer financial losses from the defendants' fraudulent schemes. Since 2012 alone, U.S. residents have been swindled out of approximately \$30.4 million.

7. For the reasons stated herein, pursuant to 18 U.S.C. § 1345, the United States seeks to enjoin defendants' ongoing schemes to defraud using the United States mail in violation of 18 U.S.C. § 1341.

JURISDICTION AND VENUE

8. The Court has subject matter jurisdiction over this action pursuant to 18 U.S.C. § 1345 and 28 U.S.C. §§ 1331 and 1345.

9. Venue lies in this district pursuant to 28 U.S.C. § 1391(b)(2).

PARTIES

10. Plaintiff is the United States of America.

11. Defendant Sean Novis (“Novis”) is a resident of Nassau County, New York. Novis directs and controls the business operations of defendants Horizon Marketing Services Inc., Quantum Marketing Inc., DMCS Inc. and Direct Marketing Consulting Services Inc.

12. Defendant Gary Denkberg (“Denkberg”) resides in Nassau County, New York in the Eastern District of New York. Denkberg directs and controls the business operations of defendants Horizon Marketing Services Inc., Quantum Marketing Inc., DMCS Inc. and Direct Marketing Consulting Services Inc.

13. Defendant Cathy Johnson (“Johnson”) resides in Nassau County, New York. Johnson acts as an agent of defendants Horizon Marketing Services Inc., Quantum Marketing Inc., DMCS Inc. and Direct Marketing Consulting Services Inc.

14. Defendant Horizon Marketing Services Inc. (“Horizon”) is, and was at all times relevant to this action, a corporation organized and existing under the laws of the State of New York. Horizon conducts the business activity alleged herein within the Eastern District of New York.

15. Defendant Quantum Marketing Inc. (“Quantum”) is, and was at all times relevant to this action, a corporation organized and existing under the laws of the State of New York. Quantum conducts the business activity alleged herein within the Eastern District of New York.

16. Defendant DMCS Inc. is, and was at all times relevant to this action, a corporation organized and existing under the laws of the State of New York. DMCS Inc. conducts the business activity alleged herein within the Eastern District of New York.

17. Defendant Direct Marketing Consulting Services Inc. is, and was at all times relevant to this action, a corporation organized and existing under the laws of the State of New York. Direct Marketing Consulting Services Inc. conducts the business activity alleged herein within the Eastern District of New York.

18. Defendants DMCS Inc. and Direct Marketing Consulting Services Inc. (collectively referred to hereinafter as “DMCS”) operate as a common enterprise with regard to the mail fraud scheme described below. As set forth *infra*, these two corporate entities have common officers, managers, business addresses and bank accounts.

19. In connection with the matters alleged herein, all of the defendants place or cause to be placed into the United States mail in the Eastern District of New York, fraudulent solicitations, causing those solicitations to be delivered by mail to victims throughout the United States. All of the defendants also receive payments and correspondence in response to their fraudulent solicitations at Post Office boxes located within the Eastern District of New York.

DEFENDANTS’ ONGOING FRAUDULENT SCHEME

20. Beginning at least as early as 2012 and continuing to the present, defendants have engaged in a mail fraud scheme that has defrauded tens of thousands of victims throughout the United States of approximately \$7.6 million each year.

21. Novis, Denkberg, and Johnson (collectively, the “Individual Defendants”) control and operate corporate defendants Horizon, Quantum and DMCS, and utilize the corporate defendants to perpetrate this mail fraud scheme. The Individual Defendants and corporate defendants Horizon, Quantum and DMCS are referred to hereinafter collectively as “Defendants.”

22. Defendants send solicitation letters through the United States mail to potential victims nationwide. The solicitations, filled with misrepresentations, give the misimpression that they are personalized letters to individual recipients. They lead victims to believe that they have already won a large cash prize, typically worth more than \$1 million. The solicitations request that the recipient return an enclosed form along with a required fee, generally in the range of \$19.99 to \$24.99, in order to receive the prize. *See, e.g.*, Exhibits A-D.¹

23. In reality, the solicitations are not personalized letters, but are identical mass mailings, sent to thousands of potential victims throughout the United States. The letters differ only in the potential victims' names and addresses, and identification numbers assigned by Defendants, inserted into the form letters through mail merge software.

24. Victims who pay the required fee and respond to the award solicitations do not receive money or prizes. Many victims receive nothing at all. When victims do receive something, they receive a near worthless booklet describing various commercial sweepstakes, which can be entered for free by members of the general public. *See, e.g.*, Exhibit E.

25. Though Defendants send multiple different versions of these fraudulent award solicitations, the solicitations all feature common phrases, styles and misrepresentations to give the impression that the recipient has been selected as a winner of millions of dollars in awards. The letters prominently feature the amount the recipient purportedly has won, highlighting multi-million dollar prizes through large fonts, bold text, and underlining.

26. The award solicitations are written under the guise of multiple companies, including "Wynfel Advisory Services," "Global Reporting Advisors," "The Reporting Center"

¹ All exhibits cited herein are attached hereto. The United States has redacted the names of the recipients of solicitations to protect their privacy.

and “International Data Reporting Center,” and contain what appear to be hand-written signatures from a company officer. In fact, these companies and officers do not exist, and the signatures are preprinted on thousands of identical form letters. None of the award solicitations identify any of the Defendants as the sender.

27. Each solicitation contains multiple misrepresentations leading the recipient to believe that the letter is personalized to them and that they have been specifically selected as the winner of a prize. Some examples of such misrepresentations include:

- “Your Name has been identified from a list of thousands of sweepstakes participants to receive this Notification of Available Awards advising that You are entitled to receive ***1,200,000.00 in Cash and Awards***....” See Exhibit A.
- “RECORDS SHOW; Holder of I.D. No: [VICTIM SPECIFIC ID] – [VICTIM NAME] – Receiver * * IDENTIFIED * * Verified Report of CASH/PRIZE-WIN opportunity In the \$ Amount Of:
* * * \$1,900,000.00 ONE MILLION NINE HUNDRED THOUSAND DOLLARS * * *” See Exhibit B. ²
- “Our offices extend our most Best Wishes to you in light of the fact that YOU have been * * * IDENTIFIED * * * [VICTIM NAME] as CONFIRMED RECEIVER of these documents for the Confirmed and reported CASH/PRIZE opportunity as detailed and now totaling \$2,000,000.00 - - * * * TWO MILLION DOLLARS - - TOTAL! * * *” See Exhibit C.

28. The solicitations also frequently misrepresent that the award notice is only for the intended recipient and is non-transferable. For example, a response card included in one solicitation states, “NON-TRANSFERABLE. TO BE COMPLETED BY RECEIVER ONLY” and, “FOR COMPLETION ONLY BY: [Victim Name] THE INDIVIDUAL ENTITLED TO RECEIVE THE AVAILABLE CASH/PRIZE WIN-OPPORTUNITIES NOW TOTALING:

² The United States uses brackets to indicate text that was individualized to the particular recipient through the use of mail merge software in order to make the solicitation appear personalized, such as the victim’s name or an assigned identification number.

***\$1,200,000.00 - - 1.2 Million Dollars in Cash and Awards!” *See* Exhibit A. These misrepresentations create the impression that the recipient has already won an award in the amount specified in the solicitation, and is entitled to receive cash and prizes not available to anyone else.

29. Some of the solicitations contain notes printed in a font that mimics handwriting, in order to give the impression that the solicitation is personalized to the specific recipient. *See, e.g.,* Ex. A at p. 1. In fact, these “handwritten” notes are preprinted on thousands of identical solicitations.

30. The solicitations frequently misrepresent that the recipient is “guaranteed” to receive the prize money when he or she returns the enclosed response form by the specified deadline and pays Defendants the stated fee. Examples of such misrepresentations include:

- “Indicate by signature that you accept the terms of payment for release of the GUARANTEED *\$1,200,000.00 in Cash and Awards* Win-Opportunities as Reported, and return it to our offices along with the required \$19.99 Report Fee by close of the [DATE] deadline requested.” *See* Exhibit A.
- “It is your GUARANTEED ACCESS to the reported * * * \$1,212,000.00 - -\$One Million Two Hundred and Twelve Thousand Dollars in Cash/Awards* * * opportunities now **AVAILABLE and GUARANTEED to you** in the full amount.” *See* Exhibit D.

31. Each solicitation contains a second page styled as a form purporting to show that the recipient of the solicitation has been confirmed as the person eligible to receive the substantial cash prize. These forms bear official sounding headings styled to convince the recipient that they are necessary forms to ensure processing and delivery of the promised prizes. These headings include: “I.D. AUTHORIZATION AND PROCESSING,” “RELEASE OF DETAILS DELIVERY SCHEDULED,” and “RECEIVER ENTITLEMENT AND ACQUISITION DOCUMENTS.”

32. The bottom portion of each of these forms consists of a response card. The solicitations instruct the recipient to fill out the response card and mail it with a payment. The solicitations often characterize the payment as a “Report Fee” or a “Processing Fee.” These response cards ask that the recipient confirm his or her identity as the individual eligible to receive the identified cash and prizes, and reiterate the promise of a substantial cash prize.

Examples of the text included on Defendants’ response cards include:

- “YES! I am the individual Identified and *CONFIRMED* On Record as eligible to receive the available Prize Win-Opportunities as itemized in Report of Entrant Procedure Directives now pending immediate release to me in the Total \$Amount of //***\$1,200,000.00 \$1.2 Million Dollars in Prizes***” *See Exhibit A.*
- “I [VICTIM NAME], HOLDER of I.D.# [VICTIM SPECIFIC ID], will receive full access to the available CASH AND AWARDS opportunity as Reported in ledger of entrant Directives in the Amount Totaling \$1,900,000.00. I am returning this completed Document with my signature below which Guarantees the completion of this matter and enacts delivery.” *See Exhibit B.*

33. Defendants include disclaimers on the back of their solicitations, stating that recipients have not won any money or prizes. This language typically states that the fictitious entity sending the solicitation is a research and reporting service that compiles newsletters regarding available sweepstakes sponsored by corporate organizations. These disclaimers directly contradict the multiple, prominently-featured misrepresentations contained on the face of the solicitations, and do not correct the overall false impression conveyed by the text of the solicitations that the recipient is guaranteed to receive millions of dollars in cash and awards if he or she mails in the response card payment. Sometimes similar disclaimers are included in the main body of the solicitation letters, but are combined with promises of guaranteed winnings so as to render the disclaimers incomprehensible. One example of such a disclaimer, followed immediately by promises of winnings, is as follows:

- “The attached is Not a sweepstakes entry form (there is no fee or report purchase required to enter or Win any sweepstakes). It is your **GUARANTEED ACCESS** to the reported * * * \$1,212,000.00 --\$One Million Two Hundred and Twelve Thousand Dollars in reported * * * opportunities now **AVAILABLE and GUARANTEED to you** in the full amount.” *See* Exhibit D.

34. Defendant’s letters lead victims, particularly elderly and vulnerable victims, to believe that they have won a substantial cash prize and that they must pay the requested fee in order to receive their prize.

35. The solicitations all contain response envelopes pre-addressed to various Post Office boxes (“P.O. boxes”) located in the Eastern District of New York that are rented in the names of Horizon and Quantum.

36. Defendants currently receive victim payments and correspondence at the following six P.O. boxes rented by Johnson on behalf of Horizon (hereinafter, the “Horizon P.O. boxes”):

- i. P.O. Box 340, Williston Park, NY 11596
- ii. P.O. Box 354, Carle Place, NY 11514
- iii. P.O. Box 1289, Melville, NY 11747
- iv. P.O. Box 1335, Roslyn Heights, NY 11577
- v. P.O. Box 1367, Roslyn Heights, NY 11577
- vi. P.O. Box 8035, Huntington Station, NY 11746

37. Defendants also receive, or have received in the past, victim payments and correspondence at the following six P.O. boxes rented by Johnson or another individual on behalf of Quantum (hereinafter, the “Quantum P.O. boxes”):

- i. P.O. Box 245, East Meadow, NY 11554 (rented by Johnson)
- ii. P.O. Box 559, Old Bethpage, NY 11804 (rented by Johnson)

- iii. P.O. Box 781, Westbury, NY 11590 (rented by Johnson)
- iv. P.O. Box 1537, Mineola, NY 11501 (rented by Johnson)
- v. P.O. Box 278, Haverstraw, NY 10927
- vi. P.O. Box 128, Pearl River, NY 10965

38. The P.O. box applications for Quantum P.O. boxes 245, 278 and 559 also identify Novis as a Quantum representative authorized to pick up mail from those boxes.

39. Johnson collects victim payments and responses from the Quantum and Horizon P.O. boxes on a daily basis. Every week Defendants receive over 1,830 victim responses to the Horizon P.O. boxes and Quantum P.O. boxes.

40. Defendants identify the recipients who will receive their solicitations by renting lists of “leads,” containing the names and addresses of potential victims throughout the United States who are likely to respond to their solicitations. Defendants rent these lead lists from third-parties through the use of a “list broker.” Defendants also compile, and rent out to other mailers, lists of victims who have responded to Defendants’ solicitations. As a result, victims who make payments in response to Defendants’ mail fraud scheme also receive solicitations from, and are victimized by, many other similar sweepstakes and lottery related mail fraud schemes.

DEFENDANTS’ KNOWLEDGE AND CONCEALMENT OF THE FRAUD

41. The Individual Defendants have operated this mail fraud scheme for more than four years through multiple corporate entities. When Defendants’ fraud has come to the attention of law enforcement, the Individual Defendants merely close up their old shop and open a new one, doing the same thing. They have entered into consent orders agreeing to stop their criminal behavior, but have ignored the orders. Defendants simply incorporated new entities, obtained new P.O. boxes, and continued their fraudulent scheme.

42. Prior to May 2012, the Individual Defendants solicited money from victims through U.S. mail using the same type of fraudulent award solicitations described in paragraphs 20-35, *supra*. The Individual Defendants operated through the corporate entities Report Research & Development Inc. (“Report Research”) and Comprehensive D.M. Inc. (“Comprehensive”).

43. In early 2012, the United States Postal Inspection Service filed two administrative complaints alleging that Novis and Denkberg were conducting a scheme or device for obtaining money or property through the mail by means of false representations in violation of 39 U.S.C. § 3005. The first administrative complaint named Report Research as a respondent and identified Novis as an officer of that corporation (hereinafter, the “Report Research 3005 Action”). *See* Exhibit F. The second administrative complaint named Comprehensive as a respondent, and identified Denkberg as an officer of that corporation (hereinafter, the “Comprehensive 3005 Action”). *See* Exhibit G.

44. Both administrative complaints described the scheme conducted by the respondents as follows:

Respondents conduct their scheme by mailing solicitations to consumers. Based on the solicitations, consumers believe that they have already won a large cash prize and/or cash award and must return the provided form(s) with the required fee of \$21.99 to \$24.99 to receive the prize or cash award....

Persons who respond to Respondents’ solicitations and remit the required payment receive a booklet describing various commercial sweepstakes (hereinafter “the report”), which can be entered by members of the public.

Exhibit F at p. 3; Exhibit G at p. 4. Both administrative complaints attached copies of solicitations mailed by the Respondents. *See* Exhibits F and G. The solicitations attached to the two administrative complaints are substantially similar to and contain the

same types of misrepresentations as the fraudulent award solicitations currently mailed by Defendants.

45. On April 20, 2012, Novis signed an Agreement Containing Consent Order to Cease and Desist with regard to the Report Research 3005 Action. *See* Exhibit H. Johnson signed that agreement as a witness. *Id.* On that same date, Denkberg signed an Agreement Containing Consent Order to Cease and Desist with regard to the Comprehensive 3005 Action. *See* Exhibit I.

46. A Postal Service Judicial Officer entered cease and desist orders against the respondents in both actions on May 31, 2012. *See* Exhibits J and K. The cease and desist orders enjoined Novis and Denkberg from “falsely representing, directly or indirectly, expressly or impliedly, in substance and effect, whether by affirmative statements, implications or omissions” any of the following:

- (a) recipients of Respondents’ solicitations have won a prize consisting of a large amount of money;
- (b) recipients of Respondents’ solicitations are entitled to receive a portion of the amount specified to be awarded in the solicitation;
- (c) paying the requested fee guarantees that the consumer will receive a prize consisting of a large amount of money;
- (d) the primary reason Respondents have sent their solicitations to the recipient is because the recipient has won a prize consisting of a large amount of money; and
- (e) the solicitation is something other than an offer to sell information.

Exhibits J and K.

47. Despite these orders, the Individual Defendants did not cease their mail fraud scheme or remove the fraudulent representations from their solicitations. Rather, the Individual

Defendants continued to send the same type of fraudulent award solicitations, enclosing return envelopes addressed to the newly opened Horizon and Quantum P.O. boxes.

48. In the two months preceding the Individual Defendants' signing the cease and desist agreements, Johnson opened ten of the Horizon and Quantum P.O. boxes in order to conceal the Individual Defendants' ongoing criminal activity from the Postal Inspection Service.

49. When applying for the six Horizon P.O. boxes, Johnson listed the following address for Horizon: 115 Broadhollow Road, Suite 350, Melville, NY 11747. This is the same address identified as the principal place of business for Report Research in the Report Research 3005 Action.

50. When applying for the four Quantum P.O. boxes, Johnson listed the following address for Quantum: 15 Michael Ave, Suite 1, Farmingdale, NY 11735. This is the same address identified as the principal place of business for Comprehensive in the Comprehensive 3005 Action.

51. In March 2012, Defendants notified their list broker that they would no longer be operating as "Comprehensive," but would be changing their mailer name and list name to "Horizon Marketing." They also notified the list broker that they would no longer be operating as "Empire Publishing," but were changing their mailer name and list name to "Quantum Marketing Inc."

52. Defendants know that the solicitations they mail to victims throughout the United States contain false and misleading statements intended to convince the recipient that he or she has won a prize consisting of a large amount of money and must send a payment to Defendants in order to receive the prize. Defendants also know that victims who send in payments in response to their solicitations do not receive prizes consisting of large amounts of money.

53. Defendants also know that the entities and individuals from whom their mailings are purportedly sent, such as “Wynfel Advisory Services” and “Artemis Poletski,” do not exist.

HARM TO VICTIMS

54. Victims, especially elderly and vulnerable victims, suffer financial losses from the Defendants’ mail fraud schemes. Defendants receive approximately \$7.6 million annually from victims in response to solicitations containing the types of misrepresentations described above.

55. This harm to victims is ongoing and will continue without the injunctive relief sought by the United States.

COUNT I

(18 U.S.C. § 1345 – Injunctive Relief)

56. The United States realleges and incorporates by reference paragraphs 1 through 55 of this Complaint as though fully set forth herein.

57. By reason of the conduct described herein, Defendants violated, are violating, and are about to violate 18 U.S.C. §§ 1341 and 1349 by executing schemes or artifices to defraud for obtaining money or property by means of false or fraudulent representations with the intent to defraud, and, in so doing, use the United States mail.

58. Upon a showing that Defendants are committing or are about to commit mail fraud, the United States is entitled, under 18 U.S.C. § 1345, to a temporary restraining order, a preliminary injunction, and a permanent injunction restraining all future fraudulent conduct and any other action that this Court deems just in order to prevent a continuing and substantial injury to the victims of fraud.

59. As a result of the foregoing, Defendants’ conduct should be enjoined pursuant to 18 U.S.C. § 1345.

PRAYER FOR RELIEF

WHEREFORE, plaintiff United States of America requests of the Court the following relief:

- A. That the Court issue an order, pursuant to 18 U.S.C. § 1345, pending a hearing and determination on the United States' application for a preliminary injunction, that Defendants, their agents, officers and employees, and all other persons and entities in active concert or participation with them are temporarily restrained from:
- i. committing mail fraud, as defined by 18 U.S.C. § 1341;
 - ii. using the United States mail, or causing others to use the United States mail, to distribute any advertisements, solicitations, or promotional materials:
 - (a) that represent, directly or indirectly, expressly or impliedly that the recipient of the solicitation has won, will win, or will receive cash, prizes or awards; or
 - (b) that offer for sale information regarding sweepstakes or lotteries; or
 - (c) that represent, directly or indirectly, expressly or impliedly, that the recipient of the solicitation was specifically selected to receive the mailing based on a reason other than the fact that the recipient's name appears on a mailing list;
 - (d) that represent, directly or indirectly, expressly or impliedly, that services or items offered for purchase will, or could, improve the victim's financial condition;
 - (e) that contain any other false or misleading representations;

- iii. receiving, handling, opening, or forwarding any mail that responds, by sending payment or otherwise, to materials described in paragraph (A)(ii)(a)-(e), *supra*;
 - iv. selling, offering for sale, leasing, or offering for lease any lists of U.S. residents or mailing lists of any type compiled from U.S. residents who have responded to any of the materials described in paragraph (A)(ii)(a)-(e), *supra*;
 - v. performing “caging services” on mail received from U.S. residents in response to any of the materials described in paragraph (A)(ii)(a)-(e), *supra*, including opening mail received from U.S. residents; entering or inputting data about U.S. residents into a database or forwarding such data; handling, forwarding, or depositing payments received from U.S. residents, including currency, bank checks, certified checks, money orders, or credit card charge authorizations; or handling or forwarding any mail received from U.S. residents; and
 - vi. destroying, deleting, moving, removing, or transferring any and all business, financial, accounting, and other records concerning Defendants’ operations and the operations of any other corporate entity controlled by Defendants;
- B. That the Court further order, pursuant to 18 U.S.C. § 1345, that within 2 days from Defendants’ receipt of this Temporary Restraining Order and Order to Show Cause, Defendants shall provide copies of this Temporary Restraining Order and Order to Show Cause to all list brokers, printer/distributors, mailing houses, and/or caging services with which they do business regarding the materials described in Paragraph (A)(ii)(a)-(e), *supra*, informing them that they are subject to the temporary restraining order as an entity in active concert or participation with Defendants, and within 7 days from Defendants’ receipt of the Temporary Restraining Order and Order to

- Show Cause, Defendants shall provide proof of such notice to the Court and the United States, including the name and addresses of the entities and/or individuals to whom the notice was sent, how the notice was sent, and when the notice was sent.
- C. That the Court further order that, pursuant to 18 U.S.C. § 1345, the United States Postal Service is authorized to detain:
- i. all of Defendants' incoming mail, addressed to any of Defendants' P.O. boxes identified in paragraphs 36 and 37, *supra*, or any other address anywhere in the United States of America, which is responsive to any of the materials described in paragraph (A)(ii)(a)-(e), *supra*;
 - ii. any of the materials described in paragraph (A)(ii)(a)-(e), *supra*, and any substantially similar advertisements, solicitations, and promotional materials that are deposited into the United States mail by Defendants, their agents, officers, or employees, or any other persons or entities in active concert or participation with them; and
- D. That the Court issue a preliminary injunction on the same basis and to the same effect.
- E. That the Court issue a permanent injunction on the same basis and to the same effect.
- F. That the Court order such other and further relief as the Court shall deem just and proper.

Dated: September 22, 2016

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