



June 16, 2021

**VIA EMAIL**

Daniel Kaufman, Acting Director, Bureau of Consumer Protection  
James A. Kohm, Associate Director, Division of Enforcement  
Dillon Joseph Lappe, Attorney  
Federal Trade Commission  
600 Pennsylvania Ave. N.W.  
Washington, D.C. 20580



Re: Violations of Stipulated Order in *FTC v. Agora Financial, LLC, et al.*,  
Case No. 19-cv-03100, D. Md.

Dear Mr. Kaufman, Mr. Kohm, and Mr. Lappe:

The Stipulating Parties in *FTC v. Agora Financial, LLC, et al.* are violating the February 8, 2021 Stipulated Order (“Order”)<sup>1</sup> by continuing to market products using unsubstantiated disease-treatment claims and misleading financial representations. Truth in Advertising, Inc. (TINA.org) has catalogued more than 300 videos, transcripts, web posts, order pages, and print materials that violate the Order.<sup>2</sup> Indeed, it appears that the Order entered into by the Stipulating Parties has had absolutely no impact on the way they advertise their products to millions of elderly consumers seeking preventions and cures for debilitating diseases, such as diabetes, cancer, Alzheimer’s, and even COVID-19, or answers on how to easily increase their financial wellbeing.<sup>3</sup>

Further, the Stipulating Parties continue to use a multitude of dark patterns to amplify their deceptive marketing in order to manipulate seniors into purchasing products and programs, some costing as much as \$5,000,<sup>4</sup> through improperly disclosed negative-option offers that fail to live up to the representations made in the marketing.<sup>5</sup> As such, not only are the Stipulating Parties violating the recently executed Order but they are also violating the Restore Online Shoppers Confidence Act (ROSCA) and the COVID-19 Consumer Protection Act.<sup>6</sup>

And to make matters worse, the deception does not come from just one or two or even a handful of companies, but rather from numerous companies associated with Stipulating

Party Monument and Cathedral Holdings, LLC (“M&C,” formerly Agora Inc., also known as The Agora), which has more than 80 entities under its umbrella.<sup>7</sup> Collectively these entities have formed a multilegged marketing machine that inundates consumers with a barrage of deceptive marketing. Moreover, it appears that usual deterrence such as consumer complaints, government investigations, and even state and federal court orders have not stopped these entities from engaging in wrongful conduct.<sup>8</sup>

By way of example, there are numerous M&C entities that are aware of consumer protection issues but which are nonetheless still engaging in false and deceptive marketing, including:<sup>9</sup>

- Stansberry Research, which was the subject of a TINA.org investigation and warning letter in 2014<sup>10</sup> and which was sued by the U.S. Securities and Exchange Commission in 2003 for disseminating false stock information and defrauding public investors through a financial newsletter;<sup>11</sup>
- MoneyMap Press, which was investigated by the Oregon Department of Justice and Pennsylvania Attorney General’s Office in 2020 for exaggerating the profit potential of its investment advice offered in newsletters, resulting in the company making empty promises to cease the deceptive advertising and make comprehensive changes to its business practices;<sup>12</sup>
- Palm Beach Research Group, which has an F rating with the BBB and more than 160 customer complaints filed against it;<sup>13</sup> and
- Banyan Hill, which has nearly six dozen complaints filed against it with the BBB.<sup>14</sup>

All of these entities continue to violate truth-in-advertising laws.<sup>15</sup> Unless prompt action is taken, there can be no doubt that the wrongdoing will continue.

## **A. ORDER VIOLATIONS**

The Stipulating Parties are violating the Order more than 300 times, as described below.

### **i. Unsubstantiated Disease-Treatment Claims**

The Stipulating Parties are using unsubstantiated disease-treatment claims to market supplements and subscriptions,<sup>16</sup> including on supplement product webpages, in video presentations (and their corresponding transcripts), order pages, and in print materials. TINA.org’s full sampling of marketing materials that make such deceptive claims is available at <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>.

#### **a. Supplement product webpages**

Defendant NewMarket Health is asserting, primarily through testimonials it publishes on product pages, that more than 140 supplements can prevent, treat, mitigate, cure, or

alleviate the symptoms of diseases without competent and reliable scientific evidence to support such disease-treatment claims. Examples include:

"GBC2 is very good. It has helped to improve my blood sugar and A1C. I'm feeling stronger and I'm rarely tired."

-Diane L., New Orleans, LA\* Age 54

#### Promoting GBC2<sup>17</sup>

"Blood pressure has been a concern for me for many years.. I've now been taking C.V. Complete for a month and my blood pressure is better!"

- Brenda D.

#### Promoting C.V. Complete<sup>18</sup>

"I've been taking CogniGold for about six weeks and my memory, focus and energy have all improved! I do hope that by my continued use all of these improvements will increase."

-Larry H., Columbus, OH\*

#### Promoting CogniGold<sup>19</sup>

"I tried Advanced Glucose Support because I was looking to improve my overall health and in particular my blood pressure, blood sugar, and my cholesterol numbers. I believe it works because my blood pressure, blood sugar, and cholesterol numbers have improved since I have been using Advanced Glucose Support. I feel great! I just had a physical exam that included lab testing and all of my results significantly improved. Thank you!"

—Stuart Martin, New Haven, CT\*

#### Promoting Advanced Glucose Support<sup>20</sup>

"I'm more alert and have more energy throughout the day since I started taking Mitogen. After the first week I felt a boost in energy and I'm getting better each day. My joints feel like they're getting stronger each day. I have less brain fog, a stronger memory and my cholesterol readings have improved. My blood pressure is great 120/68. My heart beat couldn't be better at 65. I have more patience than ever before, with everything -- even people. I'm 80 year's young striving for 150 years!"

-Lydia V., Birmingham, AL\*

#### Promoting Mitogen<sup>21</sup>

Additional examples are available in TINA.org's database.<sup>22</sup>

### **b. Videos promoting supplements and health publications**

TINA.org has also collected 45 marketing videos and corresponding transcripts that make unsubstantiated disease-treatment claims to promote more than 40 different supplements

and subscriptions. As the excerpts below demonstrate, videos published by the Stipulating Parties claim that purchasing certain publications will reveal treatments and cures for cancer, Alzheimer's disease, and diabetes, to name a few, and that purchasing certain supplements will also cure or alleviate the symptoms of such diseases.

- “Your bound and printed 382-page copy of *The Secrets of Underground Medicine*...containing 77 exclusive and groundbreaking reports. For fighting cancer, diabetes, Alzheimer's, vision loss, ED... Heart disease, arthritis, and so much more...*Naturally*. ”<sup>23</sup>
- “Flip over to page 377...Where I'll show you the powerful ‘Queen's Flower’ extract that takes on diabetes right at the source. Studies have shown...*In just 1 hour*... Queen's Flower was already hard at work to tame blood sugar. Within 2 hours... it dropped blood sugar as much as 15%! And after 2 weeks... patients have seen an average decrease of 30% in their blood sugar levels. Best of all, they've reported no side-effects...And were thrilled with lasting results for months – even a year – later! AMAZING.”<sup>24</sup>
- “*Miracles from the Vault* contains 18 years of investigative medical research. Over 500 pages of information on treatments for cancer, diabetes, arthritis, Alzheimer's and more.”<sup>25</sup>
- “That's why you need to know every option – including one that was shown to be TWICE as effective against diabetes – without the risk of dangerous side effects. With this remarkable treatment in your hands, you can finally fight diabetes! And while the mainstream won't tell you about this breakthrough, we at the Health Sciences Institute will.”<sup>26</sup>
- “They simply took silymarin and kept on enjoying the foods they always did. And their blood sugar, cholesterol...pretty much *everything*...just got better. *Like magic*.”<sup>27</sup>
- “Real people using these ingredients in scientific experiments have achieved...Near-perfect blood pressure... Better cholesterol...Better blood sugar...PERFECT triglycerides ... Better-feeling joints...Sharper memories (even strengthening one element of short-term memory 57% and *improving cognitive age by 13 years*)...Stronger erections...100-year-olds achieved...25% better brain power ... 36% more mental energy...and 44% more physical energy. That's how the nutrients in our breakthrough 3 phase Cell Thrive formula work. And it will work for you. Yes, even if you've tried other things in the past but you never felt a difference. *This is completely different and new*.”<sup>28</sup>

One of the more outrageous videos made by the Stipulating Parties markets COVID-19 treatments and preventions. Specifically, a recent video and transcript published by The Institute for Natural Healing<sup>29</sup> entitled “One big vaccine fact you need to know” promotes, among other things, a “free” book called the *Coronavirus Vaccine Survival*



*Guide*, which is “in limited supply” and contains information about “safe, alternative solutions [to the coronavirus vaccine] you simply will not hear about from Big Pharma or mainstream medicine” and “breakthrough treatments you won’t hear about in the headline news like the ‘A-V Virus Shield to prevent viruses from entering the body, or the 3-Step ‘Wash-away’ technique to fight them once they’re there.” Excerpts from the video transcript include the following:<sup>30</sup>

Once the pandemic hit, these researchers wrote,

“[This technique] should be considered as a treatment option for COVID-19.”

Has it been? No.

Has “headline news” reported on it? No.

Has your doctor told you about it? I doubt it.

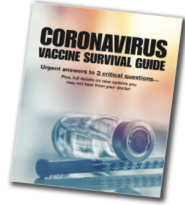
That’s why it’s critically important to claim your copy of our **Coronavirus Vaccine Survival Guide** today.

It not only outlines all the comprehensive details you need to make the best decision for you and your loved ones regarding the coronavirus vaccine...

But you’ll discover safe, alternative solutions you simply will not hear about from Big Pharma or mainstream medicine.

I’ve reserved a copy in your name and I’ll tell you exactly how to claim it in just a moment. And I urge you not to delay, since there’s no telling what will happen when Big Pharma gets wind of this detailed expose.

Especially considering what else your Coronavirus Vaccine Survival Guide contains...

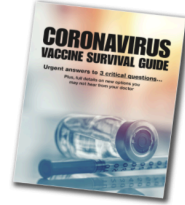


And today, we’ve paired this masterpiece with the most urgent report ever written by the Institute for Natural Healing...our brand new **Coronavirus Vaccine Survival Guide**.

**This is life-changing information that cannot wait, which is why we are going to email it to you directly for instant access today. Inside you’ll discover...**

- The 3 critical questions you need to ask before getting a coronavirus vaccine...
- The pros and cons of each of the vaccines coming down the pipeline...
- How to choose between the 4 types of vaccines...
- PLUS breakthrough treatments you won’t hear about in the headline news like the A-V Virus Shield to prevent viruses from entering the body, or the 3-Step “Wash-away” technique to fight them once they’re there.
- And so much more.

**But unfortunately your FREE BOOK is in limited supply... And you won’t find either available in stores or online.**



Of course, the “FREE BOOK” is not actually free. In order to obtain it, TINA.org had to purchase an annual *Independent Healing* membership for \$74. And contrary to what is advertised, the Guide does not contain any properly substantiated COVID-19 preventatives or treatments.<sup>31</sup> While the Guide does suggest that taking zinc and performing nasal irrigation can help prevent COVID-19, it later admits that neither treatment is scientifically substantiated. (“It’s settled science that zinc provides immune

support. But does it actually prevent and/or treat COVID-19? At this point, there is no way to know for sure. That's because zinc has not yet been tested in clinical trials against the coronavirus;" "We want to reiterate: Nasal irrigation is NOT a cure for COVID-19. Nor is there clinical proof that it can prevent you from getting infected."). Such deceptive marketing claims by the Stipulating Parties not only violate the Order, but the FTC's COVID-19 Consumer Protection Act as well.<sup>32</sup>

Additional examples of video presentations (and their corresponding transcripts) making unsubstantiated disease-treatment claims are available in TINA.org's database.<sup>33</sup>

### c. Order pages promoting supplements and health publications

Each video and corresponding transcript in TINA.org's database finishes with a prompt to make a purchase using a link, which, when clicked, leads consumers to product order pages, many of which contain disease-treatment claims as well. TINA.org collected more than 25 examples of such materials.

One example stems from a video entitled "Scientists Gave ½ Teaspoon 'Genesis Cell' Weapon Against Aging To 100-Year-Olds... You Won't Believe What Happened," which itself contains numerous deceptive disease-treatment claims. The video finishes with a prompt to sign up for a "RISK-FREE" trial of the advertised supplement Cell Thrive.<sup>34</sup>

Click the "Add to Cart" button below to get your risk-free supply of **Cell Thrive** now.

**Yes, Dr. Dobrzynski! I want to try  
Cell Thrive today RISK-FREE**

Clicking on the blue button takes consumers to a Cell Thrive Reservation Page, which contains more deceptive disease-treatment claims about the advertised supplement.<sup>35</sup>

**ETERNALIST**  
NUTRITIONALS

Order By Phone:  
**1-877-210-9439**

**Cell Thrive™ Reservation Page**

Congratulations! You're just two steps away from getting your own supply  
of *Cell Thrive* rushed to you.

Real people using these ingredients in  
scientific experiments have achieved...

- Near-perfect blood pressure... Better cholesterol...
- Better blood sugar... PERFECT triglycerides...
- Younger skin... Better-feeling joints...
- Sharper memories (even strengthening short-term memory 57% and improving cognitive age by 13 years)...

**100% MONEY BACK Guaranteed**

Remember, when you purchase *Cell Thrive* today, you're backed by our 100% Money-Back Guarantee. This means that you don't risk a cent. If, at anytime, you aren't 100% satisfied with how *Cell Thrive* is working for you, simply send back your most recent purchase for a full refund. And this guarantee never expires. Just give us a call, and we'll send back every penny of the purchase price. No questions asked.

**100% SATISFACTION**

In addition to the disease-treatment claims, the vast majority of order pages also include improperly disclosed negative option offers that violate ROSCA.<sup>36</sup>

#### d. Webpages that populate immediately following a purchase

After a consumer purchases a subscription to a publication from one of the Stipulating Parties, more often than not new webpages immediately populate that contain additional unsubstantiated disease-treatment claims, with each new page trying to persuade consumers into further “upgrades” or purchases.

For example, after purchasing a subscription to *Natural Health Response*, TINA.org was presented with a webpage that offered a full refund of the \$74 purchase price in exchange for an upgrade to Platinum Lifetime status for \$250.<sup>37</sup> Unsubstantiated disease-treatment claims made to promote this upgrade included, among others:

Not only that, but you'll also learn **the 5 ways to crush cancer before it starts**, like...

How to fight off cancer **in just 60 seconds a day...** (page 22)

How this “Halloween treat” can actually help **prevent diabetes...** (page 25)

**Can you “cry away” cancer?** This is one of the strangest breakthroughs we've seen... but you must see the evidence on page 31.

And that's just the start of what you'll find in *Cancer Confidential*.

Starting on page 19, we'll tell you **EXACTLY** which supplements really work — and how to find them.

From losing stubborn belly fat...

...to improving your memory...

...to helping you drift off into deep sleep...

...to helping balance your blood sugar...

...to helping you knock her socks off in the bedroom (even if it's been a long while)...

There are truly powerful and safe supplements available right now... **if you know where to find them**. And now, you will.

Everything you need is in your new copy of ***The Whistleblower's Journal: 37 Natural Breakthroughs They Don't Want You to Have***.

That's your second FREE gift, along with ***Cancer Confidential: The 5 Things in Your House Right Now That Are Giving You Cancer (and 5 Ways to Crush Cancer Before It Starts)***.

Similarly, after purchasing a membership to *Independent Healing*, TINA.org was presented with a webpage that offered a full refund of the \$74 purchase price in exchange for an upgrade to a Lifetime Membership for \$99.<sup>38</sup> Unsubstantiated disease-treatment claims made to promote the upgrade included, among others:

Thousands of Americans are reportedly using a BANNED herb called “Delta-8” to miraculously fight their cancer. And now an explosive body of research shows it could be the missing link to battle cancer... No matter the type or stage.

You’ll learn groundbreaking secrets that courageous researchers are bringing to the public, including:

- Which hard-to-treat cancers Delta-8 excels in fighting
- How this long-forbidden molecule works to stifle cancer
- Personal stories of real people who have gone through treatment - including seniors
- And MUCH more life-changing information

Few traditional oncologists will tell you this.

Discover the simple, but effective, natural method that could be the answer to eliminating cancer...

Additional examples of such webpages are available in TINA.org’s database.<sup>39</sup>

**e. Print materials received after purchasing publications**

TINA.org’s purchase of a *Natural Health Response* subscription included print copies of *The Secrets of Underground Medicine*, *A Special Update To Secrets of Underground Medicine*, and *AlphaPrime Guidebook*. Included with these materials were additional promotional materials, each of which make inappropriate disease-treatment claims.

For example, one print ad claims defendant Dr. Gerhauser’s C.V. Complete supplement will, among other things, make your blood pressure “near-perfect.”<sup>40</sup>

*Senior Heart Health Breakthrough Unveiled:*

**This Blood Pressure Secret Will Leave Your Doctor Speechless**

*He'll take your pressure twice... just to make sure the surprising results are real!*

Dear Reader,

My name is Dr. Richard Gerhauser. And if you've got **blood pressure** on your mind, then grab your calendar and a pen... then circle the date **exactly 28 days from today**. Because in that short amount of time, a groundbreaking study on an exciting natural breakthrough... Showed participants achieved, on average, near-perfect 123/77 blood pressure!



**CV Complete— RISK-FREE TRIAL Certificate**

**✓ YES!** I want better blood pressure in 28 days with **CV Complete** available directly through **Solaire Nutraceuticals**. I understand that if I'm EVER not completely satisfied, I may return the unused portion for a prompt refund (less shipping). **No questions asked!**

**CHOOSE YOUR SAVINGS:**

- ☐ **Great value!** You save over \$96 when you buy 6 bottles for only \$299.00, with **FREE SHIPPING!**
- ☐ **Good value!** You save over \$38 when you buy 3 bottles for only \$159.00, (plus \$6.95 shipping) for a total of \$165.95.
- ☐ **Get me started!** Order 1 bottle for only \$59.00, (plus \$6.95 shipping) for a total of \$65.95.

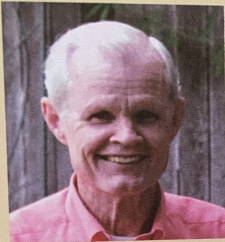
For **FASTEST** service visit us online at:

**[www.solairenutraceuticals.com/CVC101](http://www.solairenutraceuticals.com/CVC101)**




NewMirac Health Products, LLC


Similarly, TINA.org's purchase of a *Health Sciences Institute* subscription included print copies of *Miracles from the Vault* and *The New Miracles: An Updated Anthology of Underground Cures*. Included with these books were additional promotional materials, which also make misleading disease-treatment claims.<sup>41</sup> For example, one print ad included, among other things, these deceptive testimonials:



**From the Mayo Clinic's  
worst case of Leukemia  
to CANCER-FREE**

"Cancer was killing me, but with HSI's help, now they call me the miracle man!"

**—Lee B. Vero Beach, FL**



**"Cholesterol drops 78 points  
in a month!"**

"I just had to let you know how much you have saved me from having to be on Zocor!!! Besides being a prescription drug and costing over \$150 per month, it was not lowering my cholesterol. Then one day in your Alert, I read about [your herbal solution]...In one month's time my cholesterol lowered from 277 to 199!"

**—Tom B. Tyler, TX**

Additional examples of such print materials are available in TINA.org's database.<sup>42</sup>

## ii. Deceptive Income Claims

The Stipulating Parties also use a plethora of deceptive income claims to market their financial publications, and rarely, if ever, clearly and conspicuously disclose all material risks, bases, costs, restrictions, limitations, conditions, and prerequisites applicable to the income claim, as is required by the Order.<sup>43</sup> These claims are made in video presentations (and their corresponding transcripts), as well as on other webpages.

TINA.org's full sampling of marketing materials that make such claims is available at <https://www.truthinadvertising.org/agora-deceptive-income-claims/>.

### a. Videos promoting financial subscriptions

TINA.org has collected more than 30 marketing videos and corresponding transcripts that make unsubstantiated financial claims to promote more than 20 different financial publications.

By way of example, videos published by the Stipulating Parties make the following claims:

- “[The *Rich Dad Poor Dad Letter* subscription is] packed with all the research and tools you need to find the right kind of investment opportunities to make your money work for you... And to help you create a level of financial security that allows you to pursue other passions. Because that’s when financial security becomes financial freedom.”<sup>44</sup>
- “If you had invested \$5,000 in Bitcoin, you would have cashed out with \$7,465. However, if you invested that same \$5,000 in this special crypto...You would have cashed out with \$65,982! Folks, that’s over \$58,000 more cash... in only 17 days! Amazing, isn’t it? And here’s the best part...This new crypto bull market is setting up these Profit Multiplier Trades all over again. In fact, my best picks have been beating Bitcoin all year long by huge percentages. I’m talking about 142%, 158%, 330%, 335%, 780%... all the way up to 1,904%! ... And in a moment... I’m going to show you how to get your timing down to a science...That way, you can trade dozens of special cryptos that could give you enormous gains over Bitcoin...There’s a handful of them waiting for you right now. Including three you can pull the trigger on right away for a shot at triple-digit gains in a matter of 30 or 60 days.”<sup>45</sup>
- “You see, I’ve been helping everyday people use versions of this blueprint for years now. The results have been amazing. Chuck R. says he made a ‘quick and easy \$1,100’ in a month just experimenting with it. Stuart M. says, ‘I would venture to say [my total gain] is very conservatively \$50,000-plus per year.’ And get this: Grant R. says it helped him make \$310,000 in about 9 months. (Please note: The investment results described in these testimonials are not typical; investing in securities carries a high degree of risk; you may lose some or all of

the investment.) These people aren't professionals. They're not wearing Armani suits and working in corner offices on Wall Street. They're regular folks. Everyday people living in neighborhoods a lot like yours."<sup>46</sup>

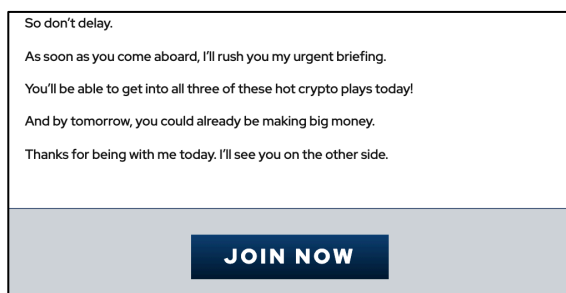
- "If I'm right and you're still with me... I'd like to invite you to join me and start using my incredible new invention. Because AlphaBrain is always scanning the markets... And it just detected a H.F.T. stock glitch. That means a big payout could hit as soon as it auto-corrects... It could happen as early as tomorrow. Now's your time to level the playing field... And finally take your shot, as some readers have, at turning an estimated \$2,659 investment into \$5,000... Or an estimated \$3,179 into \$6,900... Or an estimated \$6,040 into \$13,107... All in a matter of days... No matter what the overall market is doing."<sup>47</sup>

Additional examples of video presentations (and their corresponding transcripts) making deceptive financial claims without the appropriate clear and conspicuous disclosures are available in TINA.org's database.<sup>48</sup>

#### **b. Order pages promoting financial subscriptions**

Each of the 30+ videos and their corresponding transcripts finish with a prompt to make a purchase, which, when clicked, leads consumers to product order pages, many of which include additional deceptive financial claims. TINA.org collected more than 20 examples of such materials.

One such example stems from a video entitled "Special Release: My New Crypto Trade Could 13X Your Money This Year," which itself contains deceptive financial claims. The video finishes with a prompt to "Join Now."<sup>49</sup>



Clicking on the "Join Now" button leads consumers to an order page for a *Microcurrency Trader* membership, which contains deceptive financial claims, as this screen shot of an excerpt illustrates.<sup>50</sup>

And listen, the extra money you can pocket is mind-boggling.

**For every \$1,000 you would have made investing in Bitcoin... you could have made \$2,000, \$4,000, \$8,000, even \$20,000 more by getting into these Profit Multiplier Trades instead.**

And the best part is that going forward, I expect the gains to be a whole lot bigger.

**My Goal for You: 20X Your Returns over Playing  
Just Bitcoin Alone.**

In fact, the minute you come aboard, we're going to hit the ground running with my **3 Profit Multiplier Trades for 20X More than Bitcoin.**

All three of these trade recommendations are locked, loaded, and ready to go.

Additional examples of such order pages are available in TINA.org's database.<sup>51</sup>

### c. Webpages that immediately populate following a purchase

After a consumer purchases a financial publication subscription from the Stipulating Parties following one of the video presentations described above, new webpages generally populate that contain additional deceptive financial claims, each trying to entice consumers to spend more money.<sup>52</sup>

For example, immediately after purchasing a subscription to *Altucher's Investment Network*, TINA.org was presented with a webpage that promoted an upgrade to the Altucher's Investment Network Lifetime Profits Program for \$250.<sup>53</sup> Deceptive financial claims made to promote this upgrade include, among others:

I recommend you read everything as soon as possible.

That way you could be on the path to an independent, wealthy retirement in no time.

Something we call the ***Altucher's Investment Network*** Lifetime Profits Program.

The Lifetime Profits Program is just like it sounds...

**\*\*\* This grants you LIFETIME access to *Altucher's Investment Network*.**

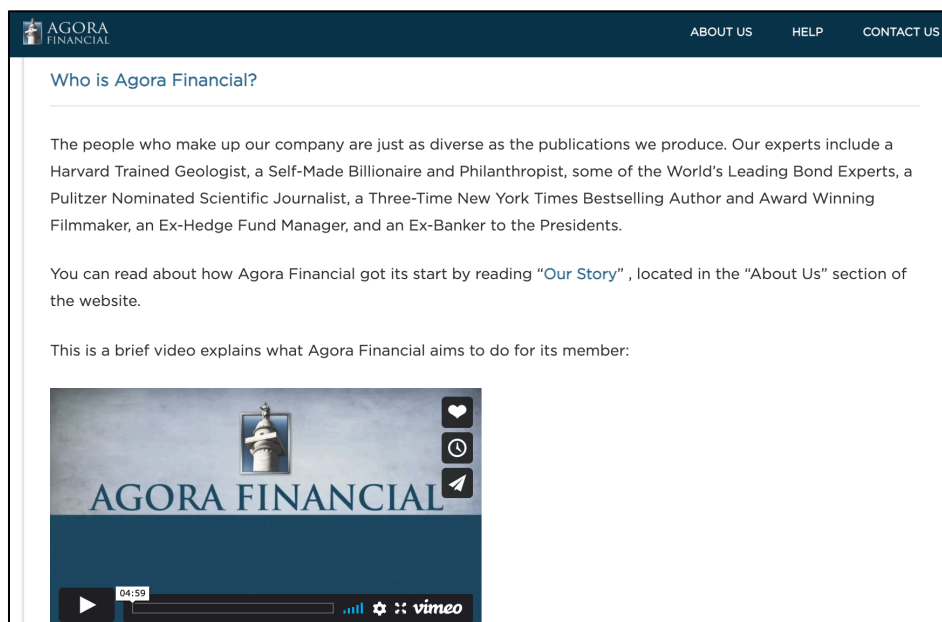
That means you could have everything at your fingertips to become a hero to your family, and live the retirement lifestyle you've dreamed of living.

Additional examples of such webpages are available in TINA.org's database.<sup>54</sup>

### d. General information webpages

The Stipulating Parties make deceptive income claims on other webpages as well. On its About webpage, for example, defendant Agora Financial features a five-minute promotional video in which the company talks about the financial benefits of becoming a member.<sup>55</sup>





Screen shot from webpage

In the video, Agora Financial tells prospective customers, in relevant part:

“Meet Bob! Bob's been a dentist for his entire adult life. Now, Bob is set to retire, and is worried about building a nest egg large enough to see him through the golden years. ... Introducing Agora Financial. For over a decade we've helped readers like Bob protect and grow their wealth. Through a diverse array of free newsletters, online publications, books, seminars, and documentaries, over a million readers are already using Agora Financial's unique and effective approach to building wealth and managing money. ... Now, thanks to Agora Financial, Bob is managing his money the way he wants to, and building enough wealth to pay for his daughter's wedding, send his son to college, and enjoy retirement. Click the button next to the video to download your free quickstart e-book. Inside, you'll discover 7 ways to start living smarter and wealthier. You'll learn a little-known secret for generating \$1,000 worth of income on demand; a simple two-step process for safely growing rich whether the stock market or economy goes up or down; a hidden niche of the markets that lets you multiply your wealth quickly, while limiting risk to the absolute minimum; and more.”<sup>56</sup>

In addition, on the landing page for Agora Financial publication St. Paul Research Lifetime Income Report Pro, defendant Zachary Scheidt states, among other things, that members receive “[p]roven tips, tricks and insider secrets for effortlessly saving money and generating extra income...earning the cash you need for everyday expenses or to enjoy a more luxurious lifestyle.”<sup>57</sup>

As a member of the enhanced *Lifetime Income Report Pro*, you'll receive:

- Ways to grow your income and multiply your wealth
- How to stay up to date on market trends and opportunities... while avoiding "the pitfalls of buy and hold."
- Proven tips, tricks and insider secrets for effortlessly saving money and generating extra income... earning the cash you need for everyday expenses or to enjoy a more luxurious lifestyle.

These three new benefits contain the secrets and strategies behind some of the largest fortunes the world has ever seen...

Secrets and strategies Zach used as a former hedge fund manager for some of America's wealthiest families... as well as lessons he learned raising his own family.

With his help, you can achieve the retirement you've always dreamed of.

#### Excerpt from product page

Similarly, on the landing page for Agora Financial publication St. Paul Research Buyout Millionaires Club, Zachary Scheidt states: "If you've ever owned shares of a company that received an unsolicited takeover offer, you understand the excitement of waking up on a Monday morning and seeing you [sic] brokerage account swell instantly by 30%, 50%, even 75% or more. If you've *never* had that experience that's about to change."<sup>58</sup>

If you've ever owned shares of a company that received an unsolicited takeover offer, you understand the excitement of waking up on a Monday morning and seeing you brokerage account swell instantly by 30%, 50%, even 75% or more.

If you've *never* had that experience that's about to change. Our sole mission with The Takeover Alert is to identify the market's most compelling takeover targets *before* a deal is announced to hand you lightning fast and meaningful paydays.

#### Excerpt from product page

Additional examples of such deceptive financial claims, including claims made by M&C entities not named in the FTC's complaint, are available in TINA.org's database.<sup>59</sup>

## **B. DARK PATTERNS**

In addition to the hundreds of Order violations described above, the Stipulating Parties are employing a series of dark patterns designed to induce their target audience – senior citizens and retirees – into buying products and subscriptions they otherwise would not purchase.<sup>60</sup> TINA.org has catalogued seven different techniques used in an effort to manipulate the purchasing decisions of consumers.


### **i. Disguised ads / clickbait**

When consumers read a free article on one of the Stipulating Parties' websites, the article invariably features a disguised ad in the margin or amid the text of the article with a prompt to click. When curious consumers click on the box, they are often led to a lengthy video presentation that cannot be rewound or fast forwarded.

By way of example, the Natural Health Response website (a Health Sense Media brand<sup>61</sup>) lists hundreds of free articles about a variety of health topics, such as one published on June 2, 2021 entitled "Beware of This DEADLY Sleep Habit!" by Dr. Gerhauser.<sup>62</sup> The

article includes a disguised ad that asks readers how often they eat eggs and suggests an unknown impact on the human brain.

## Beware of This DEADLY Sleep Habit!

 By [Dr. Richard Gerhauser, M.D.](#) Posted June 2, 2021

Tossing and turning all night will make anyone downright *miserable*.

It leaves you frustrated during the night... and then *groggy, tired, and moody* the next day.

But those sleepless night do more than affect your attitude.

According to a recent study, they're TERRIBLE for your health...

In fact, **they can be deadly**.

For a recent study published in the *European Heart Journal*, researchers looked at data from three sleep studies involving 8,000 women who were tracked for up to 11 years.

Participants wore sleep monitors to determine their sleep disruptions throughout the night.

Here's the thing... you don't have to *wake up* to experience disrupted sleep.

Noise, temperature, or pauses in breathing due to sleep apnea can disrupt your sleep even if you don't realize they're happening!

As this recent study determined, if these disruptions happen on a regular basis, your health can take a hit.

Compared to women who slept soundly, those who experienced more nightly sleep disruptions had nearly DOUBLE the risk of **dying from heart disease**.

And men who experienced more sleep disruptions had a **25 percent higher risk of dying early from heart disease**.

Now, this could be a question of the chicken or the egg.

How often do you eat eggs?

Did you know [it does THIS](#) to senior brains?

-Emily

Consumers intrigued by the teaser click on the box and are led to a Health Sense Media video presentation narrated by Dr. Gerhauser about “millennial medicine,” which deceptively promotes the Natural Health Response subscription using numerous unsubstantiated disease-treatment claims (described in more detail above).<sup>63</sup>

This pattern is widespread and used repeatedly by the Stipulating Parties.

## ii. Limited supply

Many of the Stipulating Parties' marketing materials continuously tell consumers that the advertised product is in limited supply. The following screen shots from various marketing materials offer some examples:

But because **AdiGold** has such a unique blend of premium ingredients—it takes us a very long time to make it.

And in these uncertain times, shortages are becoming commonplace.

So unfortunately—and I really can't stress this enough—supplies of **AdiGold** are extremely limited...

We try our best, but my exclusive formulas can go fast... And with a special solution like **AdiGold**, at such a shockingly reasonable price—we expect it to go even faster.

That's why it's wise to order the largest supply now while you still can.

“...supplies of AdiGold are extremely limited...”<sup>64</sup>

If you wait to try **Memotex**, however, *we might be completely sold out.*

And because of the **ingredient combination** and special production process, it can take *months* for us to get more in stock.

So, please, **for the sake of your memory and your loved ones**, do not delay.

“If you wait to try Memotex, however, we might be completely sold out.”<sup>65</sup>

And you know what?

Right now is absolutely the BEST time to try **Terpacanol**. I mean that.

Because this formula is brand new. This is the first time it's EVER been available to the public.

And that means you could be one of the very first people to experience the natural, pain-relieving power of PEA.

However... it also means we only have an initial supply that is extremely limited.

And it's virtually guaranteed to sell out soon. I'd be surprised if we have any left by the end of the week.

So if you want to take advantage of this breakthrough, you'll need to act quickly...

“...we only have an initial supply that is extremely limited.”<sup>66</sup>

For **OcuCera** and Real Advantage Nutrients, I'm Dr. Glenn Rothfeld, MD.

Click the "Add to Cart" button below to get your risk-free supply of **OcuCera** now.

**Yes! I want to try OcuCera  
today RISK-FREE.**

[View this product's ingredients.](#)

*P.S. Remember, you risk nothing for trying **OcuCera** today because you're completely protected by our 100% Money-Back Lifetime Guarantee. If you're unhappy with your purchase for any reason, simply give us a call and we'll refund 100% of your purchase price.*

*But if you close this page, our entire inventory of **OcuCera** might be gone when you come back. At that point, the only thing we can do is put you on the waiting list, while other men and women are enjoying better vision and memory by the day. Don't wait and risk missing out. Click the button below to get your risk-free supply of **OcuCera** now.*

**Yes! I want to try OcuCera  
today RISK-FREE.**

“But if you close this page, our entire inventory of OcuCera might be gone when you come back. At that point, the only thing we can do is put you on the waiting list, while other men and women are enjoying better vision and memory by the day.”<sup>67</sup>

This is a common tactic used throughout the more than 75 video presentations in TINA.org's databases.<sup>68</sup>

### iii. Limited time

Many of the Stipulating Parties' marketing materials also falsely tell consumers that the advertised product is only available for a limited time or that the information presented is “urgent.” The following screen shots from video presentations offer some examples:

The screenshot shows a video player interface. At the top, a blue header reads "Urgent Message About June 7...". Below this, a red "WARNING:" label is followed by text stating that the viewer is about to see a controversial presentation from a leading technology analyst, learned from a private meeting with Elon Musk. The text warns that the message could be pulled offline at any moment. Below this, a red headline reads "TOP TECH INSIDER shares details of a Private Meeting". To the left of the headline is a small image of a man in a white shirt. To the right, large black text reads "What Elon Musk Revealed in Private Will Change Our Country FOREVER...". At the bottom, a black box with red "WARNING:" text repeats the warning about the controversial presentation and mentions that the ideas defy conventional news from sources like Yahoo Finance, MSNBC, and CNBC.

“Urgent Message About June 7...this message could be pulled offline at any moment...”<sup>69</sup>

**In the next few days, America's #1 tech analyst declares Elon Musk could make...**

## **The Biggest Announcement in Tesla's History**

If everything goes like he says, shares of this \$2 stock could go soaring as much as 100% overnight... and 1,000% over the next 3 months.  
Please watch below for details.

**WARNING: This presentation will be taken down Monday, June 7, at 9:30AM ET, when the market opens.**

**WARNING:**

What you are about to see is a controversial presentation from one of the world's leading technology analysts.

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“WARNING: This presentation will be taken down Monday, June 7, at 9:30AM ET, when the market opens.”<sup>70</sup>

**URGENT WARNING:** From The Prophetic Analyst Who Predicted The Subprime Mortgage Meltdown... The Financial Crisis of 2008... The Greek Sovereign Debt Crisis... and Brexit

## **AMERICA'S DEATH SPIRAL**

On July 14, 2021, the U.S. will experience a **\$4.2 trillion** financial extinction event  
**Learn the simple steps you can take to avoid the carnage...**

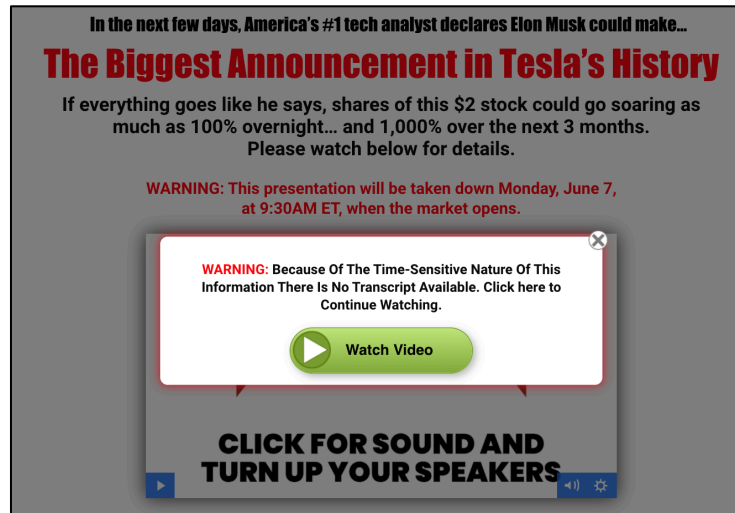
**WARNING:** The content below may be disturbing to some. Please proceed at your discretion.

Let me ask you a question...

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“URGENT WARNING”<sup>71</sup>

The Stipulating Parties also send the “limited time” message in the form of pop-up messages when consumers attempt to leave a video presentation, as shown in the screen shot below.



“Because Of The Time-Sensitive Nature Of This Information There Is No Transcript Available. Click here to Continue Watching.”<sup>72</sup>

The time limitations, however, are fabricated, as evidenced by the fact that the featured dates continuously change so that the marketing can be used in perpetuity.

Take the following screen shots of the video regarding “The Biggest Announcement in Tesla’s History,” for example.<sup>73</sup> Between March 24 and June 15, the featured date changed at least five times.



“WARNING: This presentation will be taken down **Monday, March 29**, at 9:30AM ET, when the market opens.”  
[Captured on March 24, 2021]

In the next few days, America's #1 tech analyst declares Elon Musk could make...

## The Biggest Announcement in Tesla's History

If everything goes like he says, shares of this \$2 stock could go soaring as much as 100% overnight... and 1,000% over the next 3 months.  
Please watch below for details.

WARNING: This presentation will be taken down Monday, May 24, at 9:30AM ET, when the market opens.

**WARNING:**

What you are about to see is a controversial presentation from one of the world's leading technology analysts.

“WARNING: This presentation will be taken down **Monday, May 24**, at 9:30AM ET, when the market opens.”  
[Captured on May 10, 2021]

In the next few days, America's #1 tech analyst declares Elon Musk could make...

## The Biggest Announcement in Tesla's History

If everything goes like he says, shares of this \$2 stock could go soaring as much as 100% overnight... and 1,000% over the next 3 months.  
Please watch below for details.

WARNING: This presentation will be taken down Monday, June 7, at 9:30AM ET, when the market opens.

**WARNING:**

What you are about to see is a controversial presentation from one of the world's leading technology analysts.

“WARNING: This presentation will be taken down **Monday, June 7**, at 9:30AM ET, when the market opens.”  
[Captured on June 2, 2021]





“WARNING: This presentation will be taken down **Monday, June 14**, at 9:30AM ET, when the market opens.”  
[Captured on June 14, 2021]



“WARNING: This presentation will be taken down **Monday, June 21**, at 9:30AM ET, when the market opens.”  
[Captured on June 15, 2021]

In another video, the Stipulating Parties claim that “[o]n July 14, 2021, the U.S. will experience a \$4.2 trillion financial extinction event.”<sup>74</sup>




[Captured on June 2, 2021]

However, on March 24, 2021, the date predicted for the financial extinction was April 14, 2021 (and the dollar amount was higher).



[Captured on March 24, 2021]

And the false time pressure does not stop with video presentations. Further time pressure is applied in many instances in the form of a count-down timer on order and promotional pages in an effort to rush consumers into making a purchase without due consideration. The screen shots below offer some examples:<sup>75</sup>



Min.

Sec.

08 : 48

**STOP! For the next 9 minutes only...**

## Claim your \$74 REFUND now

**Special! Limited to first 200 new subscribers  
[see below]**

Hi, I'm Dr. Richard Gerhauser. Congratulations on becoming a subscriber to *Natural Health Response*.

You've made a fantastic decision. And you've now taken the first step towards discovering a life where you could be free from pain, disease and the ravages of aging.

Soon, we'll be packaging up your full 300-plus-page encyclopedia, *The Secrets of Underground Medicine*, and the rest of your Welcome Kit materials.

Then, in just days, your Welcome Kit will arrive at your door. When it does, open it immediately so you can start taking advantage of all the health-restoring secrets inside.

But there's one final thing I want to share with you before you go... and that's how to get a **FULL REFUND right now** on your \$74 subscription fee...

Thank you! Your order is processing.

**3:00 minute special: GET \$74 BACK NOW.**

Get a **FULL REFUND** on your Membership dues today plus HSI's best selling "Tomorrow's Cancer Cures Today" book **FREE** (Details here)

Please watch this short video to claim your bonus volume, available **FREE** to new HSI Members only.



## Congratulations on your acceptance as a new Member in good standing of HSI.



**Billing Terms:** The credit card I used to join HSI today will automatically be charged a total of \$149 (and the \$74 I already paid will be credited) for a lifetime membership. If I choose to [cancel my current term](#), I can [contact customer service](#). I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#) including the refund and cancellation policy. I can see how my charge will appear on my credit card statement in the Terms and Conditions.

**Upgrade to Lifetime Membership!**

[No thanks, I don't want to upgrade my Membership and receive any additional free gifts.](#)  
(I understand this offer may not be repeated.)

In short, creating a false sense of urgency is a deceptive marketing tool that the Stipulating Parties regularly use.

#### iv. Confirmshaming

The Stipulating Parties also consistently use confirmshaming, that is, framing a choice in such a way as to shame the consumer into compliance.<sup>76</sup> The following are some examples:<sup>77</sup>

Just click the button below to add your 1-year subscription of Dr. Fred Pescatore's Logical Health Alternatives to your order now!

And with our "one click" ordering below, you don't need to fill in your credit card or address information again—just click below and we'll add Dr. Fred Pescatore's **Logical Health Alternatives** to your order today and send you all the details right to your email inbox.

**Logical Health Alternatives**  
1 Year (12 Issues) for just \$37.00

[No thanks. I'm not interested in this vital information.](#)

“No thanks, I’m not interested in this vital information.”

Go ahead and click “Yes!” below now to accept your **Platinum Lifetime upgrade**.

For *Natural Health Response* and your Platinum Lifetime subscription, I'm Dr. Richard Gerhauser.

**Billing Terms:** The credit card I used to join Natural Health Response today will automatically be charged a total of \$250 (and the \$74 I already paid will be credited) for a lifetime subscription. If I choose to [cancel my current term](#), I can [contact customer service](#). I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#) including the refund and cancellation policy. I can see how my charge will appear on my credit card statement in the Terms and Conditions.


**YES, UPGRADE MY ACCOUNT**

No, I want to Forfeit My Chance to Upgrade

(I know that I'll never see this offer again.)

“No, I want to Forfeit My Chance to Upgrade  
(I know that I’ll never see this offer again.)”

**Congratulations on  
your acceptance as a  
new Member in good  
standing of HSI.**

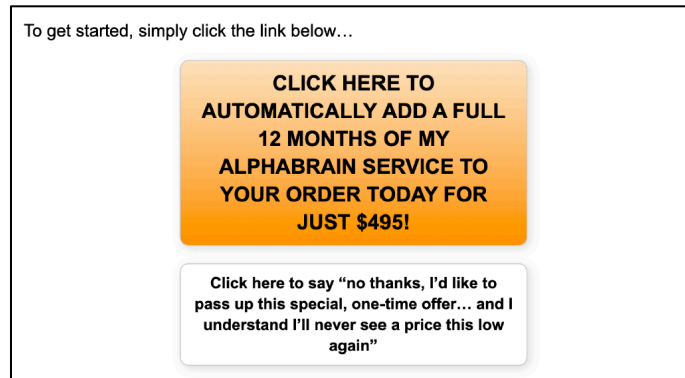


**Billing Terms:** The credit card I used to join HSI today will automatically be charged a total of \$149 (and the \$74 I already paid will be credited) for a lifetime membership. If I choose to [cancel my current term](#), I can [contact customer service](#). I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#) including the refund and cancellation policy. I can see how my charge will appear on my credit card statement in the Terms and Conditions.

**Upgrade to Lifetime Membership!**

[No thanks, I don't want to upgrade my Membership and receive any additional free gifts.](#)  
(I understand this offer may not be repeated.)

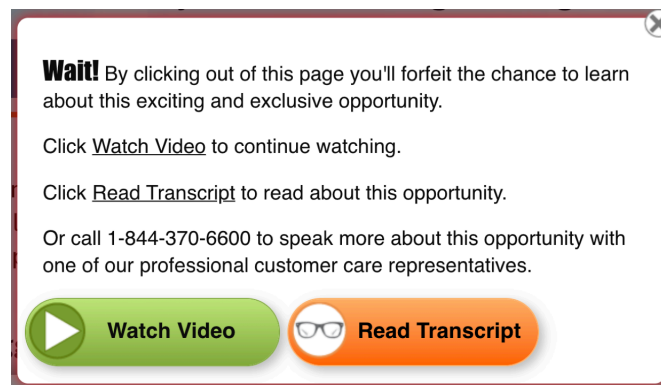
“No thanks, I don’t want to upgrade my Membership and receive any additional free gifts. (I understand this offer may not be repeated.)”



“Click here to say ‘no thanks, I’d like to pass up this special, one-time offer... and I understand I’ll never see a price this low again.’”

v. **Hotel California: You can check out any time, but you can never leave.**

When consumers attempt to click off of the lengthy video presentations that cannot be fast forwarded or rewound, a pop-up ad generally appears warning “Wait! By clicking out of this page, you’ll forfeit the chance to learn about this powerful solution for your health. Click [Watch Video](#) to continue watching. Or click [Read Transcript](#) to read about this solution instead.”



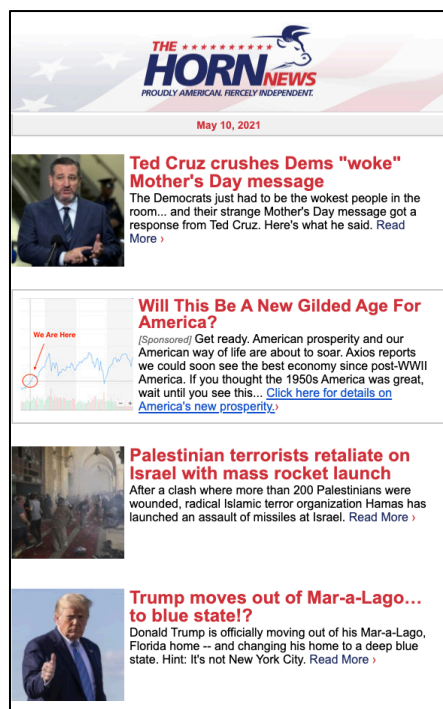
Clicking on “Read Transcript” generally brings consumers to a full transcript of the video. Then, if the video presentation and/or corresponding transcript successfully induces a consumer to make a purchase, the flood of marketing materials begins.

First, as explained above, immediately after buying a subscription or product, consumers are often prompted to upgrade their purchase or make additional purchases. Second, marketing materials pushing a variety of goods and services are enclosed in mailings of already purchased materials. And third, providing an email address during the order process results in a barrage of email communications from the Stipulating Parties, including marketing materials that were not specifically requested by the consumer.

For example, TINA.org’s purchase of a *Natural Health Today* subscription resulted in more than 130 *Natural Health Today* emails between April 5, 2021 (when the purchase

was made) and May 6, 2021 (when the subscription was canceled), the vast majority of which lead to deceptive video presentations that specifically target senior citizens and promote additional products falsely claiming that they can address a multitude of diseases and disorders.

TINA.org's subscription purchases also resulted in hundreds of unsolicited emails from the Stipulating Parties. In fact, between April 5 and May 6, 2021, TINA.org received an additional 240+ emails that were *not* purchased (i.e., emails other than the purchased newsletter emails described above). This flood of emails has continued even after canceling the subscriptions. By way of example, after purchasing and subsequently canceling publication subscriptions to *Natural Health Today* and *Health Sciences Institute*, TINA.org received an email on May 10, 2021 from The Horn News, a NewMarket Health publication, which misleadingly represents itself as a "fiercely independent" e-newsletter. Contained within this particular "newsletter" was an article about Donald Trump moving.



That Trump article, published on April 28, 2021, included a sponsored link called "Coronavirus vaccine mayhem is starting."

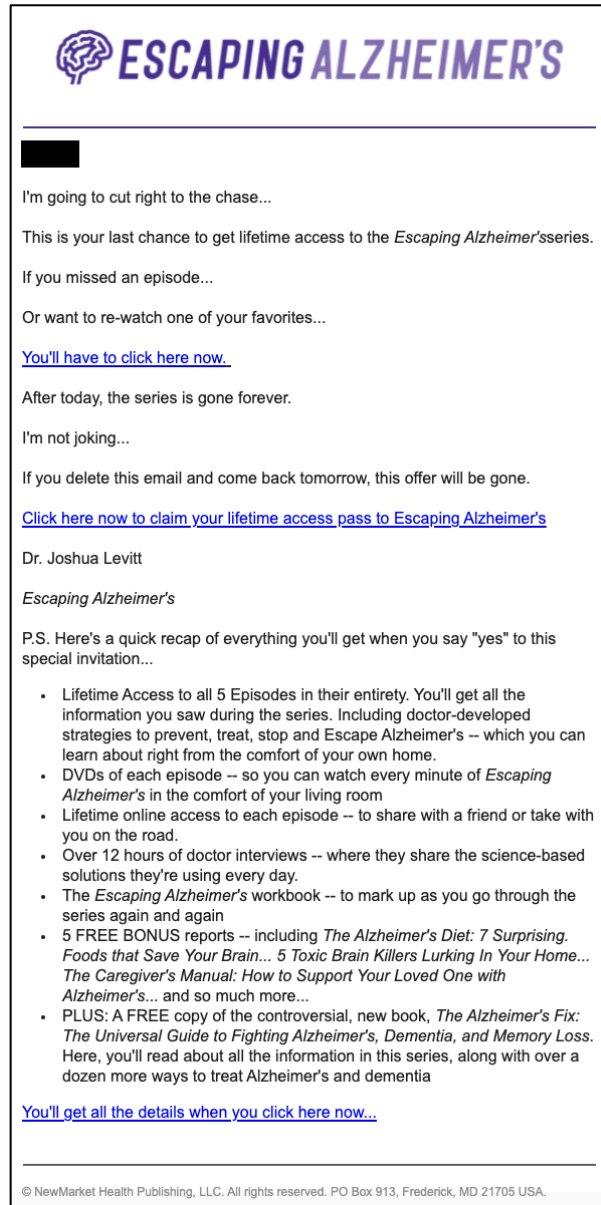
"They're moving the whole operation to New Jersey because they're going to start doing more fundraising," an advisor said.

Sponsored: [Coronavirus vaccine mayhem is starting](#)

Clicking on the link leads to a video presentation entitled "One big vaccine fact you need to know," which markets false COVID-19 treatment and prevention claims to advertise a

subscription to *Independent Healing* from The Institute of Natural Healing, an M&C company.

Similarly, after canceling its subscriptions, TINA.org also received more than 30 emails between May 24 and June 10 (a less than three-week period) from “Dr. Joshua Levitt” promoting the publication called *Escaping Alzheimer’s*, a NewMarket Health publication, each one attempting to convince consumers to enter their email address in order to watch or read a presentation advertising additional products. Below is an image of one such email.



In short, it is incredibly difficult for consumers, and senior citizens in particular, to escape the M&C marketing machine once a purchase is made or an email address is provided.

## vi. Forced Continuity

The Stipulating Parties routinely enroll consumers in negative option offers without clearly and conspicuously notifying them of the details. Recurring enrollment is typically only disclosed in fine print on product order pages, and sometimes after credit card information is requested in violation of ROSCA.<sup>78</sup> The following are some examples:<sup>79</sup>

### Step #3: Enter Your Mailing Address

• Address 1:

Address 2:

• City:

• State:

Select A State

• Zip/Postal Code:


• Country:


UNITED STATES


• Phone:


☒ **Uncheck to ship to a different address.**


Please note: By selecting this offer, you are enrolled in our Preferred Subscriber Benefits Program. This guarantees you receive continuous service and never miss one of Dr. Gerhauser's life-changing discoveries. After your initial subscription term is complete, your credit card (sorry, we cannot accept debit cards at this time) will be billed the same rate you paid today, and you'll continue to receive all of the benefits of your *Natural Health Response* subscription without interruption. There is no obligation; if for any reason you wish to cancel your subscription, at ANY TIME, we will send all of your money back for the current 12-month subscription term and you get to KEEP YOUR FREE GIFTS.



 ☐ Visa

 ☐ MasterCard

 ☐ Discover

 ☐ American Express



\* Cardholder Name:

\* Card Number:

Enter only numbers. No spa

\* Expiration Month:

Select a Month▼

\* Expiration Year:

Select a Year▼

\* Card security code:

[What is my Card Security Code / CVV Code?](#)

6 OcuCera Bottles:

\$299.00

Shipping

Free

Total:

\$299.00

☐ \* **Billing Terms:** I understand my credit card will be kept on file, and my selection comes with free enrollment in your automatic delivery service. I will receive a new shipment and be charged at the rate (plus applicable tax) and frequency selected above, and shipping is always free. If I choose to [cancel my automatic shipments](#), [I can contact customer service](#). I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#) including the refund and cancellation policy. I can see how my charge will appear on my credit card statement in the Terms and Conditions. My order will ship as soon as it's processed, and should arrive within 7-10 business days.

Complete Your Order

[What is my Card Security Code / CVV Code?](#)

Shipping Free

**Total:** \$299.00

☐ \* **Billing Terms:** I understand my credit card will be kept on file, and my selection comes with free enrollment in your automatic delivery service. I will receive a new shipment and be charged at the rate (plus applicable tax) and frequency selected above, and shipping is always free. If I choose to [cancel my automatic shipments](#), I can [contact customer service](#). I have read and accept the [Terms and Conditions](#) and [Privacy Policy](#) including the refund and cancellation policy. I can see how my charge will appear on my credit card statement in the Terms and Conditions. My order will ship as soon as it's processed, and should arrive within 7-10 business days.

## Complete Your Order

**vii. Falsely advertising products as “free”**

The Stipulating Parties routinely advertise publications as “free” when in fact a purchase must be made in order to obtain the “free” publications. For example, in one video narrated by defendant Dr. Gerhauser, the Stipulating Parties repeatedly advertise that their book, *The Secrets of Underground Medicine*, is “free,” but, in reality, one must purchase a subscription to *Natural Health Response* for \$37 or \$74, depending on the age of the consumer in order to obtain it.<sup>80</sup> Relevant screen shots from the transcript are below.

That's why we estimate its value to be **\$479**.

But \$479 is NOT what you'll pay today for this priceless health guide.

Not even close.

In fact, you won't even pay the **\$99 minimum** my publisher told me I need to charge...

***I told him NO way.***

**And I arranged this gift on your behalf...**

Today, as part of a limited-time offer...

I'm going to ship you a beautifully printed and bound copy of:

***The Secrets of Underground Medicine ...***

**FREE.**

That's right...

**I want nothing to stand in your way of living a long, happy, and healthy life.**

And it's **FREE** when you give *Natural Health Response* a try today.

All I ask is a small contribution to help cover producing and sending your monthly reports.

...and I'll thank you with a \$479 gift: ***The Secrets of Underground Medicine ...***

**...yours absolutely FREE.**

(Yes, even shipping is FREE!)

**Friend, this is the most valuable gift I've EVER offered.**

And make no mistake, it's truly a **GIFT** for you.

**Your FREE guide is yours to keep... ALWAYS.**

## **CONCLUSION**

It is time that the Stipulating Parties stop scamming senior citizens and retirees out of hundreds of millions of dollars each year, and telling them to forego their physician-recommended medications and therapies for unproven products and revelations.<sup>81</sup> As FTC Acting Chair has stated, "if we're not following up on our orders, then why have them in the first place."<sup>82</sup> It appears that the Stipulating Parties, including M&C, are (and have been) violating the FTC Order from the moment they executed it. As such, TINA.org urges the FTC to reopen its investigation of the Stipulating Parties and take appropriate enforcement action. If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.  
Legal Director  
Truth in Advertising, Inc.



Bonnie Patten, Esq.  
Executive Director  
Truth in Advertising, Inc.

Cc (via email):

William M. Krulak, Jr., Miles & Stockbridge  
Ari N. Rothman, Venable  
Ariel J. Vee, Sr. Assistant Attorney General, Oregon Department of Justice  
Amy L. Schulman, Sr. Deputy Attorney General, Pennsylvania Attorney General's Office

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<sup>1</sup> *FTC v. Agora Financial, LLC, et al.*, Stipulated Order, Feb. 8, 2021 (“‘Stipulating Parties’ means Defendants and M&C.”; “‘Defendant(s)’ means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.”; “‘Individual Defendants’ means Dr. Richard Gerhauser and Zachary Scheidt.”; “‘Corporate Defendants’ means Agora Financial, LLC; NewMarket Health, LLC; NewMarket Publishing, LLC; Health Sense Media, LLC; Health Sense Publishing, LLC; and their Subsidiaries, successors, and assigns.”; “‘M&C’ means Monument & Cathedral Holdings, Inc. and each of its Subsidiaries, successors, and assigns.”; “‘Subsidiary’ means any entity that is wholly-owned, majority-owned, or controlled through a chain of ownership by a parent company, whether directly or indirectly, through one or more intermediaries.”)

<sup>2</sup> TINA.org’s investigation focused exclusively on websites controlled by the Stipulating Parties; it did not include a review of other forms of marketing, such as social media, print, radio, or television, with the exception of print materials received after making online purchases.

Relatedly, TINA.org did not limit its investigation to the defendants sued by the FTC in *FTC v. Agora Financial, LLC*, but rather all the Stipulating Parties including Monument & Cathedral Holdings, Inc. (M&C) and its subsidiaries, successors, and assigns.

<sup>3</sup> According to some reports, the Stipulating Parties reach one million readers or more around the world. See Kym Byrnes, *Agora Inc. thrives as a marketplace for ideas*, Dec. 1, 2014, The Baltimore Sun, available at <https://www.baltimoresun.com/business/topworkplaces/bs-bz-top-workplaces-2014-agora-20141201-story.html>; Conor Kane, *Publishing company announces 100 new jobs for Waterford*, Apr. 24, 2015, Irish Examiner, available at <https://www.irishexaminer.com/news/arid-30673280.html>. And their publications clearly target senior citizens. See, e.g., [https://pro.allianceforadvancedhealth.com/p/AAH\\_freebookautoplay\\_0618/WAAHW401/Full?h=true](https://pro.allianceforadvancedhealth.com/p/AAH_freebookautoplay_0618/WAAHW401/Full?h=true) (“If you are an American Senior...”).

<sup>4</sup> See, e.g., Palm Beach Research Group is a Common Sense Media publication, which, in turn, is an M&C company. See <https://www.palmbeachgroup.com/>; [https://www.dnb.com/business-directory/company-profiles.common\\_sense\\_publishing\\_llc.9ea7460ed423a0096d2ab40971febaac.html](https://www.dnb.com/business-directory/company-profiles.common_sense_publishing_llc.9ea7460ed423a0096d2ab40971febaac.html).

<sup>5</sup> As many as five million senior citizens become victims of financial abuse and fraud each year. See SEC Investor Alert, <https://www.sec.gov/spotlight/seniors/elderfraud.pdf>. And according to FTC data, people over the age of 60 reported losing more than \$440 million to scams in one year.

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See Protecting Older Consumers 2019-2020: A Report of the Federal Trade Commission, [https://www.ftc.gov/system/files/documents/reports/protecting-older-consumers-2019-2020-report-federal-trade-commission/p144400\\_protecting\\_older\\_adults\\_report\\_2020.pdf](https://www.ftc.gov/system/files/documents/reports/protecting-older-consumers-2019-2020-report-federal-trade-commission/p144400_protecting_older_adults_report_2020.pdf).

<sup>6</sup> 15 U.S.C. §§ 8401-8405; Pub. L. No. 116-260, 134 Stat. 1182, Division FF, Title XIV, § 1401.

<sup>7</sup> *FTC v. Agora Financial, LLC, et al.*, 19-cv-03100 (D. Md.), Declaration of Myles Norin, Docket No. 33-23, Dec. 13, 2019.

<sup>8</sup> To the extent any of the companies described above (or others engaged in similar deceptive tactics) are somehow not bound by the Order, TINA.org urges the FTC to implement a penalty offense program targeting all M&C companies and their widespread practice of using unsubstantiated health and financial claims. See 15 U.S.C. § 45(m)(1)(b).

The Commission has issued multiple final cease and desist orders following fully adjudicated administrative proceedings that clearly indicate that such health and financial representations are unlawful. See, e.g., *In the Matter of POM Wonderful LLC, et al.*, Docket No. 9344, Final Order, Jan. 10, 2013, *aff'd in part and rev'd in part*, 777 F.3d 478 (D.C. Cir. 2015), *cert. denied*, 194 L. Ed. 2d 839 (U.S. 2016); *In the Matter of Amway Corp., Inc.*, 93 F.T.C. 618 (1979); *In the Matter of Koscot Interplanetary, Inc.*, 86 F.T.C. 1106 (1975); *In the Matter of Holiday Magic, Inc., et al.*, 84 F.T.C. 748 (1974); *In the Matter of Nat'l Dynamics Corp.*, 82 F. G 488 (1973), *aff'd in part and rev'd in part*, 492 F.2d 1333 (2d Cir.), *cert. denied* 419 U.S. 993 (1974); *Ger-Ro-Mar, Inc.*, Docket No. 8872, 84 FTC 95 (1974); *National Dynamics Corp.*, Docket No. 8803, 82 FTC 488 (1973); *Universal Credit Acceptance Corp.*, Docket No. 8821, 82 FTC 570; *Universal Electronics Corp.*, Docket No. 8815, 78 FTC 265; *Windsor Distributing Co.*, Docket No. 8873, 77 FTC 204 (1970); *Waltham Watch Co.*, Docket No. 7997, 60 FTC 1692 (1962).

And while there can be no doubt that M&C is fully aware that such claims violate Section 5 of the FTC Act, in order to eliminate any claims of ignorance, TINA.org believes it would be prudent to provide as many M&C companies operating in the U.S. as possible with actual notice of the law so that civil penalties may be imposed against lawbreakers after receiving notice.

<sup>9</sup> There may be other M&C companies subject to government agency or court orders, have negative reviews and ratings, or have numerous consumer complaints filed against them. The above examples are meant to be illustrative, not exhaustive.

<sup>10</sup> TINA.org Stansberry and Associates Investigation, <https://www.truthinadvertising.org/stansberry-and-associates/>.

<sup>11</sup> *SEC v. Agora, Inc. et al*, No. MJB-03-cv-1042 (D. Md.), Amended Complaint, <https://www.sec.gov/litigation/complaints/comp18090.htm>.

<sup>12</sup> *Attorney General Rosenblum Settles with Financial Publishing Company Money Map Press*, June 18, 2020, <https://www.doj.state.or.us/media-home/news-media-releases/ag-rosenblum-settles-with-financial-publishing-company-money-map-press/>; *AG Shapiro Reaches Settlement with Financial Publishing Company Money Map Press*, June 22, 2020, <https://www.attorneygeneral.gov/taking-action/press-releases/ag-shapiro-reaches-settlement-with-financial-publishing-company-money-map-press/>; *Pennsylvania v. MoneyMap Press, LLC*, Assurance of Voluntary Compliance, <https://www.attorneygeneral.gov/wp-content/uploads/2020/06/2020-06-22-AVC-Executed-Money-Map-Press.pdf>.

<sup>13</sup> BBB Palm Beach Research Group Business Profile, <https://www.bbb.org/us/fl/delray-beach/profile/publishing-consultant/palm-beach-research-group-0633-90059502>.

<sup>14</sup> BBB Banyan Hill Publishing Business Profile, <https://www.bbb.org/us/fl/delray-beach/profile/investment-advisory-services/banyan-hill-publishing-0633-92018996/complaints>.

<sup>15</sup> The following are some examples of M&C companies not named in the FTC’s complaint making deceptive marketing claims:

### Example of current Palm Beach Research Group marketing

The screenshot shows the website for the Palm Beach Research Group. The header includes the company name, navigation links (Palm Beach Daily, Experts, Products, About, Contact), a 'LOG IN' button, and a search icon. The main content area is titled 'The Palm Beach Letter' and describes it as a flagship investment advisory. It highlights that the advisory, edited by Teeka Tiwari, recommends safe, income-producing assets like dividend-paying stocks, leading to gains of up to 120%, 250%, and 550%. It also mentions a small portion of the portfolio is set aside for smart speculations like cryptocurrencies and tax-lien investing. Two testimonials are featured: one from Rebecca C. praising the value and resources, and another from John B. expressing satisfaction with the growth of his investment.

<https://www.palmbeachgroup.com/>


### Examples of current Banyan Hill marketing

The first example is a video thumbnail titled 'Endless Income'. It claims that in less than five minutes, one can secure a share of the approximately \$4.72 billion paid out every single month by America's most powerful investment. It includes a quote from Forbes: "[This] can give you that extra income 'oomph!' you want and need to sleep well at night." The video thumbnail itself shows the text 'AN INCOME STREAM SO CONSISTENT' and a quote from Kiplinger: 'Great source of cash and "can provide a steady stream of retirement income that will last a lifetime."' Below the video are three testimonials: Paul H. (I've tried everything possible out there...), Rob M. (In just two months, I'm up 70% on both your recommendations...), and Joseph D. (Wow! 85% of your recommendations are in the black right now!).

The second example is a text-based advertisement titled '“The Greatest Income Opportunity I’ve Seen in My Entire Career”'. It features a quote from Ted Bauman, author of the bestselling investment book *Endless Income*. The ad repeats the claim about securing a share of the \$4.72 billion paid out every month. It includes a transcript of a video where Ted Bauman introduces himself and explains the 'Endless Income stream'. A photo of Ted Bauman is also included. The ad concludes by stating that many everyday Americans are using the program to collect huge payouts, much bigger than they could with dividend-paying stocks or bonds.


<https://pro.banyanhill.com/p/SVCREAL2020/WSVCWA04/>  
<https://pro.banyanhill.com/p/SVCREAL2020/WSVCWA04/Full?h=true>

## Examples of current Stansberry Research marketing



"With the Income Portfolio, I am up over \$35,000 on the stocks and bonds recommended which I didn't already own. Simply put I made 5 times my subscription cost in less than 5 months and never lost a minute of sleep when the market declined."

— Frank R.



"On April 6th, when I became a Stansberry Gold and silver Investor, my retirement account was up \$29,000. Three months later, it's up \$158,000. Thanks a million."

— Ken Kneser  
Subscriber of Stansberry Gold & Silver Investor

completely

"Portfolio Solutions is a game changer for me...I spent too much time reading research and not enough time living. Now I just follow Stansberry's updates and spend my time how I want to."

— Kirk S.

ers and Gold added

"Thank you so much for the Stansberry Gold and Silver Investor service. Overall to date I am up 33.28% in gold, silver, and platinum stock plus I have 10 oz. of physical gold and 300 oz. of physical silver in my possession. Thanks to you I am at peace with whatever bad legislative policy our government adopts to handcuff its citizens."

— Robert G.  
Subscriber of Stansberry Gold & Silver Investor


"I ca last

<https://stansberryresearch.com/products/the-income-portfolio>  
<https://stansberryresearch.com/products/stansberry-gold-and-silver-investor>

## Example of current MoneyMap Press marketing

# THE BEST TRADING STRATEGY FOR 2021

(UP 906% IN ONLY 5 MONTHS)



"I grew my account from \$25,000 to \$40,800 in 6 weeks." — Jake B.

"In one month, I booked a \$10,000 PROFIT. Started with \$3,690." — Kristy K.

"Turned \$518 into \$2,660 in one day. A 413% gain." — Ben B.

<https://pro.moneymappressinfo.com/p/SOPRAP21/WSOPX200/?h=true>

<sup>16</sup> The Stipulating Parties also market a water filter, Turapür, using unsubstantiated health claims.

<sup>17</sup> <https://www.besthealthnutritionals.com/gbc2.html>.

<sup>18</sup> <https://goldleafnutritionals.com/products/cv-complete/>.

<sup>19</sup> <https://goldleafnutritionals.com/products/cognigold/>.

<sup>20</sup> <https://www.besthealthnutritionals.com/advanced-glucose-support.html>.

<sup>21</sup> <https://eternalistnutritionals.com/products/mitogen/>.

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<sup>22</sup> <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>.

<sup>23</sup> <https://pro.naturalhealthresponse.com/p/NHS20201222A/WNHSX312/?h=true>.

<sup>24</sup> *Id.*

<sup>25</sup> <https://pro.hsionlineorders.net/p/HSI20200917A/WHSIW402/full/?h=true/>.

<sup>26</sup> *Id.*

<sup>27</sup> [https://pro.goldleafnutritionalsonline.net/p/664SLIVER20210322A/EGLNX468/full?customerNumber=000131037279&campaignId=5d2483ee-6f7b-4dfa-82ff-5fb0a981405b&r=eml&experimentId=12c75a80-8d05-0575-408c-d3be47754d15&vid=c6cqQH&customerId=000131037279-000132495392&utm\\_campaign=hsiolfree\\_210411\\_editorial\\_c\\_9am\\_90\\_day\\_exclude-comcast-micro&utm\\_source=blueshift&utm\\_medium=email&utm\\_content=hsiolfree\\_210411\\_editorial\\_c\\_9am&bsft\\_clkid=aa67f498-59e6-475a-b8df-41d4dde5b350&bsft\\_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft\\_mid=2a1225f1-231d-43ac-b9b3-57f560399a2b&bsft\\_eid=12c75a80-8d05-0575-408c-d3be47754d15&bsft\\_utid=745e2534-ae55-4128-8090-65fa3c5e155d-HSIOLFRE&bsft\\_link\\_id=15&bsft\\_mime\\_type=html&bsft\\_ek=2021-04-11T13%3A01%3A12Z&bsft\\_aaid=7fb6a4f9-b95c-4027-9713-7ebec784a74c&bsft\\_lx=1&bsft\\_tv=2&h=true](https://pro.goldleafnutritionalsonline.net/p/664SLIVER20210322A/EGLNX468/full?customerNumber=000131037279&campaignId=5d2483ee-6f7b-4dfa-82ff-5fb0a981405b&r=eml&experimentId=12c75a80-8d05-0575-408c-d3be47754d15&vid=c6cqQH&customerId=000131037279-000132495392&utm_campaign=hsiolfree_210411_editorial_c_9am_90_day_exclude-comcast-micro&utm_source=blueshift&utm_medium=email&utm_content=hsiolfree_210411_editorial_c_9am&bsft_clkid=aa67f498-59e6-475a-b8df-41d4dde5b350&bsft_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft_mid=2a1225f1-231d-43ac-b9b3-57f560399a2b&bsft_eid=12c75a80-8d05-0575-408c-d3be47754d15&bsft_utid=745e2534-ae55-4128-8090-65fa3c5e155d-HSIOLFRE&bsft_link_id=15&bsft_mime_type=html&bsft_ek=2021-04-11T13%3A01%3A12Z&bsft_aaid=7fb6a4f9-b95c-4027-9713-7ebec784a74c&bsft_lx=1&bsft_tv=2&h=true).

Gold Leaf Nutritionals is a NewMarket Health Products LLC brand. *See* <https://goldleafnutritionalsonline.com/>.

<sup>28</sup> <https://pro.eternalistnutritionalsonline.com/p/667STEM210504A/E667X5AN/Full?h=true>.

<sup>29</sup> The Institute for Natural Healing is an OmniVista Health publication, which, in turn, is an M&C company. *See* <https://www.instituteornaturalhealing.com/terms-and-conditions/> (“OmniVista Health Media, LLC (owner of InstituteforNaturalHealing.com)...”); <https://omnivistahealth.com/join-our-team/> (“[OmniVista Health, LLC is] a company of The Agora...”).

<sup>30</sup> Video, <https://pro.inhresearch2.com/p/THCVAC202010/NTHCX503/?h=true>; transcript, <https://pro.inhresearch2.com/p/THCVAC202010/NTHCX503/Full?h=true>.

<sup>31</sup> *See Coronavirus Vaccine Survival Guide*, The Institute for Natural Healing, [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Step-9\\_receive-INH\\_VaccineGuide\\_report\\_revisedcontrol.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Step-9_receive-INH_VaccineGuide_report_revisedcontrol.pdf).

<sup>32</sup> Pub. L. No. 116-260, 134 Stat. 1182, Division FF, Title XIV, § 1401.

<sup>33</sup> <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>.

Of the materials reviewed by TINA.org, none of them contain any information about any medical treatments or preventions that are supported by competent and reliable scientific evidence.

<sup>34</sup> <https://pro.eternalistnutritionalsonline.com/p/667STEM210504A/E667X5AN/Full?h=true>.

Eternalist Nutritionals is a NewMarket Health Products, LLC brand. *See* <https://eternalistnutritionalsonline.com/>.



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<sup>35</sup> <https://orders.eternalistnutritionals.com/667STEM210504A/E667X5AN/index.htm?pageNumber=2&h=true&view=html>.

<sup>36</sup> See <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>. See also <https://www.truthinadvertising.org/agora-deceptive-income-claims/>.

<sup>37</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase_Redacted.pdf).

<sup>38</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Independent-Healing-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Independent-Healing-purchase_Redacted.pdf).

<sup>39</sup> <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>.

<sup>40</sup> <https://www.truthinadvertising.org/wp-content/uploads/2021/06/CV-Complete-brochure.pdf>.

<sup>41</sup> <https://www.truthinadvertising.org/wp-content/uploads/2021/06/HSI-Promotional-Letter.pdf>.

<sup>42</sup> <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>.

<sup>43</sup> Stipulated Order, Feb. 8, 2021, Section VIII.

<sup>44</sup> [https://pro.paradigm-press.info/p/RDL\\_Pension\\_1220/ERDLX420/full?ESP\\_MAIL\\_ID=2211638&ESP\\_ORG=tfp&ESP\\_EXP\\_ID=3031728&ESP\\_CNTC\\_ID=MDAwMDYzNTU2ODEx&ESP\\_A=37079&h=true](https://pro.paradigm-press.info/p/RDL_Pension_1220/ERDLX420/full?ESP_MAIL_ID=2211638&ESP_ORG=tfp&ESP_EXP_ID=3031728&ESP_CNTC_ID=MDAwMDYzNTU2ODEx&ESP_A=37079&h=true).

<sup>45</sup> <https://pro.moneymappressinfo.com/p/CRYCAT21/MCRYX401/full?h=true>.

Money Map Press is an M&C company. See [https://www.dnb.com/business-directory/company-profiles.money\\_map\\_press\\_llc.9f47994e701fd148e34730cf967615fe.html](https://www.dnb.com/business-directory/company-profiles.money_map_press_llc.9f47994e701fd148e34730cf967615fe.html).

<sup>46</sup> <https://secure.jeffclarktrader.com/?cid=MKT407596&eid=MKT490764&assetId=AST116306&page=2>. Jeff Clark Trader is an Agora publication. See <https://www.jeffclarktrader.com/billing/>.

Note that the attempted disclaimer regarding typicality in this excerpt does not comply with FTC law or the applicable Order. See 16 CFR §255.2.

<sup>47</sup> [https://pro.chooseyourselffinancial.com/p/PLA\\_AlphaBrainAlert2021\\_1220/WPLAX200/full/?h=true/full](https://pro.chooseyourselffinancial.com/p/PLA_AlphaBrainAlert2021_1220/WPLAX200/full/?h=true/full). Three Founders Publishing is an M&C company. See <https://threefounderspublishing.com/faqs>.

<sup>48</sup> <https://www.truthinadvertising.org/agora-deceptive-income-claims/>.

<sup>49</sup> <https://pro.moneymappressinfo.com/p/CRYCAT21/MCRYX401/full?h=true>.

Eternalist Nutritionals is a NewMarket Health Products, LLC brand. See <https://eternalistnutritionals.com/>.

<sup>50</sup> <https://purchases.moneymappress.com/CRYCAT21/MCRYX401/index.htm?pageNumber=>



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[2&h=true&link\\_source=html&vidTime=&productCode=CRY.](#)

The Microcurrency Trader membership is offered by Money Map Press, which is an M&C company

<sup>51</sup> <https://www.truthinadvertising.org/agora-deceptive-income-claims/>.

<sup>52</sup> While TINA.org only purchased one financial subscription as part of its investigation, we have no reason to believe that similar purchases would not result in similar deceptive webpages.

<sup>53</sup> <https://www.truthinadvertising.org/wp-content/uploads/2021/06/Altuchers-Investment-purchase-combined-Redacted.pdf>.

<sup>54</sup> <https://www.truthinadvertising.org/agora-deceptive-income-claims/>.

<sup>55</sup> <https://agorafinancial.com/help/category/about-agora-financial/>. The video is also available on Vimeo at <https://vimeo.com/81538787>.

<sup>56</sup> Of note, clicking the link for the “free quickstart e-book” leads to a 404 page. See [https://agorafinancial.com/wp-content/uploads/2014/10/AFR\\_7Ways.pdf](https://agorafinancial.com/wp-content/uploads/2014/10/AFR_7Ways.pdf).

<sup>57</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/04/AF\\_St-Paul-Publications\\_Lifetime-Income-Report-Pro.png](https://www.truthinadvertising.org/wp-content/uploads/2021/04/AF_St-Paul-Publications_Lifetime-Income-Report-Pro.png)

<sup>58</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/04/AF\\_St-Paul-Publications\\_Buyout-Millionaires-Club.png](https://www.truthinadvertising.org/wp-content/uploads/2021/04/AF_St-Paul-Publications_Buyout-Millionaires-Club.png).

<sup>59</sup> <https://www.truthinadvertising.org/agora-deceptive-income-claims/>, under “General information webpages.”

<sup>60</sup> See Jamie Luguri & Lior Jacob Strahilevitz, *Shining a Light on Dark Patterns*, 13(1) J. of Legal Analysis 43 (2021), <https://academic.oup.com/jla/article/13/1/43/6180579>; Dark Patterns, <https://www.darkpatterns.org/>.

<sup>61</sup> <https://www.healthsensemedia.com/>.

<sup>62</sup> <https://naturalhealthresponse.com/deadly-sleep-habit/>.

<sup>63</sup> <https://pro.naturalhealthresponse.com/p/NHS20201222A/WNHSX312/?h=true>.

<sup>64</sup> [https://pro.goldleafnutritional.net/p/664SLIVER20210322A/EGLNX468/full?customerNumber=000131037279&campaignId=5d2483ee-6f7b-4dfa-82ff-5fb0a981405b&r=eml&experimentId=12c75a80-8d05-0575-408c-d3be47754d15&vid=c6cqQH&customerId=000131037279-000132495392&utm\\_campaign=hsiolfree\\_210411\\_editorial\\_c\\_9am\\_90\\_day\\_exclude-comcast-micro&utm\\_source=blueshift&utm\\_medium=email&utm\\_content=hsiolfree\\_210411\\_editorial\\_c\\_9am&bsft\\_clkid=aa67f498-59e6-475a-b8df-41d4dde5b350&bsft\\_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft\\_mid=2a1225f1-231d-43ac-b9b3-57f560399a2b&bsft\\_eid=12c75a80-8d05-0575-408c-d3be47754d15&bsft\\_utid=745e2534-ae55-4128-8090-65fa3c5e155d-HSIOLFRE&bsft\\_link\\_id=15&bsft\\_mime\\_type=html&bsft\\_ek=2021-04-11T13%3A01%3A12Z&bsft\\_aaid=7fb6a4f9-b95c-4027-9713-7ebec784a74c&bsft\\_lx=1&bsft\\_tv=2&h=true](https://pro.goldleafnutritional.net/p/664SLIVER20210322A/EGLNX468/full?customerNumber=000131037279&campaignId=5d2483ee-6f7b-4dfa-82ff-5fb0a981405b&r=eml&experimentId=12c75a80-8d05-0575-408c-d3be47754d15&vid=c6cqQH&customerId=000131037279-000132495392&utm_campaign=hsiolfree_210411_editorial_c_9am_90_day_exclude-comcast-micro&utm_source=blueshift&utm_medium=email&utm_content=hsiolfree_210411_editorial_c_9am&bsft_clkid=aa67f498-59e6-475a-b8df-41d4dde5b350&bsft_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft_mid=2a1225f1-231d-43ac-b9b3-57f560399a2b&bsft_eid=12c75a80-8d05-0575-408c-d3be47754d15&bsft_utid=745e2534-ae55-4128-8090-65fa3c5e155d-HSIOLFRE&bsft_link_id=15&bsft_mime_type=html&bsft_ek=2021-04-11T13%3A01%3A12Z&bsft_aaid=7fb6a4f9-b95c-4027-9713-7ebec784a74c&bsft_lx=1&bsft_tv=2&h=true).

<sup>65</sup> [https://pro.solairehealth.org/p/663SOLMTX20201019A/E663X4AN/full?customerNumber=000131037279&campaignId=bbcb609b-144f-4508-b004-45054a885c3e&r=eml&experimentId=e28b1b70-4003-7b91-ba13-d4316ba3ef23&vid=Jd4Xrj&customerId=000131037279-000132495392&utm\\_campaign=nht\\_210414\\_editorial\\_exc&utm\\_source=blueshift&utm\\_medium=email&utm\\_content=nht\\_210414\\_editorial&bsft\\_clkid=9c6b6e5e-000c-4a0d-b6b6-d720dfbf50f&bsft\\_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft\\_mid=4b7b38c3-19bb-49d4-9625-1c62a83646bd&bsft\\_eid=e28b1b70-4003-7b91-ba13-d4316ba3ef23&bsft\\_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSFREE&bsft\\_link\\_id=74&bsft\\_mime\\_type=html&bsft\\_ek=2021-04-14T16%3A01%3A15Z&bsft\\_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft\\_lx=2&bsft\\_tv=3&h=true](https://pro.solairehealth.org/p/663SOLMTX20201019A/E663X4AN/full?customerNumber=000131037279&campaignId=bbcb609b-144f-4508-b004-45054a885c3e&r=eml&experimentId=e28b1b70-4003-7b91-ba13-d4316ba3ef23&vid=Jd4Xrj&customerId=000131037279-000132495392&utm_campaign=nht_210414_editorial_exc&utm_source=blueshift&utm_medium=email&utm_content=nht_210414_editorial&bsft_clkid=9c6b6e5e-000c-4a0d-b6b6-d720dfbf50f&bsft_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft_mid=4b7b38c3-19bb-49d4-9625-1c62a83646bd&bsft_eid=e28b1b70-4003-7b91-ba13-d4316ba3ef23&bsft_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSFREE&bsft_link_id=74&bsft_mime_type=html&bsft_ek=2021-04-14T16%3A01%3A15Z&bsft_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft_lx=2&bsft_tv=3&h=true).

<sup>66</sup> [https://pro.solairehealth.org/p/663SOLTERP210226A/E663X4DD/full?customerNumber=000131037279&campaignId=dcec46ed-61ad-41ad-8a07-c38dc5d4c7c3&r=eml&experimentId=c7b93bc4-e754-7f7a-a6db-c90c458efe08&vid=ihbvue&customerId=000131037279-000132495392&utm\\_campaign=nht\\_210415\\_editorial\\_exc&utm\\_source=blueshift&utm\\_medium=email&utm\\_content=nht\\_210415\\_editorial&bsft\\_clkid=bed8711b-8832-4371-9fae-4ef8596e1739&bsft\\_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft\\_mid=cbedaefd-dcbf-4407-98e8-9dc4854a75dc&bsft\\_eid=c7b93bc4-e754-7f7a-a6db-c90c458efe08&bsft\\_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSFREE&bsft\\_link\\_id=82&bsft\\_mime\\_type=html&bsft\\_ek=2021-04-15T16%3A01%3A16Z&bsft\\_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft\\_lx=5&bsft\\_tv=5&h=true](https://pro.solairehealth.org/p/663SOLTERP210226A/E663X4DD/full?customerNumber=000131037279&campaignId=dcec46ed-61ad-41ad-8a07-c38dc5d4c7c3&r=eml&experimentId=c7b93bc4-e754-7f7a-a6db-c90c458efe08&vid=ihbvue&customerId=000131037279-000132495392&utm_campaign=nht_210415_editorial_exc&utm_source=blueshift&utm_medium=email&utm_content=nht_210415_editorial&bsft_clkid=bed8711b-8832-4371-9fae-4ef8596e1739&bsft_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft_mid=cbedaefd-dcbf-4407-98e8-9dc4854a75dc&bsft_eid=c7b93bc4-e754-7f7a-a6db-c90c458efe08&bsft_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSFREE&bsft_link_id=82&bsft_mime_type=html&bsft_ek=2021-04-15T16%3A01%3A16Z&bsft_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft_lx=5&bsft_tv=5&h=true).

<sup>67</sup> [https://pro.realadvantagevitamins.com/p/655SOCU201019A/E655X408/Full?customerNumber=000131037279&campaignId=bd8c95de-1b95-4e4f-a4aa-d9bfe034a8e8&r=eml&experimentId=4cf1633f-1af7-06b9-eeb7-15717c992d11&vid=0CqHMB&customerId=000131037279-000132495392&utm\\_campaign=nhsded\\_210413\\_editorial\\_exc&utm\\_source=blueshift&utm\\_medium=email&utm\\_content=nhsded\\_210413\\_editorial&bsft\\_clkid=8dc8a135-a8cb-44f3-a8f4-e797f29f425e&bsft\\_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft\\_mid=2c6871f0-f86c-4376-96d2-660bfd975593&bsft\\_eid=4cf1633f-1af7-06b9-eeb7-15717c992d11&bsft\\_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSDED&bsft\\_link\\_id=114&bsft\\_mime\\_type=html&bsft\\_ek=2021-04-13T21%3A01%3A20Z&bsft\\_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft\\_lx=9&bsft\\_tv=7&h=true](https://pro.realadvantagevitamins.com/p/655SOCU201019A/E655X408/Full?customerNumber=000131037279&campaignId=bd8c95de-1b95-4e4f-a4aa-d9bfe034a8e8&r=eml&experimentId=4cf1633f-1af7-06b9-eeb7-15717c992d11&vid=0CqHMB&customerId=000131037279-000132495392&utm_campaign=nhsded_210413_editorial_exc&utm_source=blueshift&utm_medium=email&utm_content=nhsded_210413_editorial&bsft_clkid=8dc8a135-a8cb-44f3-a8f4-e797f29f425e&bsft_uid=745e2534-ae55-4128-8090-65fa3c5e155d&bsft_mid=2c6871f0-f86c-4376-96d2-660bfd975593&bsft_eid=4cf1633f-1af7-06b9-eeb7-15717c992d11&bsft_utid=745e2534-ae55-4128-8090-65fa3c5e155d-NHSDED&bsft_link_id=114&bsft_mime_type=html&bsft_ek=2021-04-13T21%3A01%3A20Z&bsft_aaid=a67b5e18-2526-42c5-a213-1e9867e2add2&bsft_lx=9&bsft_tv=7&h=true).


<sup>68</sup> A similar tactic employed by the Stipulating parties is to deceptively tell consumers they’ve “been approved” to make it seem as though the product is only available to select people, as the below example demonstrates.

If you are an American Senior...

**You Are Approved to Receive 1  
Copy of This Life-Saving Book**

Holds 25 Health Solutions Unknown to Your Doctor.  
Today Only – Quantities Limited. Details Below...

Attention: Please share this information with your spouse and loved ones.



[https://pro.allianceforadvancedhealth.com/p/AAH\\_freebookautoplay\\_0618/WAAHW401/full/?h=true/](https://pro.allianceforadvancedhealth.com/p/AAH_freebookautoplay_0618/WAAHW401/full/?h=true/).

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- <sup>69</sup> [https://pro.sevenfiguresolutions.com/p/TEK\\_AppleFi\\_Up\\_0820/ETEKW8BR/?h=true](https://pro.sevenfiguresolutions.com/p/TEK_AppleFi_Up_0820/ETEKW8BR/?h=true).
- <sup>70</sup> [https://pro.sevenfiguresolutions.com/p/RBC\\_Evergreen2\\_1020/ERBCX372/?h=true](https://pro.sevenfiguresolutions.com/p/RBC_Evergreen2_1020/ERBCX372/?h=true).
- <sup>71</sup> [https://pro.threefounders-reports.com/p/SSI\\_SSIDeathSpiral\\_1120/WSSIX200/?h=true](https://pro.threefounders-reports.com/p/SSI_SSIDeathSpiral_1120/WSSIX200/?h=true).
- <sup>72</sup> [https://pro.sevenfiguresolutions.com/p/RBC\\_Evergreen2\\_1020/ERBCX372/?h=true](https://pro.sevenfiguresolutions.com/p/RBC_Evergreen2_1020/ERBCX372/?h=true).
- <sup>73</sup> All of the screen shots were taken from [https://pro.sevenfiguresolutions.com/p/RBC\\_Evergreen2\\_1020/ERBCX372/?h=true](https://pro.sevenfiguresolutions.com/p/RBC_Evergreen2_1020/ERBCX372/?h=true).
- <sup>74</sup> [https://pro.threefounders-reports.com/p/SSI\\_SSIDeathSpiral\\_1120/WSSIX200/?h=true](https://pro.threefounders-reports.com/p/SSI_SSIDeathSpiral_1120/WSSIX200/?h=true).
- <sup>75</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase_Redacted.pdf); [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Health-Sciences-Institute-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Health-Sciences-Institute-purchase_Redacted.pdf).
- <sup>76</sup> <https://www.darkpatterns.org/types-of-dark-pattern/confirmshaming>.
- <sup>77</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Independent-Healing-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Independent-Healing-purchase_Redacted.pdf); [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Health-Sciences-Institute-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Health-Sciences-Institute-purchase_Redacted.pdf); [https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase\\_Redacted.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/Natural-Health-Today-purchase_Redacted.pdf); <https://www.truthinadvertising.org/wp-content/uploads/2021/06/Altuchers-Investment-purchase-combined-Redacted.pdf>.
- <sup>78</sup> It is perhaps for this reason that the Stipulating Parties do not accept prepaid Visa gift cards as a mode of payment.
- <sup>79</sup> See TINA.org’s Agora Unsubstantiated Disease-Treatment Claims Database, <https://www.truthinadvertising.org/agora-unsubstantiated-disease-treatment-claims/>, under “Order pages promoting supplements and health publications.”
- <sup>80</sup> [https://www.truthinadvertising.org/wp-content/uploads/2021/06/HSM\\_Natural-Health-Response\\_Doctor-Exposes-Truth-Behind-Millennial-Medicine-transcript-combined-compressed.pdf](https://www.truthinadvertising.org/wp-content/uploads/2021/06/HSM_Natural-Health-Response_Doctor-Exposes-Truth-Behind-Millennial-Medicine-transcript-combined-compressed.pdf).
- <sup>81</sup> See Tim Murphy, *How This Company – and Mike Huckabee – Cashed In by Scaring Conservatives*, Mother Jones, Nov./Dec. 2015, <https://www.motherjones.com/politics/2015/12/agora-huckabee-conservative-bible-cures/> (“The company estimates that its affiliates generate \$500 million annually.”)
- <sup>82</sup> *Strengthening the Federal Trade Commission’s Authority to Protect Consumers*, Hearing before the Senate Committee on Commerce, Science, and Transportation, April 20, 2021, <https://www.commerce.senate.gov/2021/4/strengthening-the-federal-trade-commission-s-authority-to-protect-consumers>.