

Interlocutory Orders, Etc.

IN THE MATTER OF

**HEALTH RESEARCH LABORATORIES, LLC.,
WHOLE BODY SUPPLEMENTS, LLC.,
AND
KRAMER DUHON**

Docket No. 9397. Order, September 16, 2021

Order directing Respondents to provide response by reply date.

**ORDER DIRECTING RESPONDENTS TO PROVIDE EXPEDITED RESPONSE TO EXPEDITED MOTION TO
EXTEND COMPLAINT COUNSEL'S REPLY DATE**

On September 13, 2021, Complaint Counsel filed an expedited motion asking the Commission to extend until October 8, 2021 the deadline for Complaint Counsel to file their reply in support of summary decision. The reply is currently due on September 20, 2021. *See* Order Directing Parties to Submit Proposed Findings of Fact and Conclusions of Law and Providing for Summary Decision at 5 (July 30, 2021); 16 C.F.R. § 4.3(a), (c). In light of the imminent deadline for Complaint Counsel to file their reply, we direct Respondents to provide an expedited response to the Expedited Motion to Extend Complaint Counsel's Reply Date. Accordingly,

IT IS HEREBY ORDERED that Respondents Health Research Laboratories, LLC, Whole Body Supplements, LLC, and Kramer Duhon shall submit their response (if any) to the Expedited Motion to Extend Complaint Counsel's Reply Date by no later than 12:00 p.m. (noon) E.D.T., September 17, 2021.

By the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

**TRAFFIC JAM EVENTS, LLC.
AND
DAVID J. JEANSONNE II***Docket No. 9395. Order, September 20, 2021*Order directing General Counsel to enforce nonparty subpoena *Ad Testificandum*.**ORDER DIRECTING GENERAL COUNSEL TO ENFORCE SUBPOENA *AD TESTIFICANDUM***

On July 28, 2021, Complaint Counsel filed a motion requesting that the Chief Administrative Law Judge (“ALJ”) certify to the Commission, pursuant to Commission Rule 3.38(c), 16 C.F.R. § 3.38(c), Complaint Counsel’s request for court enforcement of a subpoena *ad testificandum* to nonparty Justin Brophy. Respondents Traffic Jam Events, LLC and David J. Jeansonne II opposed the motion on the ground that the subpoena was untimely. On August 10, 2021, the ALJ granted Complaint Counsel’s motion, certifying their request for court enforcement of the subpoena and recommending that court enforcement be sought. Having reviewed the parties’ respective filings and the ALJ’s certification and recommendation, we direct the General Counsel to seek enforcement of the subpoena in federal district court.¹

Respondents Traffic Jam Events, LLC and its owner, managing member, and president, David J. Jeansonne II, provide marketing services to auto dealerships nationwide. Complaint ¶¶ 2, 3; Answer ¶¶ 2, 3. Traffic Jam Events has described its business as “creating mailers on behalf of automotive dealerships to promote automotive sales.” Answer at 1. The Commission’s Complaint charges that Respondents violated the FTC Act by (1) providing false or misleading information about COVID-19 stimulus relief in connection with their marketing of motor vehicles and (2) falsely or misleadingly advertising that consumers had won a specific prize that could be collected by visiting a particular auto dealership, when consumers had not won the specific prize. Complaint ¶¶ 15-19. The Complaint also charges that Respondents failed to make certain disclosures required by the Truth in Lending Act and Regulation Z, 12 C.F.R. § 226.24(d). Complaint ¶¶ 20-23.

Justin Brophy was an employee of Traffic Jam Events at the time of the activities described in the Complaint. Respondents identified Mr. Brophy in their initial and supplemental disclosures as an individual likely to have discoverable information relevant to the complaint allegations,

¹ We use the following abbreviations for citations to the pleadings:

Motion:	Complaint Counsel’s Motion to Certify to the Commission a Request Seeking Court Enforcement of a Subpoena <i>Ad Testificandum</i> Issued to Justin Brophy (July 28, 2021)
Widor Decl.:	Declaration of Thomas J. Widor attached to Motion
Opposition:	Respondents’ Memorandum in Opposition to Complaint Counsel’s Motion to Certify to the Commission a Request Seeking Court Enforcement of a Subpoena <i>Ad Testificandum</i> Issued to Justin Brophy (Aug. 3, 2021)
ALJ Order:	Order Granting Motion for Certification to the Commission of Request for Court Enforcement of Nonparty Subpoena (Aug. 10, 2021)