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16 Attorneys for Plaintiff,
17 FEDERAL TRADE COMMISSION

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA
20 WESTERN DIVISION

21 FEDERAL TRADE COMMISSION,

22 Plaintiff,

23 v.

24 7 DAY MARKETING, INC.,
25 ANTHONY PARIS DEAGUERO a/k/a
26 PARIS DEAGUERO and a/k/a THE
27 HEALTHMAN,
28 DIETER AMMANN, and
LAURA DEAGUERO,

Defendants.

Hon.

CV08-01094

COMPLAINT FOR
PERMANENT
INJUNCTION AND
OTHER EQUITABLE
RELIEF

ER (FFIN)

Plaintiff, the Federal Trade Commission ("FTC" or "Commission"), through its undersigned attorneys, for its Complaint alleges:

1. The FTC brings this action under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), to secure a permanent injunction, restitution, disgorgement, and other equitable relief against Defendants for engaging in deceptive acts or practices and false advertising in connection with

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CENTRAL DISTRICT OF CALIFORNIA
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1 the advertising, marketing, and sale of products purporting to treat, prevent, and or
2 cure such conditions as cancer, diabetes, Alzheimer’s disease, inflammatory bowel
3 disease, and other serious medical illnesses, in violation of Sections 5(a) and 12 of
4 the FTC Act, 15 U.S.C. §§ 45(a) and 52.

5 **JURISDICTION AND VENUE**

6 2. This Court has jurisdiction over this matter pursuant to 15 U.S.C.
7 §§ 45(a), 52, and 53(b) and 28 U.S.C. §§ 1331, 1337(a), and 1345.

8 3. Venue in this District is proper under 15 U.S.C. § 53(b) and 28 U.S.C.
9 §§ 1391(b) and (c).

10 **PLAINTIFF**

11 4. Plaintiff FTC is an independent agency of the United States
12 Government created by statute. 15 U.S.C. §§ 41-58. The Commission enforces
13 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive
14 acts or practices in or affecting commerce. The Commission also enforces Section
15 12 of the FTC Act, 15 U.S.C. § 52, which prohibits false advertisements for food,
16 drugs, devices, services, or cosmetics in or affecting commerce. The Commission,
17 through its own attorneys, may initiate federal district court proceedings to enjoin
18 violations of the FTC Act and to secure such equitable relief, including rescission
19 or reformation of contracts, restitution, the refund of monies paid, and the
20 disgorgement of ill-gotten monies, as may be appropriate in each case. 15 U.S.C. §
21 53(b).

22 **DEFENDANTS**

23 5. Defendant 7 Day Marketing, Inc. (“7DMI”) is a California corporation
24 with offices located at 7271 Paramount Blvd., Pico Rivera, CA 90660. 7 Day
25 Marketing, Inc. advertises, markets, offers for sale, and sells the 7 Day Miracle
26 Cleanse program. 7DMI is headquartered and has its principal place of business in
27 the Central District of California and transacts or has transacted business in this
28 district and throughout the United States.

1 6. Defendant Anthony Paris DeAgüero (“Paris DeAgüero”) is a 50
2 percent owner and member of the Board of Directors of Defendant 7DMI. He is
3 also the originator of the 7 Day Miracle Cleanse program and is responsible for
4 managing the marketing and intellectual property of the products marketed as part
5 of the 7 Day Miracle Cleanse program. Defendant Paris DeAgüero also owned,
6 managed, and controlled 7 Day Miracle Cleanse (“7DMC”), a fictitious business
7 name registered and owned by Defendants Paris DeAgüero and Laura DeAgüero
8 and used to conduct business prior to the incorporation of Defendant 7DMI.
9 During the times relevant to this Complaint, Defendant Paris DeAgüero resided in
10 the Central District of California. At all times relevant to this Complaint, acting
11 individually and in concert with others, Defendant Paris DeAgüero formulated,
12 directed, controlled, or participated in the policies, acts, or practices of Defendant
13 7DMI. He transacts or has transacted business in this district and throughout the
14 United States.

15 7. Defendant Dieter Ammann is a 50 percent owner of Defendant 7 Day
16 Marketing, Inc. He is also the President and Chief Executive Officer of the
17 company. Defendant Dieter Ammann resides in the Central District of California.
18 At all times relevant to this Complaint, acting individually and in concert with
19 others, Defendant Dieter Ammann formulated, directed, controlled, or participated
20 in the policies, acts, or practices of Defendant 7 Day Marketing, Inc. He transacts
21 or has transacted business in this district and throughout the United States.

22 8. Defendant Laura DeAgüero is a former employee of Defendant 7 Day
23 Marketing, Inc. Her responsibilities included conducting purported scientific
24 research for the company. Defendant Laura DeAgüero also owned, managed and
25 controlled 7DMC, a fictitious business name registered and owned by Defendants
26 Anthony Paris DeAgüero and Laura DeAgüero and used to conduct business prior
27 to the incorporation of Defendant 7DMI. At times relevant to this Complaint,
28 Defendant Laura DeAgüero formulated, directed, controlled, or participated in the

1 policies, acts, or practices of Defendant 7 Day Marketing, Inc. and its predecessor
2 companies. She transacts or has transacted business in this district and throughout
3 the United States.

4 **COMMERCE**

5 9. The acts and practices of Defendants alleged in this complaint are and
6 have been in or affecting commerce, as “commerce” is defined in Section 4 of the
7 FTC Act, 15 U.S.C. § 44.

8 **DEFENDANTS’ COURSE OF CONDUCT**

9 10. During January 2003 through December 2005, Defendants Anthony
10 Paris DeAguero, Laura DeAguero, and Dieter Ammann engaged in the advertising,
11 promotion, offering for sale, sale, and distribution of the 7 Day Miracle Cleanse
12 program to consumers located throughout the United States. The 7 Day Miracle
13 Cleanse program was advertised, promoted, offered for sale, sold, and distributed
14 by various means, including through a 30-minute nationally disseminated
15 infomercial and through the Internet, including but not limited to the website
16 www.7dmc.com.

17 11. Since at least December 2005, Defendants 7DMI, Anthony Paris
18 DeAguero, Dieter Ammann, and Laura DeAguero engaged in the advertising,
19 promotion, offering for sale, sale, and distribution of the 7 Day Miracle Cleanse
20 program to consumers located throughout the United States. These Defendants
21 advertise and offer the 7 Day Miracle Cleanse program for sale through a 30-
22 minute nationally disseminated infomercial and through the Internet, including but
23 not limited to the websites www.7dmc.com and www.7dmi.com.

24 12. The 7 Day Miracle Cleanse program purportedly makes users immune
25 to all illness and prevents, treats, and cures all types of serious diseases, including
26 cancer, Alzheimer’s disease, diabetes, fibroid tumors, high blood pressure, irritable
27 bowel syndrome, and other forms of gastrointestinal disease. The program consists
28 of three products, all of which are combinations of herbs and other ingredients.

1 *Herbal Mucous Eliminator* contains ingredients such as cascara sagrada, bentonite
2 clay, buckthorne bark, flax seeds, aloe vera, senna leaf, and slippery elm.
3 Consumers are instructed to take seven capsules in the morning and in the evening
4 for seven days. *Super Boost Greens* contains ingredients such as gotu kola,
5 spirulina, alfalfa, wheat grass, kelp, and kale. (A previous formulation contained
6 spinach rather than kale, but was otherwise identical in formulation.) Consumers
7 are instructed to take three to six capsules daily. Continued use is recommended
8 even after completing the program. *Parasine 2* contains ingredients such as
9 wormwood, senna pods, black seeds, green black walnut hulls, pumpkin seeds, and
10 bioperine extract. Consumers are instructed to take ten capsules before bedtime for
11 ten days. The cost to consumers for the 7 Day Miracle Cleanse one-week starter
12 program is approximately \$89.95 to \$99.95, plus shipping fees.

13 13. To induce consumers to purchase the 7 Day Miracle Cleanse program,
14 the Defendants disseminated or caused to be disseminated advertisements,
15 including but not limited to the Attached Exhibits A through D. These
16 advertisements contain, among other things, the following statements and
17 depictions:

18 **EXCERPTS FROM INFOMERCIAL: EXHIBIT A**

- 19 a. THE HEALTH MAN: Are you sick and tired of being sick and tired?
20 Are you one of millions who suffer from the common ailments such
21 as constipation, irritable bowel syndrome, fatigue, Alzheimer's and
22 other diseases? Have you been struggling year in and year out with
23 your health problems? Then why should you suffer anymore?

24 I have the solution for you. Imagine being in control of your
25 health. You can look and feel 10 to 20 years younger than your age,
26 have perfect cholesterol, perfect body weight and consistent bowel
27 eliminations, a body immune to all sickness. These are the
28 characteristics of perfect health.

1 THE HEALTH MAN: In the next half-hour, I guarantee each and
2 every one of you that you will be amazed as I show you the most
3 innovative health rejuvenation system in the world, which has never
4 been available to the public until now. [Exhibit A at 4-5 (Statements
5 scrolling at top of screen omitted).]

6 b. THE HEALTH MAN: For example, the major colon disease,
7 diverticulosis increased from 10 percent of adults over the age of 45 in
8 1950 to 50 percent by 1987. The most recent edition [of the Merck
9 Manual] declares that virtually every American adult will have
10 diverticulosis in the large intestines at some point in their life. This
11 can be prevented. [Exhibit A at 6-7 (Statements scrolling at top of
12 screen omitted).]

13 c. THE HEALTH MAN: Now, this should surprise many of you. Did
14 you know that your digestive tract is responsible for about 90 percent
15 of your overall health? Yes, 90 percent. [Exhibit A at 10 (Statements
16 scrolling at top of screen omitted).]

17 d. THE HEALTH MAN: Mucous plaque creates a daily self-poisoning
18 effect on your entire body called toxemia. This mucous plaque exists
19 inside of almost every American and lines the internal wall of your
20 colon.

21 We have the ability to live twice as long as we are living today,
22 but we need the knowledge of how to do this. The colon is one of the
23 primary indicators as to how long we will live.

24 THE HEALTH MAN: Look, what I am offering is the opportunity to
25 live a longer life without sickness or disease, with an abundance of
26 energy and vitality. [Exhibit A at 11-12 (Statements scrolling at top
27 of screen omitted).]
28

1 e. THE HEALTH MAN: There is no better system than the Seven Day
2 Miracle Cleanse for losing weight faster, healthier and more naturally
3 without harmful chemicals or side effects. The average person will
4 lose 10 to 25 pounds or more in just seven days. [Exhibit A at 16
5 (Statements scrolling at top of screen omitted).]

6 f. THE HEALTH MAN: Another danger of mucous plaque is that it
7 houses toxins, such as heavy metals, which is thought to be a major
8 contributor of Alzheimer's Disease. It also houses parasites, fungi,
9 worms and harmful bacteria, each of which can weaken your immune
10 system. The elimination of this filth is one of the key components in
11 achieving perfect health and in building a pain-free body for both
12 young and old.

13 I challenge any person, any organization to prove me wrong.
14 What I am talking about is real. It's never too late to benefit from the
15 Seven Day Miracle Cleanse Program, a rejuvenation system.

16 ON SCREEN: These statements have not been evaluated by the
17 Food and Drug Administration and are the opinions of the
18 speaker. This product is not intended to diagnose, treat, cure, or
19 prevent any disease.

20 THE HEALTH MAN: In fact, the Seven Day Miracle Cleanse can
21 extend your life 10, 20, 30 years or more. [Exhibit A at 18-19
22 (Statements scrolling at top of screen omitted).]

23 g. THE HEALTH MAN: Eleven years ago, I was diagnosed with skin
24 cancer and breast cancer, although I was in perfect physical health. I
25 had been living with open sores on my body that would never scab or
26 heal. Then a lump developed in the right pectoral area of my chest. It
27 grew to the size of a golf ball. Within nine months, the pain grew to
28 be so unbearable that it consumed my every thought and I could not

1 take the pain any more. I was in serious denial to think that anything
2 could be wrong with me. After all, I was in perfect physical shape.
3 THE HEALTH MAN: So, I went to a doctor and after many, many
4 tests, it was not only determined that I had breast cancer, but I had
5 skin cancer as well. I will never forget how much I was gripped with
6 fear at that moment. I was dripping with sweat, my heart was
7 pounding so hard I thought it was going to burst through my chest. I
8 felt like the walls were closing in on me.

9 THE HEALTH MAN: And then the doctor said that he wanted to
10 schedule me for surgery, chemotherapy and radiation. There was no
11 way I was going to have any of this done to me because I watched my
12 grandmother die within three weeks after the same treatment. I knew
13 that I was going to have a different fate. So, I rushed out of the
14 doctor's office. My faith was extremely strong, but I knew that I
15 didn't have much time and that I needed to find a healing solution
16 fast.

17 I was smart enough to know that surgery would only remove
18 the symptom of my illness, but not the cause. I was only interested in
19 the cause of my disease. I remarkably found a simple and easy bowel
20 cleansing program within one day. I didn't know anything about this
21 program, so I was very skeptical. But I was told that many people had
22 healed themselves of just about every health affliction conceivable.

23 THE HEALTH MAN: I started my first Seven Day detoxification
24 program and I will never forget what happened on the fourth day. The
25 pain in my tumor had vanished. I was also experiencing an
26 overwhelming feeling of peace and tranquility. I knew that I had
27 tapped into the source of healing.

28 THE HEALTH MAN: Within seven days on my first program, the

1 improbable happened. My skin cancer sores had scabbed over.
2 Within 14 days, they had healed completely. I repeated this program
3 every three weeks until my tumor had completely disintegrated. This
4 process only took four months. [Exhibit A at 24-26 (Statements
5 scrolling at top of screen omitted).]

6 h. THE HEALTH MAN: [M]y program has helped thousands of people
7 overcome just about every health problem feared today, including
8 AIDS, all types of cancer, high blood pressure, diabetes, migraine
9 headaches, PMS, fibroid tumors and all types of bowel dysfunctions.
10 [Exhibit A at 28 (Statements scrolling at top of screen omitted)].

11 i. MALE ANNOUNCER: You will also get my Parasite and Worm
12 Eliminator, Parasine 2. . . . It eliminates parasites and worms. . . .
13 Many people who have taken this product have stated that they have
14 expelled tapeworms that they did not know they had. Parasine 2 is the
15 most effective of its kind. [Exhibit A at 29 (Statements scrolling at
16 top of screen omitted).]

17 j. MALE ANNOUNCER: As you consume acid-forming foods, your
18 blood's pH level is adversely affected. Your blood will automatically
19 leach minerals from your bones and muscles. Our bones can become
20 brittle and shrink as our muscles lose their tone as we get older. The
21 Super Boost Greens can replenish these minerals. [Exhibit A at 30
22 (Statements scrolling at top of screen omitted).]

23 k. THE HEALTH MAN: How much do you value your health? How
24 much would it be worth to prevent degenerative health problems so
25 you don't find yourself on the surgeon's table under the knife?
26 Would you pay a million dollars, a \$100,000, \$10,000?

27 At this moment, I offer you the opportunity to take charge of
28 your health.

1 ON SCREEN: These statements have not been evaluated by the
2 Food and Drug Administration and are the opinions of the
3 speaker. This product is not intended to diagnose, treat, cure, or
4 prevent any disease.

5 THE HEALTH MAN: Celebrities pay as much as \$5,000 for this
6 identical program, but your cost is less than one visit to a doctor at
7 only \$89 plus shipping and it comes with a money back guarantee.
8 [Exhibit A at 35 (Statements scrolling at top of screen omitted).]

9 1. THE HEALTH MAN: The Seven Day Miracle Cleanse really works.
10 There is no need to wait for a flat stomach any longer. [Exhibit A at
11 36 (Statements scrolling at top of screen omitted).]

12 m. THE HEALTH MAN: How many of you women suffer every month
13 with bloating, cramps and other symptoms of PMS? Women who
14 have completed just one seven-day program and add fresh vegetable
15 juices to their diet state that PMS is a thing of the past. Isn't this
16 something that you could get really excited about or do you like
17 feeling terrible every month? [Exhibit A at 38 (Statements scrolling
18 at top of screen omitted).]

19 n. THE HEALTH MAN: The key to losing weight is in balancing the
20 thyroid gland in your body because it controls the production of fat
21 cells. Men and women spend billions of dollars each year for a hope
22 or a diet that will cure all their problems in achieving their ideal
23 weight. There is no better system than the Seven Day Miracle
24 Cleanse for losing weight faster, healthier and more naturally, without
25 harmful chemicals or side effects. The average person will lose 10 to
26 25 pounds or more in just seven days. [Exhibit A at 38 (Statements
27 scrolling at top of screen omitted).]

28 o. ANNOUNCER: Don't wait. Take back your health today. The

1 Seven Day Miracle Cleanse is a professional cleansing program that
2 guarantees long-lasting results. [Exhibit A at 41 (Statements scrolling
3 at top of screen omitted).]

4 **EXCERPTS FROM INFOMERCIAL: EXHIBIT B**

- 5 a. FEMALE ANNOUNCER: The Health Man, in many circles, is
6 considered to be one of the healthiest people on the planet.

7 ON SCREEN: 7DMC

8 SEVEN DAY MIRACLE CLEANSE

9 FEMALE ANNOUNCER: He is going to share with you the secrets
10 of how you, too, can heal yourself of just about any health problem
11 and how you can build a pain-free body. He is a man who was
12 diagnosed with breast cancer and skin cancer 12 years ago. Not only
13 did he heal himself within four months, but something amazing
14 occurred in the process. He became perfectly healthy. [Exhibit B at
15 3-4 (Statements scrolling at bottom of screen omitted).]

- 16 b. THE HEALTH MAN: Are you sick and tired of being sick and tired?
17 Are you one of millions who suffer from the common ailments such
18 as constipation, irritable bowel syndrome, fatigue, Alzheimer's and
19 other diseases? Have you been struggling year in and year out with
20 your health problems? Then why should you suffer anymore?

21 I have the solution for you. Imagine being in control of your
22 health. You can look and feel 10 to 20 years younger than your age,
23 have perfect cholesterol, perfect body weight and consistent bowel
24 eliminations, a body immune to all sickness. [Exhibit B at 5
25 (Statements scrolling at bottom of screen omitted).]

- 26 c. DR. FRED BISCI: I think all people that have dealt with seriously
27 sick people, people that have not been able to do it just by changing
28 their diet, and there's a lot of people like that that I see. They have to

1 go through this process of cleaning out their bowels. So, it's
2 imperative and very, very important if you want to live a (inaudible)
3 and long, long life that you have to keep the sewage and elimination
4 system clean.

5 There's a lot of bowel cleansers out there, I've probably tried
6 them all. I recently tried the 7 Day Miracle Cleanse. I tried it on
7 myself. I definitely did see an improvement in how I feel. So, I know
8 it is a superior product and I certainly would recommend it for
9 anybody and I'm definitely going to start recommending it to my
10 patients or my clients, the people in my practice. [Exhibit B at 7
11 (Statements scrolling at bottom of screen omitted).]

- 12 d. THE HEALTH MAN: Every American has colon disease or colon
13 degeneration. Statistics show that colon cancer kills 400 percent more
14 people than AIDS, even more than breast cancer and prostate cancer.

15 The good news is that you don't have to live embarrassed any
16 more. The Seven Day Miracle Cleanse Program is a professional,
17 internal cleansing system and has eliminated all types of constipation,
18 as well as other bowel dysfunctions, such as irritable bowel syndrome.
19 [Exhibit B at 17-18 (Statements scrolling at bottom of screen
20 omitted).]

- 21 e. THE HEALTH MAN: Another danger of mucous plaque is that it
22 houses toxins, such as heavy metals, which are major contributors to
23 Alzheimer's disease. It also houses parasites, fungi, worms and
24 harmful bacteria, each of which can weaken your immune system.
25 The elimination of this filth is one of the key components in achieving
26 perfect health and in building a pain-free body for both young and old.
27 [Exhibit B at 18 (Statements scrolling at bottom of screen omitted).]

- 28 f. THE HEALTH MAN: After healing myself, I had decided that I was

1 going to dedicate my life to sharing this knowledge with everyone.
2 . . . [M]y program has helped thousands of people overcome just
3 about every health problem feared today, including AIDS --

4 ON SCREEN: The 7 day miracle cleanse is not intended to
5 treat, cure, or diagnose any disease.

6 THE HEALTH MAN: – all types of cancer, high blood pressure,
7 diabetes, migraine headaches, PMS, fibroid tumors and all types of
8 bowel dysfunctions. [Exhibit B at 29-30 (Statements scrolling at
9 bottom of screen omitted).]

- 10 g. THE HEALTH MAN: You will also get my Parasite and Worm
11 Eliminator, Parasine 2. . . . It eliminates or lessens parasites and
12 worms. The average person can harbor millions of harmful parasites,
13 especially throughout the digestive tract. It is a fact that over 50
14 million children die each year from parasites worldwide.

15 According to the USDA, the average cubic inch of beef
16 contains up to 1,200 larvae. If you do not wash your vegetables, larva
17 can get into your system. It is estimated that 80 to 92 percent of the
18 population suffers from parasites and don't even know it. This is
19 because by the time the symptoms appear, the parasites have probably
20 been in your system for 10 to 12 years. What we once thought was an
21 affliction of Third World nations has become the disease of
22 Americans. [Exhibit B at 33-34 (Statements scrolling at bottom of
23 screen omitted).]

- 24 h. THE HEALTH MAN: The key to losing weight is in balancing the
25 thyroid gland in your body because it controls the production of fat
26 cells. Men and women spend billions of dollars each year for a hope
27 or a diet that will cure all their problems in achieving their ideal body
28 weight. It is easy to lose weight when you have the right knowledge.
There is no better system than the Seven Day Miracle Cleanse for

1 losing weight faster, healthier and more naturally without harmful
2 chemicals or side effects.

3 UNIDENTIFIED FEMALE: I lost my 19 pounds.

4 ON SCREEN: Results not typical. Individual results may vary.

5 UNIDENTIFIED FEMALE: I lost 10 pounds.

6 JOANIE: I was right around 200 pounds. I weigh 132 pounds now.

7 JOSEPH: I lost 13 pounds of ugly fat weight.

8 [Exhibit B at 37-38 (Statements scrolling at bottom of screen
9 omitted).]

10 **EXCERPTS FROM INFOMERCIAL: EXHIBIT C**

- 11 a. BRIAN COLLINS: I'm very excited to tell you about one of the most
12 popular colon cleansing, weight loss and body rejuvenation systems in
13 America today. What makes this remarkable product unique is how it
14 focuses on reducing toxic dead weight, bacteria and parasites in your
15 digestive system that not only affect your health but can result in
16 unwanted weight gain. [Exhibit C at 3.]
- 17 b. KAREN GREEN: Believe me, it takes a lot of time and energy to
18 keep up with even one child. Now imagine what it's like with eight. I
19 have a very fast-paced life and it didn't help when I started eating fast
20 food. I gained weight. . . . Then something wonderful happened. I
21 found the 7-Day Miracle Cleanse Rejuvenation System. Wow, what a
22 difference it made. Now, I have more energy, I lost weight. My
23 stomach is flatter. Look. I've even lost two dress sizes. I'm the same
24 size I was before having children. I never believed that was possible.
25 [Exhibit C at 4.]
- 26 c. THE HEALTH MAN: Now, let me tell you how the program works.
27 The 7-Day Miracle Cleanse is a triple-action system. The pre-cleanse
28 formula is designed to help in the elimination of toxins and pollutants,

1 including parasites and worms. Now, just because you can't see
2 parasites doesn't mean they're not there. Most parasites are so
3 microscopic that they can't be seen by the naked eye. But after they
4 find their way into your digestive tract, they begin to rob and absorb
5 your nutrients, plus they grow and multiply in a very short period of
6 time. Parasites have been linked to many different health issues.

7 [Exhibit C at 14.]

8 d. THE HEALTH MAN: My specially formulated greens help replenish
9 electrolytes, minerals, amino acids and micro flora, all needed during
10 the cleansing process. Once you have removed the sludge build-up
11 from your colon, your body will be able to absorb these nutrients
12 more efficiently and you'll feel better because of it. [Exhibit C at 15.]

13 e. BRIAN COLLINS: Well, it seems like everyone is looking for the
14 weight loss program that is simple and easy.

15 KAREN GREEN: Right, we want it simple and easy. But is that
16 possible?

17 **ON SCREEN: 7 Day Miracle Cleanse**

18 THE HEALTH MAN: And that's what you get with the 7 Day
19 Miracle Cleanse. It's fast, simple, and easy to follow.

20 **ON SCREEN: Lose weight! Feel great!**

21 [Exhibit C at 22-23.]
22
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28

- 1 f. THE HEALTH MAN: Using the 7 Day Miracle Cleanse allows you
2 to look better, feel better and lose weight in a short time. The bottom
3 line, it helps put you on the path to good health. You owe it to
4 yourself to use the 7 Day Miracle Cleanse. Take back your health
5 today. It's easy, simple and you'll experience an amazing difference.
6 [Exhibit C at 31.]

7 **EXCERPTS FROM WEBSITE**

- 8 a. **Welcome to the 7 Day Miracle Cleanse! The Health Man**
9 created the 7-Day Miracle Cleanse and is considered by many to be
10 the healthiest man alive. After healing himself of a very serious
11 illness, **he rejuvenated his health to a whole new level.** [Exhibit D
12 at 7DMC-00048.]
- 13 b. **Weight loss. 5-15 pounds.**
14 Get rid of that excess weight that has been accumulating in your
15 system for years. The record is 41 lbs. in 7 days and 128 pounds in 4
16 months. [Exhibit D at 7DMC-00049.]
- 17 c. The average person loses over 10 lbs. in less than 7 days [sic] better
18 than any diet and you will regain the energy of your youth. [Exhibit
19 D at 7DMC00050.]
- 20 d. "I had many health problems. My doctor had me on many pills for
21 many symptoms. My blood pressure was very high and after my first
22 7-Day Cleanse my blood pressure was normal." King St. Louis, MI
23 [Exhibit D at DMC-00060.]
- 24 e. "I'm writing to tell you that the 7-day Miracle Cleanse really works, I
25 am truly amazed. I had arthritis in my right elbow very badly. I could
26 not lift anything with my right arm. After about the 5th day on my
27 first cleanse the pain started to lessen. I have stopped eating all acid
28

1 forming foods. It has been 3 months, and I have completed two
2 cleansing programs. My pain is completely gone. Keep up the good
3 work,” S. Harns Houston, TX [Exhibit D at 7DMC-00060.]

4 f. “My weight was 305 lbs. and I was diabetic. I had been going to the
5 doctors for health all my life. After the first cleanse, I lost 27 lbs.
6 within the first two weeks. I went back to the doctor for a check up
7 and I no longer had diabetes. The results are that I no longer need
8 insulin and I lost a total of 75 lbs. in 4 months.” J. Cummings
9 [Exhibit D at 7DMC-00060.]

10 g. “I am 29 years old my health has generally been good, however 4
11 years ago I was diagnosed with endometriosis and told that I would
12 never have children. . . . I was introduced to the 7-day miracle cleanse
13 program. I completed it last January with great success. My whole
14 life has changed for the better. Since then [sic] I have continued to
15 cleanse and eat raw foods. The great news is I found out I am going
16 to have a baby!” J. Summer Springfield, IL [Exhibit D at 7DMC-
17 00060.]

18 h. “My father was 85 years old and did not wake up one morning.
19 Instead of calling an ambulance and taking him to the hospital we kept
20 him home, for 3 days I massaged his entire body through out the day.
21 Then a friend and I would administer a colon irrigation, shortly there
22 after he woke up. We immediately start [sic] him on the 7-day
23 miracle cleanse program, I could not believe how much glue like
24 material he passed. It was no wonder why his body just shut down
25 one day.” J. Buccieri Beverly hills CK [sic] [Exhibit D at 7DMC-
26 00060-61.]

- 1 i. "I am 23 years old and I had not had a bowel movement in almost a
2 month! The doctor wanted to perform a colostomy (remove my
3 colon) and charge my insurance company \$100,000 for the
4 operation. I did not do it. A friend told me about the 7-day miracle
5 cleanse program I started the program immediately . . . Thank God for
6 the 7~y [sic] miracle cleanse program for I would not have my colon
7 today." H.Barnes Vancouver WA [Exhibit D at 7DMC-00061.]
- 8 j. "I have a hyperactive colon said my doctor. I also had severe
9 abdominal -us [sic] and blood in my stool. my [sic] friend
10 recommended the 7-day miracle cleanse program I had a complete
11 cleansing kit rushed to me. After I completed the program I was no
12 longer bleeding and I had no more pain." T. Blankenship NY, NY
13 [Exhibit D at 7DMC-00061.]
- 14 k. "I was suffering from chronic migraines for 10 years, always lagging.
15 While doing the cleanse my energy went to a level I could have never
16 imagined possible, my eyes and face brightened, my skin became
17 smoother, my constant need for more sleep disappeared I feel better
18 than I have in 10 years and more alive since doing the cleanse. Your
19 product is superior haven't had a migraine since, it has been 5
20 months!" C. Chung Malibu, Ca [sic] [Exhibit D at 7DMC-00062.]
- 21 l. "I feel better than I have in a long time and I only just started the
22 program My blood pressure is now normal without need for
23 medication after years of doctoring." G King Spokane WA [Exhibit
24 D at 7DMC-00062.]
- 25 m. Attack *the cause*, not the symptom . . .
26 Your body contains almost all the resources it needs to fight off any
27 disease or sickness if it is unencumbered by the things that slow it
28

1 down or cause it to function erratically. If you attack the cause of the
2 problem, instead of the symptom (e.g. surgically removing a tumor
3 attacks a symptom) then the body's own healing and balancing
4 systems can do their job to the fullest to regulate and to metabolize
5 body weight, heal and prevent major and minor illnesses and restore
6 vitality. . . . Artificial, quick cures, including pills and surgery don't
7 get to the root of the cause, [sic] The 7-Day Miracle Cleanse attacks
8 the cause of most sickness and disease by removing the hardened,
9 rubber-like, mucus layers which promote sluggish muscle tone and the
10 inability of the large intestine (colon) to eliminate properly. Attacking
11 this pollution and congestion allows the body to begin its own . . .
12 SELF HEALING. [Exhibit D at 7DMC-00067.]

13 n. Parasites thrive on an unhealthy intestinal tract. Mucus is a perfect
14 breeding ground for parasites. It has been estimated that over 90% of
15 the population of the U.S. is infested with parasites. Over 50 million
16 children have worms. . . . Many health problems start with worms and
17 parasites colonizing throughout the digestive tract and vital organs.
18 The most common symptoms are lack of energy, bowel problems,
19 chills, fever, and even epilepsy. **The 7 Day Miracle Cleanse™**
20 begins the removal of this breeding ground by removing their ideal
21 environment of mucus and filth in the intestinal tract. [Exhibit D at
22 7DMC-00070.]

23 **EXCERPTS FROM HANDBOOK INCLUDED WITH PACKAGING**

24 a. **PREVENTING/FIGHTING ALZHEIMER'S DISEASE**
25 According to Dr. Philip Hodes, there are steps everyone can take to
26 prevent or treat Alzheimer's disease:

27 * * * * *

1 2. Undergo a brain and body detoxification program, which includes
2 a fast. . . . This step precisely describes the 7-Day Miracle Cleanse, a
3 professional detoxification program useful in preventing or treating
4 Alzheimer’s disease. [Exhibit E at pp. 22-23.]

5 b. It is estimated that 80 to 92% of the population suffer from parasites
6 and don’t know it.

7 * * * * *

8 Over time, they can grow bigger or multiply rapidly and rob you of
9 the abundance of nutrients from your body. This may sound alarming
10 but it is reality. The answer to the question of how to get rid of these
11 parasites is by taking a clinically proven herbal combination called
12 Parasine 2 and following it with the 7-Day Miracle Cleanse Program.
13 [Exhibit E at p. 24.]

14 **SECTIONS 5 AND 12 OF THE FTC ACT**

15 14. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits unfair or
16 deceptive acts or practices in or affecting commerce. Section 12(a) of the FTC
17 Act, 15 U.S.C. § 52(a), prohibits the dissemination of any false advertisement in or
18 affecting commerce for the purpose of inducing, or which is likely to induce, the
19 purchase of food, drugs, devices, services, or cosmetics. For the purposes of
20 Section 12 of the FTC Act, the products distributed in the 7 Day Miracle Cleanse
21 program are either “foods” or “drugs” as defined in Section 15(b) and (c) of the
22 FTC Act, 15 U.S.C. § 55(b) and (c). As set forth below, the Defendants have
23 engaged and are continuing to engage in such unlawful practices in connection
24 with the marketing and sale of the 7 Day Miracle Cleanse program.
25
26
27
28

1 **DECEPTIVE ACTS OR PRACTICES**
2 **IN VIOLATION OF THE FTC ACT**

3 15. Through the means described in Paragraph 13, including but not
4 limited to the statements contained in the advertisements attached as Exhibits A
5 through E, Defendants have represented, expressly or by implication, that:

- 6 a. The 7 Day Miracle Cleanse program prevents, treats, and cures breast
7 cancer, skin cancer, and all other types of cancer;
 - 8 b. The 7 Day Miracle Cleanse program prevents and treats Alzheimer’s
9 disease;
 - 10 c. The 7 Day Miracle Cleanse program prevents, treats, and cures
11 diabetes;
 - 12 d. The 7 Day Miracle Cleanse program prevents, treats, and cures AIDS;
 - 13 e. The 7 Day Miracle Cleanse program prevents, treats, and cures high
14 blood pressure;
 - 15 f. The 7 Day Miracle Cleanse program prevents, treats, and cures
16 migraine headaches;
 - 17 g. The 7 Day Miracle Cleanse program prevents, treats, and cures fibroid
18 tumors;
 - 19 h. The 7 Day Miracle Cleanse program prevents, treats, and cures
20 premenstrual syndrome;
 - 21 i. The 7 Day Miracle Cleanse program prevents, treats, and cures
22 endometriosis;
 - 23 j. The 7 Day Miracle Cleanse program prevents, treats, and cures
24 diverticulitis, irritable bowel syndrome, and all other types of bowel
25 dysfunction;
 - 26 k. The 7 Day Miracle Cleanse program prevents, treats, and cures
27 arthritis;
- 28

1 and the disgorgement of ill-gotten monies caused by Defendants' law violations.

2 **PRAYER FOR RELIEF**

3 Wherefore, Plaintiff Federal Trade Commission, pursuant Section 13(b) of
4 the FTC Act, 15 U.S.C. § 53(b), and the Court's own equitable powers, requests
5 that the Court:

- 6 (1) Enter a permanent injunction to prevent future violations of the FTC
7 Act by the Defendants;
- 8 (2) Award such relief as the Court finds necessary to redress injury to
9 consumers resulting from Defendants' violations of the FTC Act,
10 including, but not limited to, rescission or reformation of contracts,
11 restitution, the refund of monies paid, and the disgorgement of ill-
12 gotten monies; and
- 13 (3) Award Plaintiff the costs of bringing this action, as well as such other
14 and additional relief as the Court may determine to be just and proper.
15

16 Dated: February 12, 2008

16 Respectfully Submitted,

17 WILLIAM BLUMENTHAL
18 General Counsel

19 

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28