

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RAGINGBULL.COM, LLC, et al.,

Defendants.

Case No. 1:20-cv-3538

**PLAINTIFF’S EMERGENCY CONSENT MOTION FOR TEMPORARY STAY OF
BRIEFING AND DISCOVERY**

Pursuant to Local Rule 105.9, Plaintiff the Federal Trade Commission (“FTC”) respectfully submits this motion seeking a temporary stay of briefing on the Motion to Dismiss filed by Defendants Sherwood Ventures LLC and Jason Bond LLC (ECF No. 224), (“Defendants’ Motion”) and on the commencement of discovery as to Defendants RagingBull.com, LLC, Jeffrey M. Bishop, Jason Bond, Sherwood Ventures, LLC, and Jason Bond, LLC (collectively “the GT Defendants”), while counsel for the FTC seek approval from the Commission to file a motion to amend the FTC’s First Amended Complaint (ECF No. 164-1). The GT Defendants consent to this temporary stay, and good cause exists to grant the requested relief. Defendants Kyle Dennis, Winston Corp. and Winston Research Inc. (“Dennis Defendants”) do not consent to a temporary stay as to their pending motion to dismiss. The FTC is therefore not seeking a temporary stay as to the Dennis Defendants.

In support of the relief requested, the FTC states as follows:

1. On April 22, 2021, the Supreme Court issued an opinion in *AMG Capital Management, LLC. v. FTC*, No. 19–508, 593 U. S. ____ (2021) (slip op.). The Court concluded

that Section 13(b) of the Federal Trade Commission Act does not authorize the Commission to seek equitable monetary relief such as restitution or disgorgement.

2. Counts I and II of the FTC's complaint in this action seek equitable monetary relief under Section 13(b).

3. In light of the *AMG* decision, FTC counsel will submit a proposed amended complaint to the Commission for review and approval, which will withdraw the FTC's request for equitable monetary relief under Section 13(b) and may seek additional relief under the Restore Online Shoppers' Confidence Act. FTC counsel are informed that the review and approval process is likely to take six weeks.

WHEREFORE, the FTC respectfully requests that the Court stay the briefing on the Defendants' Motion and the commencement of discovery as to the GT Defendants until June 7, 2021. If the FTC anticipates that the approval process will take additional time, counsel for the FTC will provide an update on the status of the proposed amended complaint to the Court. A proposed order is attached.

Respectfully submitted,

J. Reilly Dolan
Acting General Counsel

Dated: April 28, 2021

/s/ Laura C. Basford

Colleen Robbins (D. Md. Temp Bar No. 92567)
Sung W. Kim (D. Md. Temp Bar No. 814609)
Gordon E. Sommers (D. Md. Temp. Bar No.
814431)
Laura C. Basford (D. Md. Temp. Bar No. 814888)
Federal Trade Commission
600 Pennsylvania Ave., NW
Mailstop CC-8528
Washington, DC 20580
(202) 326-2548; crobbins@ftc.gov
(202) 326-2211; skim6@ftc.gov
(202) 326-2504; gsommers@ftc.gov
(202) 326-2343; lbasford@ftc.gov
(202) 326-3395 (Facsimile)

*Attorneys for Plaintiff
Federal Trade Commission*

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2021, I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send a notice of electronic filing to counsel of record for Defendants.

/s/ Laura C. Basford

Laura C. Basford