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17 UNITED STATES DISTRICT COURT

18 CENTRAL DISTRICT OF CALIFORNIA

19 FEDERAL TRADE COMMISSION;  
20 STATE OF ARIZONA *EX REL.*  
21 MARK BRNOVICH, ATTORNEY  
22 GENERAL; THE PEOPLE OF THE  
23 STATE OF CALIFORNIA; STATE  
24 OF INDIANA; THE PEOPLE OF THE  
25 STATE OF MICHIGAN; STATE OF  
26 NORTH CAROLINA; and STATE OF  
27 WISCONSIN,

28 Plaintiffs,

v.

FRONTIER COMMUNICATIONS  
CORPORATION, a Delaware

Case No. 2:21-cv-4155

COMPLAINT FOR PRELIMINARY  
INJUNCTION, PERMANENT  
INJUNCTION, MONETARY RELIEF  
AND OTHER RELIEF

1 corporation; FRONTIER  
2 COMMUNICATIONS PARENT,  
3 INC., a Delaware corporation;  
4 FRONTIER COMMUNICATIONS  
5 INTERMEDIATE, LLC, a Delaware  
6 limited liability company; FRONTIER  
7 COMMUNICATIONS HOLDINGS,  
8 LLC, a Delaware limited liability  
9 company,

Defendants.

10 Plaintiffs, the Federal Trade Commission (“FTC”), the Attorneys General of  
11 the States of Arizona, Indiana, Michigan, North Carolina, and Wisconsin, and the  
12 People of the State of California, by and through the District Attorneys of Los  
13 Angeles County and Riverside County (collectively, “Plaintiffs”), for their  
14 Complaint allege:

15 1. The FTC brings this action under Section 13(b) of the FTC Act, 15  
16 U.S.C. § 53(b), which authorizes the FTC to seek, and the Court to order,  
17 temporary, preliminary, and permanent injunctive relief and other relief for  
18 Defendants’ acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C.  
19 § 45(a).

20 2. This action is also brought, in their representative and official  
21 capacities as provided by state law, by the Attorneys General of Arizona, Indiana,  
22 Michigan, North Carolina, and Wisconsin, and by the People of the State of  
23 California by and through the District Attorneys of Los Angeles County and  
24 Riverside County. The Plaintiffs identified in this paragraph are referred to  
25 collectively as the “Plaintiff States.”

26 3. The Plaintiff States bring this action pursuant to consumer protection  
27 and business regulation authority conferred on their Attorneys General, and/or state  
28 or county agencies or offices by state law, and/or pursuant to *parens patriae* and/or  
common law authority. As described below, many of these states’ laws authorize

1 the Plaintiff States to seek temporary, preliminary, and permanent injunctive relief,  
2 rescission or reformation of contracts, restitution, the refund of monies paid,  
3 disgorgement of ill-gotten monies, and other equitable relief, to prevent and/or to  
4 stop ongoing deception or unfair acts or practices caused by Defendants' state law  
5 violations. These laws also authorize the Plaintiff States to obtain civil penalties,  
6 attorneys' fees, expenses, and costs.

7 4. The State of Arizona *ex rel.* Mark Brnovich, the Attorney General of  
8 Arizona (the "State of Arizona"), brings this action pursuant to the Arizona  
9 Consumer Fraud Act, Arizona Revised Statutes ("A.R.S.") §§ 44-1521 to -1534.

10 5. Plaintiff, the People of the State of California, by and through George  
11 Gascón, District Attorney of Los Angeles County, and Michael A. Hestrin, District  
12 Attorney of Riverside County, bring this action against Defendants for violation of  
13 the California Unfair Competition Law ("UCL") (Bus. & Prof. Code § 17200 *et*  
14 *seq.*) and the California False Advertising Law ("FAL") (Bus. & Prof. Code  
15 § 17500 *et seq.*).

16 6. The Indiana Attorney General brings this action on behalf of the State  
17 of Indiana for violations of the Indiana Deceptive Consumer Sales Act, Ind. Code  
18 § 24-5-0.5, *et seq.*, and is authorized to seek injunctive and statutory relief.

19 7. Plaintiff Michigan Attorney General Dana Nessel brings this action  
20 on behalf of the People of the State of Michigan for violations of the Michigan  
21 Consumer Protection Act, Mich. Comp. Laws § 445.901 *et seq.*

22 8. Plaintiff State of North Carolina, acting by and through its Attorney  
23 General Joshua H. Stein, brings this action in the public interest and pursuant to  
24 Chapters 75 and 114 of the North Carolina General Statutes. The State of North  
25 Carolina, by and through the Attorney General, is charged with, *inter alia*,  
26 enforcing North Carolina's Unfair or Deceptive Trade Practices Act, N.C.G.S.  
27 §§ 75-1.1, *et seq.*, which is intended to protect members of the public from being  
28 harmed by unethical and unscrupulous business practices, including deceptive

1 statements and conduct, carried out in North Carolina commerce. North Carolina's  
2 Unfair or Deceptive Trade Practices Act authorizes the State of North Carolina to  
3 seek temporary, preliminary, and permanent injunctive relief, rescission or  
4 reformation of contracts, restitution, the refund of monies paid, disgorgement of  
5 ill-gotten monies, civil penalties, attorneys' fees, expenses, costs, and other  
6 equitable relief for Defendants' acts or practices in violation of N.C.G.S. § 75-1.1.

7 9. The Wisconsin Attorney General brings this action on behalf of the  
8 State of Wisconsin. The Wisconsin Attorney General is vested with the authority to  
9 enforce the Wisconsin Deceptive Trade Practices Act and is required to furnish  
10 legal services to the Wisconsin Department of Agriculture, Trade and Consumer  
11 Protection to enforce, among other laws, the Deceptive Trade Practices Act and  
12 laws prohibiting unfair billing, unfair trade practices, and deceptive  
13 telecommunications advertising. Wis. Stats. §§ 100.18(11)(d) and 165.25(4)(ar).  
14 The Wisconsin Attorney General is permitted to seek permanent injunctive relief  
15 and restitution to consumers. Wis. Stats. §§ 100.18(11)(d), 100.195(5m)(c),  
16 100.20(6), and 100.207(6)(b). Wisconsin law also authorizes the Attorney General  
17 to obtain civil forfeitures, consumer protection surcharges, supplemental  
18 forfeitures, attorneys' fees, expenses, and costs. Wis. Stats. §§ 100.207(6)(c),  
19 100.26, 100.261, 100.263, and 100.264.

## 20 JURISDICTION AND VENUE

21 10. This Court has subject matter jurisdiction over the federal law claims  
22 pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345. This Court has supplemental  
23 jurisdiction over the subject matter of the state law claims pursuant to 28 U.S.C.  
24 § 1367.

25 11. Venue is proper in this District under 28 U.S.C. § 1391(b)(1), (b)(2),  
26 (c)(2), (d), and 15 U.S.C. § 53(b).

27 12. Defendants have transacted business within the State of California and  
28 within the geographical boundaries of this District, including in the Counties of

1 Los Angeles and Riverside, at all relevant times to this Complaint. The violations  
2 of law described herein occurred in, among other locations, the Counties of Los  
3 Angeles and Riverside, and elsewhere in the State of California.

#### 4 **PLAINTIFFS**

5 13. The FTC is an independent agency of the United States Government  
6 created by the FTC Act, which authorizes the FTC to commence this district court  
7 civil action by its own attorneys. 15 U.S.C. §§ 41–58. The FTC enforces Section  
8 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or  
9 practices in or affecting commerce.

10 14. The State of Arizona is authorized to bring this action pursuant to the  
11 Arizona Consumer Fraud Act (the “Arizona CFA”), A.R.S. §§ 44-1521 to -1534 to  
12 obtain injunctive relief to permanently enjoin and prevent the unlawful acts and  
13 practices alleged in this Complaint, and to obtain other relief, including restitution,  
14 disgorgement of profits, gains, gross receipts, or other benefits, civil penalties, and  
15 costs and attorneys’ fees.

16 15. The People of the State of California, by and through George Gascón,  
17 District Attorney of Los Angeles County, and Michael A. Hestrin, District  
18 Attorney of Riverside County, are authorized to enjoin repeated and persistent  
19 fraudulent, unlawful, deceptive, and misleading business conduct under the  
20 California Unfair Competition Law (Bus. & Prof. Code § 17200 *et seq.*) and the  
21 California False Advertising Law (Bus. & Prof. Code § 17500 *et seq.*) to obtain  
22 equitable or other appropriate relief, including restitution, civil penalties, and an  
23 injunction as may be appropriate.

24 16. The Indiana Attorney General on behalf of the State of Indiana is  
25 authorized to bring this action under Ind. Code § 24-5-0.5-4(c), and may obtain  
26 injunctive relief, consumer restitution, civil penalties, costs and all other just and  
27 proper relief under the Indiana Deceptive Consumer Sales Act, Ind. Code § 24-5-  
28 0.5, *et seq.*

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