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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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