

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

CASE NO. 6:20-cv-52

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

GRAND BAHAMA CRUISE LINE, LLC, a Florida limited liability company,

ULTIMATE VACATION GROUP, LLC also d/b/a ROYAL BAHAMAS CRUISE LINE, LLC, a Florida limited liability company,

TROPICAL ACCOMMODATIONS LLC also d/b/a GRAND CELEBRATION CRUISE LINE, a Florida limited liability company,

VSC, LLC, a Delaware limited liability company and as an owner of Florida V.S.C. Inc.,

CABB GROUP, LLC, a Florida limited liability company,

FLORIDA V.S.C. INC., a Florida corporation,

JOHNATHAN BLAKE CURTIS, a/k/a Blake Curtis, individually and as a manager of Ultimate Vacation Group, LLC also d/b/a Royal Bahamas Cruise Line, LLC, Grand Bahama Cruise Line, LLC, Tropical Accommodations, LLC also d/b/a Grand Celebration Cruise Line, and VSC, LLC,

ANTHONY DIGIACOMO, individually and as a manager of Ultimate Vacation Group, LLC also d/b/a Royal Bahamas Cruise Line, LLC, Grand Bahama Cruise Line, LLC, Tropical Accommodations, LLC also d/b/a Grand Celebration Cruise Line, and VSC, LLC,

CHRISTOPHER A. COTRONEO, individually and as a manager of Tropical Accommodations, LLC,

CHRISTINA R. PETERSON, individually and as an owner and manager of Cabb Group, LLC, and

ROBERT J. PETERSON II, individually and as a manager of Cabb Group, LLC,

Defendants.

**COMPLAINT FOR CIVIL PENALTIES, PERMANENT INJUNCTION,
AND OTHER EQUITABLE RELIEF**

Plaintiff, the Federal Trade Commission (“Commission”), pursuant to Section 16(a)(1) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 56(a)(1), for its complaint alleges:

1. Plaintiff brings this action under Sections 5(a), 5(m)(1)(A), 13(b), 16(a) and 19 of the FTC Act, 15 U.S.C. §§ 45(a), 45(m)(1)(A), 53(b), 56(a) and 57b, and Section 6 of the Telemarketing and Consumer Fraud and Abuse Prevention Act (the “Telemarketing Act”), 15 U.S.C. § 6105, to obtain monetary civil penalties, permanent injunctive relief, disgorgement, damages and other equitable relief from Defendants for their violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the Commission’s Telemarketing Sales Rule (“TSR”), as amended, 16 C.F.R. Part 310.

INTRODUCTION

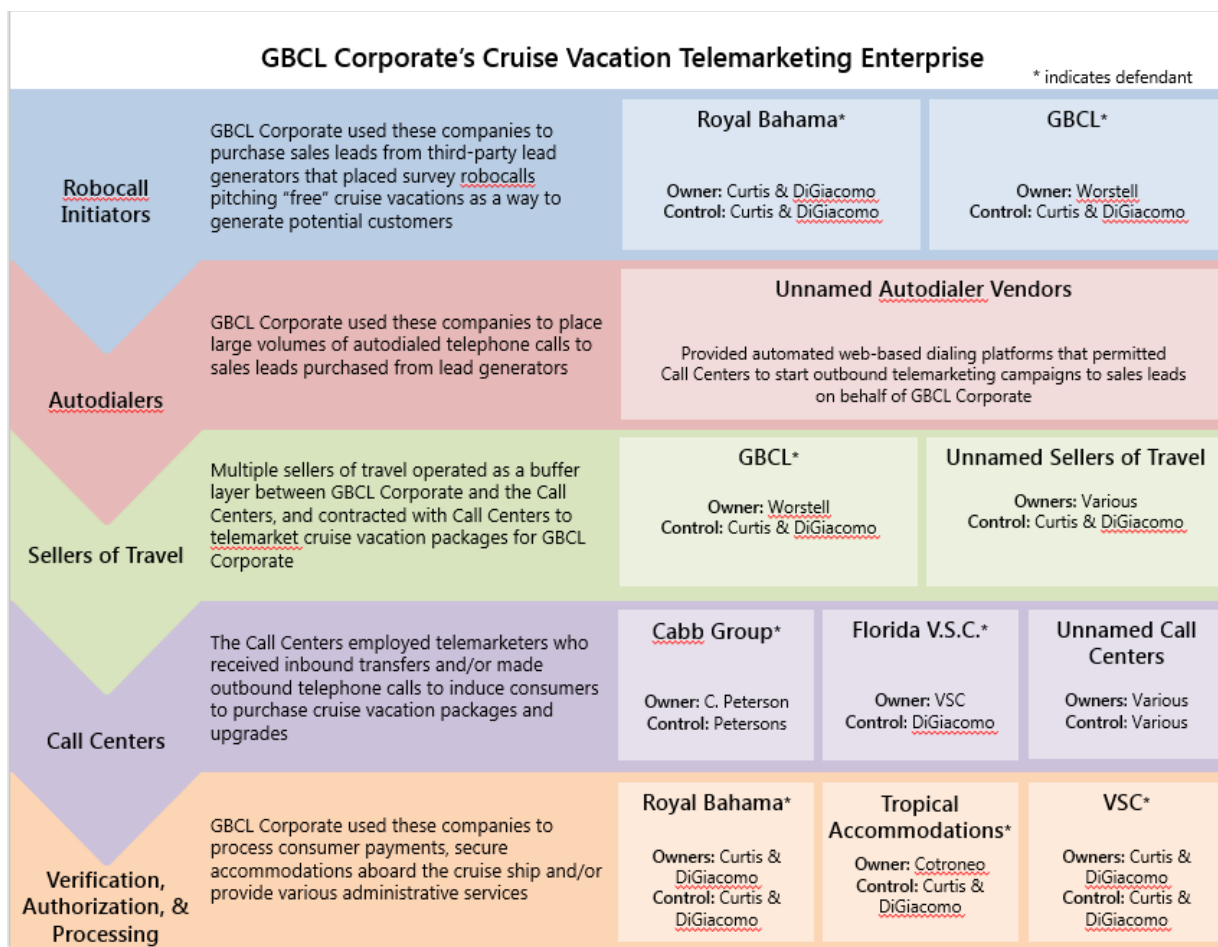
2. Between 2011 and 2012, Caribbean Cruise Line, Inc. (“CCL”), a Florida-based cruise line company, operated a massive telemarketing campaign that placed billions of survey robocalls to consumers offering “free” cruise vacations aboard the MS Bahamas Celebration, a cruise ship that departed from the Port of Palm Beach. In 2015, the FTC and its state partners filed charges against—and reached settlements with—all of the defendants in the case *See FTC v. Caribbean Cruise Line, Inc., et al.*, No. 0:15-cv-60423 (S.D. Fla.). Among other things, the settlement prohibits CCL from engaging in illegal telemarketing. Although not named in the lawsuit, during that same time-period, Defendants Johnathan Blake Curtis and Anthony DiGiacomo each owned and operated a telephone call center that marketed the “free” cruise vacations for CCL.

3. Both prior to and after settlement of the original lawsuit, the owners of CCL have operated cruise-related companies that provided fulfillment of “free” cruise vacation packages.

Beginning in September 2013, Curtis and DiGiacomo jointly owned and/or operated several business enterprises that flooded American consumers with millions of unwanted telephone calls offering “free” cruise vacation packages on behalf of these subsidiary fulfillment companies.

4. Curtis and DiGiacomo spearheaded the formation and operation of Ultimate Vacation Group, LLC also d/b/a Royal Bahama Cruise Line, LLC (“Ultimate Vacation Group” and “Royal Bahama”), Grand Bahama Cruise Line, LLC (“GBCL”), Tropical Accommodations, LLC also d/b/a Grand Celebration Cruise Line (“Tropical Accommodations”), and VSC, LLC (“VSC”) (collectively, “GBCL Corporate”), which initiated, caused the initiation of, and assisted and facilitated the initiation of, millions of violations of the TSR, including millions of calls to numbers on the National Do Not Call Registry (“DNC Registry”).

5. The following chart illustrates the structure of GBCL Corporate’s telemarketing operation and the call process:



6. Royal Bahama and GBCL contracted with various third-party lead generators to place calls to consumers using prerecorded messages, including calls to numbers on the DNC Registry, to generate potential customers for the sale of the "free" cruise vacation packages (customers paid federal port taxes and fees, and the cost of vacation upgrades.) After asking several automated survey questions wholly unrelated to the cruises, the prerecorded messages typically informed consumers that they were entitled to "two free boarding passes for an all-inclusive cruise to the Bahamas," which would cost \$59 per person in port taxes. Consumers who confirmed their interest in the "free" cruise offer either received a subsequent call within 24 hours or were immediately transferred to a telemarketer at a telephone call center working on behalf of Royal Bahama and GBCL.

7. Since at least 2014, GBCL Corporate has known or consciously avoided knowing that many of the survey robocalls dialed by the lead generators and the subsequent outbound telephone calls to consumers were unlawful. GBCL Corporate includes recidivist companies that have been investigated and/or sued by state government agencies and private litigants challenging unlawful telemarketing calls. Nevertheless, GBCL Corporate continued to help survey robocall lead generators make illegal robocalls and provided other telemarketers and vendors with the tools they needed to make unlawful telemarketing calls for years.

8. Defendants Cabb Group, LLC (“Cabb Group”) and Florida V.S.C., Inc. (“Florida V.S.C.”) (collectively, the “Call Centers”) operated telephone call centers that employed telemarketers. After logging into an automated web-based dialing platform (“autodialer”), the Call Centers notified GBCL Corporate that their telemarketers were available to speak to consumers. Consumers were typically pre-screened for eligibility and interest during a prerecorded message, and sometimes were transferred to an available telemarketer. The Defendants refer to these transferred calls as “inbound transfers.” In other instances, and usually within 24 hours, the Call Centers placed outbound calls to eligible and interested consumers.

9. The Call Centers utilized marketing materials and scripts provided by GBCL Corporate to sell consumers various items, including cruise excursions, pre-boarding hotels, enhanced accommodations, and other travel packages related to the cruise offers.

10. The Call Centers knew or consciously avoided knowing that the survey robocalls and outbound telephone calls placed to consumers were unlawful. They regularly received complaints from consumers who had received telephone calls despite the fact that their telephone numbers were on the DNC Registry or that they had previously stated they did not wish to receive outbound telephone calls made by or on behalf of the seller whose goods or services

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.