UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ROCA LABS, INC., a corporation; ROCA LABS NUTRACEUTICAL USA, INC., a corporation; MUST CURE OBESITY, CO., a corporation; JURAVIN, INCORPORATED, a corporation; ZERO CALORIE LABS, INC., a corporation; DON JURAVIN, individually and as an officer of Roca Labs, Inc., Roca Labs Nutraceutical USA, Inc., Must Cure Obesity, Co., and Juravin, Incorporated; and GEORGE C. WHITING, individually and as an officer of Roca Labs, Inc., Roca Labs Nutraceutical USA, Inc., and Zero Calorie Labs, Inc.,

Defendants.

Case No. 8:15-cv-02231-MSS-TBM

PLAINTIFF'S AND DEFENDANTS'
STIPULATION OF AGREED MATERIAL FACTS

1. Corporate Defendants Roca Labs, Inc ("RLI"), Roca Labs Nutraceutical USA, Inc. ("RLNU"), Must Cure Obesity, Co. ("MCO"), Juravin Incorporated ("JI"), and Zero Calorie Labs, Inc. ("ZCL"), are all Florida entities.
2. Defendant George Whiting ("Whiting") is a resident of the Middle District of Florida.
3. Defendant Don Juravin ("Juravin") is a resident of the Middle District of Florida.
4. Juravin owns MCO and JI and has been an officer of RLI and RLNU.
5. Whiting owns and has been an officer of RLI, RLNU, and ZCL.

6. Juravin has controlled aspects of the Defendants' business activities.
7. The Roca Labs Formula consists of Beta Glucan, Guar Gum, Xanthan Gum, Konjac (Glucomannan), Inulin, Vitamin C, B6, B12, Sucralose, Natural Color, Fruit Flavor.
8. The purchase price of a 3-4 month supply of the Roca Labs Formula was approximately $480.00 between 2011 and September 2015.
9. Defendants marketed and sold their products to obese individuals online.
10. Defendants' websites included rocalabs.com and mini-gastric-bypass.me.
11. Defendants advertised their products through online platforms.
12. Defendants spent approximately 12 million dollars on online advertising.
13. Defendants' purchasers completed a questionnaire prior to purchasing Defendants' products.
14. Defendants included non-disparagement clauses in the Terms & Conditions accessible via their websites, and in the packaging.
15. Defendants hired Dr. Ross Finesmith, who advised Defendants on the website and the products.
16. Defendants stated on their websites that their products were backed by scientific studies.

Respectfully submitted,

Dated: May 29, 2017

/s/ *Carl H. Settlemyer, III*
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CERTIFICATE OF SERVICE

I CERTIFY that on this 29th day of May 2017, I electronically filed the foregoing "**Plaintiff's and Defendants' Stipulation of Agreed Material Facts**" with the Clerk of the Court by using the CM/ECF filing system, and this document will be served electronically through same to counsel for all parties of record.

s/*Carl H. Settlemyer, III*
Attorney