UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

FEDERAL TRADE COMMISSION, *et al.*, Plaintiffs, v. AMERICAN FUTURE SYSTEMS, INC., *et al.*, Defendants.	Case No. 2:20-cv-02266 Judge Joel H. Slomsky

PLAINTIFF COMMONWEALTH'S MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR SUMMARY ADJUDICATION OF ISSUES

Plaintiff Commonwealth of Pennsylvania ("Commonwealth") hereby respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 56, for summary judgment against American Future Systems, Inc., also d/b/a Progressive Business Publications, Progress Business Publications, Inc., and Center for Education & Employment Law; Progressive Business Publications of New Jersey, Inc., and Edward Satell ("AFS Defendants") on all counts brought by the Commonwealth against them contained in the First Amended Complaint (ECF 43, Count V, VI, and VII).

As set forth in the attached Memorandum and the Plaintiffs' Joint Statement of Undisputed Material Facts together with the exhibits thereto (being filed on this same date by the Federal Trade Commission), summary judgment is appropriate in this case because there is no genuine dispute as to any material fact, and the Commonwealth is entitled to judgment as a matter of law. The undisputed evidence shows that Defendants violated the Unfair Trade Practices and Consumer Protection Law, 73 P.S. §201-1 *et seq.*

A proposed Order entering judgment against Defendants on Counts V, VI, and VIII and ordering appropriate relief is attached hereto. Upon entry of judgment against Defendants, the Commonwealth will provide a memorandum citing the relevant facts and setting forth the applicable law regarding the proper scope of injunctive relief, and amount of civil penalties, as well as terms for payment of restitution.

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Michelle A. Henry
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Dated: 6/26/2023

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CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2023, copies of the foregoing ***PLAINTIFF COMMONWEALTH'S MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR SUMMARY ADJUDICATION OF ISSUES*** and the Memorandum, and proposed Order in support thereof were filed electronically. The Federal Trade Commission is filing Plaintiffs' Joint Statement of Undisputed Material Facts, together with exhibits, under separate cover. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt who may access this filing through the Court's system.

/s/ Heather Z. Kelly
Attorney for Plaintiff Commonwealth of