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Attorneys for Defendant
MYLIFE.COM, INC. and JEFFREY TINSLEY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MYLIFE.COM, INC., a Delaware Corporation,

and

JEFFREY TINSLEY, individually and as an officer of MYLIFE.COM, INC.,

Defendants.

CASE NO. 20-cv-6692-JFW(PDx)

JOINT STIPULATION TO DISMISS WITHOUT PREJUDICE PLAINTIFF'S CLAIMS FOR EQUITABLE MONETARY RELIEF UNDER SECTION 13(B) OF THE FEDERAL TRADE COMMISSION ACT

Complaint Filed: July 27, 2020

Courtroom: 7A

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

WHEREAS Plaintiff United States of America ("Plaintiff") and Defendants MyLife.com and Jeffrey Tinsley ("Defendants") respectfully submit the following Joint Stipulation to Dismiss Without Prejudice Plaintiff's Claims for Equitable Monetary Relief Under Section 13(b) of the Federal Trade Commission ("FTC") Act:

WHEREAS on July 27, 2020, Plaintiff filed its Complaint for Permanent Injunction, Other Equitable Relief, and Civil Penalties and Demand for Jury Trial in this matter. Dkt. No. 1. Pertinent here, among other relief, Plaintiff sought equitable monetary relief from Defendants for alleged consumer injuries pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b). *See* Dkt. No. 1, ¶¶ 4, 74 and Prayer for Relief.

WHEREAS on April 22, 2021, the United States Supreme Court issued its opinion in *AMG Capital Management, LLC v. Federal Trade Commission*, 141 S. Ct. 1341 (2021). Pertinent here, the Supreme Court held that Section 13(b) of the FTC Act does not authorize the FTC to seek, and a court to award, equitable monetary relief such as restitution or disgorgement.

WHEREAS the parties hereby agree and stipulate to dismiss without prejudice Plaintiff's claims for equitable monetary relief under Section 13(b) in light of the Supreme Court's holding in *AMG Capital Management, LLC*.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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Dated: August 3, 2021

Respectfully submitted,

FOR MYLIFE.COM, INC.

By: */s/ Tamany J. Vinson Bentz*

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Dated: August 3, 2021

Respectfully submitted,

UNITED STATES OF AMERICA

By: */s/ Zachary A. Dietert*

LISA K. HSIAO
PATRICK R. RUNKLE
ZACHARY A. DIETERT
RACHEL E. BARON

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Tamany J. Vinson Bentz
TAMANY J. VINSON BENTZ