AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
Central District of California

Case Number: 2:24-CV-07660-SPG-JPR *SEALED*

Plaintiff: **Federal Trade Commission**
vs.
Defendant: **Ascend Capventures, Inc., also doing business as Ascend Ecom LLC; Ascend Ecomm LLC; ACV; ACV Partners; Accelerated Ecommerce Ventures; Ascend Distribution LLC; Ethix Capital; and ACV Nexus, a Wyoming close corporation profit corporation,ASCEND ECOMMERCE INC., also doing business as Ascend Ecom LLC, a Wyoming close corporation profit corporation, ASCEND ADMINISTRATION INC., a California general stock corporation, ASCEND ECOM LLC, a Wyoming limited liability company, ASCEND DISTRIBUTION, et al.**

For: Federal Trade Commission
600 Pennsylvania Ave, NW
Mail Drop CC-9528
Washington, DC 20580

Received by Vivian Louise Smith on the 16th day of September, 2024 at 2:30 pm to be served on **Ascend Distribution, LLC by serving its Registered Agent, Registered Agents, Inc., 5900 Balcones Dr., Suite 100, Austin, Travis County, TX 78731.**

I, Vivian Louise Smith, being duly sworn, depose and say that on the **16th day of September, 2024 at 3:40 pm**, I:

delivered to a **BUSINESS ENTITY, BY AND THROUGH ITS REGISTERED AGENT**, by delivering a true copy of the:

- Summons in a Civil Action;
- Civil Cover Sheet;
- Civil Minutes - General;
- Under Seal - Order on Plaintiff's Ex Parte Application for (1) Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue; (2) Waiver of Notice Requirement; (3) Appointment of a Temporary Receiver, Freezing of Assets; and Other Equitable Relief [ECF NOS. 4, 5];
- Application of Non-Resident Attorney to Appear in a Specific Case Pro Hac Vice [Applicant: Jody Goodman];
- Application of Non-Resident Attorney to Appear in a Specific Case Pro Hac Vice [Applicant: Elsie B. Kappler];
- Filed Under Seal - Complaint for Permanent Injunction, Monetary Judgment, and Other Relief;

- Filed Under Seal - Plaintiff's Ex Parte Application for an Order Temporarily Sealing the Docket and the Entire Case File; Memorandum in Support Thereof;
- Filed Under Seal - [Proposed] Ex Parte Order Granting Plaintiff Federal Trade Commission's Ex Parte Application for an Order Temporarily Sealing the Docket and The Entire Case File;
- Filed Under Seal - Plaintiff's Ex Parte Application for (1) Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue, and (2) Order Waiving Notice Requirement;
- Filed Under Seal - Plaintiff's Memorandum of Law in Support of its Ex Parte Application for (1) Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue, and (2) Order Waiving Notice Requirement;
- Filed Under Seal - [Proposed] Ex Parte Temporary Restraining Order with Asset Freeze, Appointment of a Temporary Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue;
- Rule 65(b)(1) Certification and Declaration of Jody Goodman in Support of Plaintiff's Emergency Ex Parte Application for Temporary Restraining Order, Preliminary Injunction, and Other Equitable Relief and Plaintiff's Ex Parte Application for an Order Temporarily Sealing the Docket and Entire Case File;
- Filed Under Seal - Plaintiff Federal Trade Commission's Ex Parte Application for Leave to File a Memorandum of Law in Support of its Ex Parte Emergency Application for a Temporary Restraining Order in Excess of the Word Count Prescribed by Local Rule 11-6.1;
- Plaintiff Federal Trade Commission's Exhibits - Volume I, Exhibits 1-4, Pages 1 to 366;
- Plaintiff Federal Trade Commission's Exhibits - Volume II, Exhibits 5-7, Pages 337 to 638;
- Plaintiff Federal Trade Commission's Exhibits - Volume III, Exhibits 8-11, Pages 639 to 903;
- Plaintiff Federal Trade Commission's Exhibits - Volume IV, Exhibits 12-13, Pages 904 to 1175;
- Plaintiff Federal Trade Commission's Exhibits - Volume V, Exhibits 14-15, Pages 1176 to 1465;
- Plaintiff Federal Trade Commission's Exhibits - Volume VI, Exhibits 16-19, Pages 1466 to 1870;
- Plaintiff Federal Trade Commission's Exhibits - Volume VII, Exhibits 20-22, Pages 1871 to 2215;
- Plaintiff Federal Trade Commission's Exhibits - Volume VIII, Exhibit 23, Pages 2216 to 2508;
- Plaintiff Federal Trade Commission's Exhibits - Volume IX, Exhibits 24-27, Pages 2509 to 2631;
- Plaintiff Federal Trade Commission's Exhibits - Volume X, Exhibits 28-33, Pages 2632 to 3054;
- Plaintiff Federal Trade Commission's Exhibits - Volume XI, Exhibit 34, Pages 3055 to 3087;
- and a Physical CD in a Sealed Envelope.

All of the documents listed above were delivered with the date of service endorsed thereon by me, to: **Bianca Gonzalez, Registered Agents, Inc.** as **Authorized Agent** at the address of: **5900 Balcones Dr., Suite 100, Austin, Travis County, TX 78731** on behalf of **Ascend Distribution, LLC**. I informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 26, Sex: F, Race/Skin Color: Hispanic, Height: 5'6", Weight: 135, Hair: Black, Glasses: N

I certify that I am over the age of 18, I am not a party to the suit, and I am a disinterested person with no interest in the outcome of the suit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I delivered the listed documents with the date of service endorsed thereon by me and informed the recipient of the contents therein, in compliance with state statutes.

VERIFICATION
STATE OF TEXAS

Vivian Smith
PSC-12617; Exp. 05/31/2026

Austin Process LLC
1100 Nueces
Austin, TX 78701
(512) 480-8071

Our Job Serial Number: MST-2024008303
Ref: FTC v. Ascend Capventures, Inc., et al.

Subscribed and Sworn to before me on the 17th day of September, 2024 by the affiant who is personally known to me.

NOTARY PUBLIC

MARIE NICOLE HENRY
Notary Public, State of Texas
Comm. Expires 04-04-2027
Notary ID 131960939