UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Bureau of Consumer Protection
Division of Marketing Practices

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VIA CM/ECF

The Honorable Julien Xavier Neals
United States District Judge
District of New Jersey
MLK Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: *Federal Trade Commission v. TheFBAMachine Inc. et al.*,
No. 2:24-cv-6635 (JXN) (LDW) (D.N.J.)

Dear Judge Neals:

Plaintiff Federal Trade Commission ("Plaintiff") files this letter in response to the letter filed earlier this afternoon (Docket No. 42) by Mark Makhail, McCarter & English, new counsel for defendant Amanda Rozenfeld. Ms. Rozenfeld was previously represented by Mikhail Usher and Alexander Susi, who Plaintiff understands still represent Steven Rozenfeld and the corporate entities.

Plaintiff respectfully requests that the Court deny Ms. Rozenfeld's request for a "short adjournment" of the preliminary injunction hearing ("PI Hearing") set for Tuesday, July 30. As Plaintiff explained in the joint status letter (Docket No. 40) submitted on July 25, Ms. Rozenfeld is not subject to the Court's temporary restraining order (Docket No. 5), and she has continued to evade service of the summons and complaint. The request for adjournment of the PI Hearing continues Ms. Rozenfeld's demonstrated practice of delaying court proceedings brought against her, as further set forth in Plaintiff's memorandum of law in support of its Application for Preliminary Injunction with Other Equitable Relief as to Amanda Rozenfeld (Docket No. 34-1) filed on June 28.

In addition, Mr. Rozenfeld and the corporate entities have not sent a signed stipulated preliminary injunction to Plaintiff, despite counsel's repeated representation that their clients would stipulate to the PI. Until they do so, the Court should not adjourn the PI Hearing.

Plaintiff notes that, while it learned Thursday afternoon that Ms. Rozenfeld planned to seek new counsel, Plaintiff learned only late this afternoon that Ms. Rozenfeld had found new counsel and the identity of that counsel, when Mr. Makhail filed his notice of appearance.

Should the Court choose to adjourn the PI Hearing, Plaintiff notes that its counsel are unavailable from August 5–12 and August 16–20. In addition, Plaintiff respectfully requests that it be afforded the opportunity to reply to any substantive responses proffered by Ms. Rozenfeld.

Sincerely,



Frances L. Kern
Attorney