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FEDERAL TRADE COMMISSION

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CATLIN ENTERPRISES, INC., and
GEORGE CATLIN, individually and as
Chief Executive Officer of Catlin
Enterprises, Inc.,

Defendants.

Case No. 1:17-cv-403

**COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF**

Plaintiff, the Federal Trade Commission (“FTC”), for its Complaint alleges:

1. The FTC brings this action under Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b), to obtain permanent injunctive relief, rescission or reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten monies, and other equitable relief for Defendants’ acts or practices in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52, in connection with the labeling, advertising,

marketing, distribution, and sale of Withdrawal Ease and Recovery Ease, products marketed to treat opiate withdrawal symptoms and help persons overcome opiate dependency.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a) and 53(b).

3. Venue is proper in this district under 28 U.S.C. § 1391(b)(1), (b)(2), (c)(1), (c)(2), and (d), and 15 U.S.C. § 53(b).

PLAINTIFF

4. The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces Section 12 of the FTC Act, 15 U.S.C. § 52, which prohibits false advertisements for food, drugs, devices, services, or cosmetics in or affecting commerce.

5. The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b).

DEFENDANTS

6. Defendant Catlin Enterprises, Inc., is a Utah corporation with its principal office or place of business in Austin, Texas. Catlin Enterprises transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting

alone or in concert with others, Catlin Enterprises has labeled, advertised, marketed, or sold Withdrawal Ease and Recovery Ease to consumers throughout the United States.

7. Defendant George Catlin is the owner, founder, and Chief Executive Officer of Catlin Enterprises. Defendant Catlin manages the day-to-day activities of the company. He formulated the Withdrawal Ease and Recovery Ease products and participated in developing the opiate withdrawal and dependency advertising representations challenged in this Complaint. Among other things, he controls or controlled all the representations appearing on the www.withdrawal-ease.com website. Defendant Catlin has signatory authority on corporate bank accounts and credit cards and has signed corporate tax returns. At all times material to this Complaint, acting alone or in concert with others, Defendant Catlin has formulated, directed, controlled, had the authority to control, or participated in the acts and practices of Catlin Enterprises, including the acts and practices set forth in this Complaint. Defendant Catlin resides in this district and, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

COMMERCE

8. At all times material to this Complaint, Defendants have maintained a substantial course of trade in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS’ BUSINESS ACTIVITIES

9. Defendants have marketed both Withdrawal Ease and Recovery Ease to opiate-dependent people in two formulations: Daytime Formula and Nighttime Formula. Both Withdrawal Ease and Recovery Ease Daytime Formulas are comprised of combinations of

vitamins and minerals, and what product labeling identifies as “proprietary blends” of herbs and other compounds. The Nighttime Formulas of both products are made up of different “proprietary blends” and do not contain vitamins and minerals.

10. Defendants market Withdrawal Ease and Recovery Ease primarily from the website at www.withdrawal-ease.com and sell the products directly from that site.

11. To induce consumers to purchase Withdrawal Ease and Recovery Ease, Defendants have disseminated or have caused to be disseminated advertisements for the products, including, but not limited to, the attached Exhibits A and B. These advertisements contain the following statements and depictions, among others:

Excerpts from www.withdrawal-ease.com (attached as Exhibit A)

- The Leader in Home Opiate Detox Since 2009

Withdrawal Ease has helped tens of thousands of people take their first step towards getting their lives back. If you or someone you love is suffering from the debilitating physical symptoms of opiate withdrawal, it can help you too.

“Don’t wait until tomorrow. Take your first step today.”

(November 17, 2015)

- Withdrawal Ease specifically targets the common symptoms of opiate withdrawal and opiate detox.

How does Withdrawal Ease work? The following content describes in detail why certain ingredients were included in the Withdrawal Ease system and the corresponding symptoms that they help relieve. It is also a powerful detox that can help restore normal organ function and cleanse the body of toxins and free-radicals. We have even provided some excerpts to relevant clinical study abstracts listed with the NIH (National Institutes of Health) when we cite the efficacy of a certain ingredient. It’s our hope that you come away from this with a strong understanding of how Withdrawal Ease does what it says it does.

The Brain

The brain is where many of your withdrawal symptoms originate. Withdrawal-Ease targets specific brain functions in order to help “reboot” your brain’s natural chemical balance and function.

Symptoms and Solutions

Symptom: *Depression*

Withdrawal Ease Solution: Lemon Balm, L-Tyrosine

Symptom: *Anxiety and Irritability*

Withdrawal Ease Solution: Passionflower, Valerian

Symptom: *Lethargy or Lack of Energy*

Withdrawal Ease Solution: L-Tyrosine, Magnesium, Ginseng, and Zinc

Symptom: *Insomnia*

Withdrawal Ease Solution: Melatonin, Valerian Root, Passionflower

Symptom: *Headache*

Withdrawal Ease Solution: Peppermint, Cayenne, Alpha Lipoic Acid

Symptom: *Lack of Appetite*

Withdrawal Ease Solution: Ginger, Ginseng

Proof of Efficacy: How Do We Know it Can Help?

Clinical Study Abstracts from The National Institutes of Health (NIH)

- Passionflower: “*Can Be As Effective In The Treatment of Opiate Withdrawal As Traditional Care [Clonidine and Benzos]*”
- Melatonin: “*Can Be An Effective Sleeping Aid*”
- Valerian: “*Can Help Insomnia and Lead To More Restful Sleep*”

The Internal Organs

It’s no surprise that opiate addiction and consequent withdrawal wreak havoc on many of the vital internal organs in your body. Withdrawal-Ease is engineered to provide a comprehensive detox to rid the body of toxins and free-radicals as well as help treat many of the withdrawal symptoms that originate in the Digestive System, Liver and Musculature.

Symptoms and Solutions

Symptom: Nausea, Diarrhea and Indigestion

Withdrawal Ease Solutions:

- Nausea: Ginger, Peppermint, Lemon Balm
- Diarrhea: Iron, Ginger, Cayenne
- Irritable Bowel/Indigestion: Lemon Balm, Passionflower, Peppermint

Symptom: Liver Toxicity/Restoring Liver Function

Withdrawal Ease Solution: Milk Thistle, Reduced Glutathione, Methionine, Tumeric [sic]

Symptom: Elevated Heart Rate

Withdrawal Ease Solution: Lemon Balm, Magnesium

Symptom: Muscle Aches and Pains

Withdrawal Ease Solution: Cayenne, Alpha Lipoic Acid

Proof of Efficacy: How Do We Know It Can Help?

Clinical Study Abstracts From The National Institutes of Health (NIH)

- Milk Thistle: A Powerful Liver Detoxifier
- Tumeric [sic] (Curcumin): An Anti-Inflammatory Tool For The Digestive System
- Peppermint: “An Effective Natural Aid For Abdominal Distress”
- Ginger: “Can Reduce Nausea and Help Increase Appetite”

...

The Withdrawal-Ease Opiate Withdrawal Natural Supplement System employs ingredients that have been proven efficacious under rigorous clinical trials. There is no other product like the Withdrawal-Ease System on the market today; it's the most effective and advanced natural treatment for opiate withdrawal and detox that you can buy.

Due to the overwhelmingly positive customer testimonials and robust clinical evidence, I strongly believe that Withdrawal-Ease along with our Opiate Withdrawal Survival Guide can help you reduce the discomfort of your opiate withdrawal symptoms. Being more comfortable during your withdrawal will significantly increase your chances for a successful detox.

(September 23, 2015)

○ **All-Natural Treatment for Opiate Withdrawal Relief**

A more comfortable and affordable way to detox at home

The Withdrawal Ease Nutritional Supplement System® has been specifically engineered to reduce opiate withdrawal symptoms. It's a proprietary blend of 16 vitamins, amino acids and herbs that would cost over \$300 for a month's supply if bought separately. The System includes two custom formulations — Daytime and Nighttime, in capsule form.

Withdrawal Ease customers have reported a significant decrease in the intensity their withdrawal symptoms after using [sic] system and following the instructions in our Opiate Withdrawal Survival Guide.

The Benefits:

- **Designed Specifically for Opiate Withdrawals and Detox:** A nutraceutical formulation specifically engineered for opiate painkiller withdrawals.

...

- **Can Help Both Acute and Post Acute Withdrawal Symptoms (PAWS):** Can be taken for opiate and partial-agonist opiate withdrawals due to Suboxone (Buprenorphine) and Subutex treatments.

...

The Daytime Formulation Is Designed for:

- Flu-like symptoms
- Anxiety
- Depression
- Lack of energy
- Shakiness
- Gastrointestinal issues such as nausea and diarrhea
- Pain (muscle aches and pains)
- Loss of appetite

Daytime Formulation dose: 2 capsules in the morning with food

The Nighttime Formulation Is Designed for:

- Insomnia

- Anxiety
- Restless Leg Syndrome (RLS)
- Gastrointestinal issues

Nighttime Formulation dose: 2 Capsules Before Bed

(September 23, 2015)

○ **What is Withdrawal Ease and how do you take it?**

Withdrawal Ease is a nutritional supplement that is specifically engineered for acute opiate withdrawal. The system includes daytime and nighttime formulations, both uniquely formulated to help relieve withdrawal symptoms either during the day and [sic] at night. Each formulation comes in capsule form and contains a month's supply (60 capsules in each bottle). The system also includes our 65 page Opiate Withdrawal Survival Guide which provides education, strategies, a tapering guide, daily detox planner and much more. To learn more about the fundamental aspects of The Withdrawal Ease Program and how the product works within the program, please read the following article: "How To Detox From Opiates"

(September 23, 2015)

- "After seeing the results from the people who have used the Withdrawal Ease System and researching the active ingredients, I now recommend and prescribe the Withdrawal Ease System to patients for help in combating the physical and mental symptoms of withdrawal from opiates."

– Dr. Brian Earthman, MD. [sic] Psychiatrist
Addictionologist and Board Certified by The American Society of Addiction
Medicine
(ASAM)

(June 7, 2016)

- "I would like to say Thank You for this wonderful product! I abused Vicodin on and off for about 2+ yrs. I went cold turkey a few times and wow, that was horrid. I ordered this product and after 3 days my life begin to get back on track in every aspect possible, love life, depression, anxiety...pretty much everything...This product didn't cure all symptoms at once but made it easier to deal with them one hr at a time. I feel great today; just walked 3 miles and only have small aches that are equivalent to

- o working out like I used to before opiates took my freedom....People this is an awesome product but you really have to want to quit for your own well being.”

-Kevin R.

(June 7, 2016)

- o “Thank you, for your great product. I was going through pretty severe Oxycontin withdrawal when I went cold turkey 3 days ago. I searched around on the web and came across your product. I ordered it yesterday rush and got it 2 hours ago. About an hour later, I felt soooo much better! I was hesitant that there was really a natural product that could help me through this difficult time, but any doubts I had have been put to rest. It’s amazing how much more energy I have with little to no discomfort. I will recommend your product to everyone, as I have some friends that are pretty heavy into Oxycontin that need help too. You also have my permission to use this as a testimonial if you wish. I can safely say that buying your product was the best decision I’ve made in my life since starting taking Oxycontin 3 years ago (as their hasn’t been many good ones within that span).”

-Daryl G.

(June 7, 2016)

- o “My job entails a lot of heavy lifting: 100 lbs and up and a lot of driving which during my Vicodin withdrawals I got tired but I have to say that this product helped me greatly and I was able to get through it. I know when I was on Vicodin I changed. I was short tempered and had loss of memory, but now I’m doing so much better. I got my life back which is priceless. I hope this helps someone [take the first step].”

-Jason L.

(June 7, 2016)

- o “NOW....you are NOT going to believe this. I hardly had any withdrawals at all!!!!!!! It almost scares me b/c I think maybe the withdrawals haven’t started yet. I kept waiting for the other shoe to drop, but it didn’t! Today is Day 5 from my last Hydrocodone!!!! No, I’m not in a good mood...but I’m not kickin’ the cat around the house either! And I’m not sick.”

-Cathy C.

(June 7, 2016)

- Hello G,
“I am writing you a follow up to let you know that I am still free of Vicodin. I never thought it would happen as easily as it did. . I even called a facility in Fla to go to, but tried your product first. Your Withdrawal-Ease is a LOT less money!

I just wanted to thank you once again and if I can ever help you out by talking with a customer, write to me.

By the way, it has been a couple of months for me [off the vicodin] and I’ll never go back...”

Joanne L.

(June 7, 2016)

- **You’ve worked hard to get your life back. Maintain a healthy mind, body and spirit with Recovery Ease.**

What is Recovery Ease and how can it help long-term recovery from opiate dependency?

Sometimes the hardest part about breaking a dependency to opiates is maintaining your recovery. The Post Acute Withdrawal Symptoms (PAWS) can feel as challenging as the original withdrawal symptoms. That’s why we created Recovery Ease — the only all-natural, daily supplement system designed for optimal health and function on your road to recovery from opiate dependency.

The Top 5 Benefits of Recovery Ease

Recovery Ease is a balanced blend of bio-available herbal extracts, vitamins, minerals and amino acids specifically formulated to help detoxify and restore organ function from prolonged opiate use.

1. The Recovery Ease Daytime formulation can help ease prolonged withdrawal symptoms caused by Post Acute Withdrawal Syndrome (PAWS) such as: *Lethargy, Depression, Irritability, Loss of Focus, Shakiness, Restless Leg Syndrome, Anxiety and Loss of Appetite*
2. The Recovery Ease Nighttime formulation contains additional amino acids, herbs and vitamins designed to help you with insomnia that often accompanies post acute withdrawal. It’s an all-natural sleep aid that’s effective and non-addictive.

...

“Many of our customers continue to use Withdrawal Ease after their detox to help them maintain optimal health, and reduce their Post Acute Withdrawal Symptoms. These customers asked for an affordable option specifically optimized for their long-term needs after opiate detox. The Recovery Ease System™ is our solution.”

–George C.

(June 7, 2016)

VIOLATIONS OF THE FTC ACT

12. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or deceptive acts or practices in or affecting commerce.”

13. Misrepresentations or deceptive omissions of material fact constitute deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

14. Section 12 of the FTC Act, 15 U.S.C. § 52, prohibits the dissemination of any false advertisement in or affecting commerce for the purpose of inducing, or which is likely to induce, the purchase of food, drugs, devices, services, or cosmetics. For the purposes of Section 12 of the FTC Act, Defendants’ Withdrawal Ease and Recovery Ease products are either “foods” or “drugs” as defined in Section 15(b) and (c) of the FTC Act, 15 U.S.C. § 55(b), (c).

FALSE OR UNSUBSTANTIATED EFFICACY CLAIMS

COUNT I

15. Through the means described in Paragraph 11, Defendants have represented, directly or indirectly, expressly or by implication, that Withdrawal Ease:

- A. Significantly alleviates the symptoms of opiate withdrawal; and
- B. Significantly increases the likelihood of a person overcoming opiate dependency.

16. The representations set forth in Paragraph 15, above, are false or misleading or were not substantiated at the time the representations were made.

17. Therefore, the making of the representations as set forth in Paragraph 15, above, constitutes a deceptive act or practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

COUNT II

18. Through the means described in Paragraph 11, Defendants have represented, directly or indirectly, expressly or by implication, that Recovery Ease significantly alleviates Post Acute Withdrawal Symptoms.

19. The representation set forth in Paragraph 18, above, is false or misleading or was not substantiated at the time the representation was made.

20. Therefore, the making of the representation as set forth in Paragraph 18, above, constitutes a deceptive act or practice, and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

FALSE ESTABLISHMENT CLAIM

COUNT III

21. Through the means described in Paragraph 11, Defendants have represented, expressly or by implication, that clinical studies show that Withdrawal Ease significantly alleviates the symptoms of opiate withdrawal.

22. In truth and in fact, clinical studies do not show that Withdrawal Ease significantly alleviates the symptoms of opiate withdrawal.

23. Therefore, the representation set forth in Paragraph 21, above, is false or misleading, and constitutes a deceptive act or practice and the making of false advertisements, in or affecting commerce, in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

CONSUMER INJURY

24. Consumers have suffered and will continue to suffer substantial injury as a result of Defendants' violations of the FTC Act. In addition, Defendants have been unjustly enriched as a result of their unlawful acts or practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers, reap unjust enrichment, and harm the public interest.

THIS COURT'S POWER TO GRANT RELIEF

25. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers this Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies, to prevent and remedy any violation of any provision of law enforced by the FTC.

PRAYER FOR RELIEF

26. Wherefore, Plaintiff FTC, pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and the Court's own equitable powers, requests that the Court:

- A. Enter a permanent injunction to prevent future violations of the FTC Act by Defendants;

- B. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act, including, but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies; and
- C. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

Respectfully submitted,

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Dated: May 3, 2017

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