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9 *Attorneys for Defendants Vemma Nutrition*
10 *Company and Vemma International Holdings,*
 Inc.

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF ARIZONA**

14 Federal Trade Commission,
15 Plaintiff,

16 vs.

17 Vemma Nutrition Company, *et al.*,
18 Defendants.

NO. CV-15-01578-PHX-JJT

**NOTICE OF SALE REGARDING
TWO MOTOR VEHICLES**

20 Defendants Vemma Nutrition Company and Vemma International Holdings, Inc.
21 (“**Vemma**”) file this Notice in regard to the Order dated September 18, 2015 [Docket No.
22 118] (the "**Order**"). The Order provides that Vemma "shall not transfer or dispose of any
23 material assets (beyond ordinary course sales and related transactions) without prior
24 notice to the Court and the FTC." Order, Section IV.A., page 24 (the "**Disposition**
25 **Provision**").

26 While Vemma does not believe that the sale of two vehicles described below

1 implicates the Disposition Provision of the Order, Vemma provides this Notice out of an
2 abundance of caution.

3 **PLEASE TAKE NOTICE THAT** Vemma owns the following two (2) motor
4 vehicles (the "**Vehicles**"):

5
6 Make/Model: Dodge Sprinter Van
7 Year: 2009
8 Vehicle Identification No.: WD0PE845195351835

9 Make/Model: Mercedes Benz Sprinter Van
10 Year: 2014
11 Vehicle Identification No.: WD3PF1DCXE5889191

12 **PLEASE TAKE FURTHER NOTICE** Vemma intends to sell the Vehicles to a
13 third party, non-insider purchaser on or after Friday, October 2, 2015 at 12:00pm (Arizona
14 Time), for the aggregate purchase price of \$200,000. Vemma believes the aggregate
15 purchase price represents fair and reasonably equivalent value for the Vehicles. A portion
16 of the proceeds (approximately \$46,000) will be utilized to pay a purchase money security
17 interest against one of the Vehicles, and the remainder of the proceeds will be deposited
18 into Vemma's operating account and used for ordinary business expenses in accordance
19 with the Order.

20 **PLEASE TAKE FURTHER NOTICE** that Vemma does not believe the Vehicles
21 are "material assets" as contemplated by the Order, and that the proposed transaction is
22 related to its ordinary course of business. Accordingly, Vemma does not believe that this
23 Notice is required to sell the Vehicles, but provides this Notice out of an abundance of
24 caution.

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DATED this 30th day of September, 2015.

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By Kevin D. Quigley
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CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2015 I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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