

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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**No. 14-20128**

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**JUAN RAMON TORRES; EUGENE ROBISON,**

**Plaintiffs - Appellees**

**v.**

**S.G.E. MANAGEMENT, L.L.C.; STREAM GAS & ELECTRIC,  
L.T.D.; STREAM S.P.E. G.P., L.L.C.; STREAM S.P.E., L.T.D.;  
IGNITE HOLDINGS, L.T.D.; et al.**

**Defendants - Appellants**

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**Appeal from the United States District Court  
for the Southern District of Texas**

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**UNCONTESTED MOTION OF TRUTH IN ADVERTISING, INC.  
FOR LEAVE TO FILE BRIEF AS *AMICUS CURIAE* IN SUPPORT  
OF PETITION FOR REHEARING *EN BANC***

Pursuant to Federal Rule of Appellate Procedure 29(b) and Fifth Circuit Rule 29.1, Truth in Advertising, Inc. (TINA.org) respectfully requests leave to file the attached *amicus curiae* brief in support of Appellees' Petition for Rehearing *En Banc*. All parties have consented to TINA.org participating as *amicus curiae* in this case.

TINA.org is a 501(c)(3) nonprofit, nonpartisan organization whose mission is to protect consumers through the prevention of false and deceptive marketing. To further its mission, TINA.org investigates deceptive marketing practices and advocates before federal and state government agencies, as well as courts.<sup>1</sup>

As explained in more detail in the attached brief, TINA.org has a unique expertise that will assist this Court in better understanding the nature of pyramid schemes and the marketing tactics used by them. TINA.org has referred several matters to and worked with the FTC regarding such illegal ventures and has conducted informational congressional briefings in Washington, D.C. on the topic of pyramid schemes, among other notable efforts in this arena. Thus, the attached *amicus curiae* brief will aid the Court in its consideration of the issues presented in Appellees' Petition.

For these reasons, TINA.org respectfully requests leave to file the attached *amicus curiae* brief in support of Appellees' Petition for Rehearing *En Banc*.

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<sup>1</sup> Not only has TINA.org filed *amicus curiae* briefs in several federal court consumer cases, but it has also participated as *amicus curiae* in a class-action lawsuit filed against a company alleged to be a pyramid scheme, the same type of business Defendants-Appellants are alleged to operating here. *See Bostick v. Herbalife Internat'l of Am., Inc.*, 13-cv-02488 C.D. Cal., Doc. 114.

DATED: November 25, 2015.

Respectfully submitted,

/s/ Robert B. Gilbreath

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## CERTIFICATE OF SERVICE

A copy of this Motion was sent on this 25 day of November 2015 to the following counsel via e-mail and the Court's electronic filing system.

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