

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: Joseph J. Simons, Chairman
Noah Joshua Phillips
Rohit Chopra
Rebecca Kelly Slaughter
Christine S. Wilson

In the Matter of

MARC CHING,
Individually, and also d/b/a
WHOLE LEAF ORGANICS.

PUBLIC
DOCKET NO. 09394

**CONSENT MOTION TO WITHDRAW MATTER FROM ADJUDICATION FOR THE
PURPOSE OF CONSIDERING A PROPOSED CONSENT AGREEMENT**

Pursuant to Sections 3.25(b) and (c) of the Commission's Rules of Practice, 16 C.F.R. § 3.25(b), (c), Complaint Counsel moves to withdraw this matter from adjudication for the purpose of the Commission's consideration of a proposed consent agreement that would resolve this matter in its entirety. Complaint Counsel has conferred with Respondent Marc Ching and states that he has no objection to this motion. Complaint Counsel recognizes that the matter is currently stayed subject to certain exceptions pursuant to the Commission's May 8, 2020 Order Regarding Scheduling in Light of Public Health Emergency. The proposed consent agreement, which is attached and conforms to the requirements of Commission Rule of Practice 2.32, 16 C.F.R. § 2.32, has been fully executed by Complaint Counsel and Respondent Marc Ching, and approved by the Director of the Bureau of Consumer Protection. Accordingly, Complaint Counsel respectfully asks that this matter be withdrawn from adjudication until July 17, 2020,

with all proceedings before the Administrative Law Judge stayed, so the Commission may consider the proposed consent agreement.

Dated: May 18, 2020

Respectfully submitted,

s/ Tawana E. Davis

Tawana E. Davis
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Federal Trade Commission
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Counsel Supporting the Complaint

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

**MARC CHING,
Individually, and also d/b/a
WHOLE LEAF ORGANICS.**

DOCKET NO. 09394

**[PROPOSED] ORDER WITHDRAWING MATTER FROM ADJUDICATION FOR THE
PURPOSE OF CONSIDERING A PROPOSED CONSENT AGREEMENT**

Complaint Counsel having moved to withdraw this matter from adjudication in order to enable the Commission to consider a proposed Consent Agreement, and Respondent Ching having no objection to the motion;

Complaint Counsel and Respondent Ching, having submitted a proposed Consent Agreement containing a proposed Decision and Order, executed by Respondent Marc Ching and Complaint Counsel and approved by the Director of the Bureau of Consumer Protection that, if accepted by the Commission, would resolve this matter in its entirety;

IT IS ORDERED, pursuant to Rule 3.25(c) of the Commission Rules of Practice, 16 C.F.R. § 3.25(c), that this matter in its entirety be, and it is hereby withdrawn from adjudication until July 17, 2020, and that all proceedings before the Administrative Law Judge are hereby stayed while the Commission evaluates the proposed Consent Agreement, pursuant to Rule 3.25(f), 16 C.F.R. § 3.25(f); and

IT IS FURTHER ORDERED, pursuant to Rule 3.25(b) of the Commission Rules of Practice, 16 C.F.R. § 3.25(b), that the proposed Consent Agreement shall not be placed on the public record unless and until it is accepted by the Commission.

By the Commission.

April Tabor
Acting Secretary

SEAL

ISSUED:

CONFIDENTIAL CONSENT AGREEMENT

[REDACTED ENTIRELY FROM PUBLIC FILING]

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2020, I filed the foregoing document electronically using the Office of the Secretary's FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Acting Secretary
Federal Trade Commission
600 Pennsylvania Ave, N.W., Room H-113
Washington, DC 20580
ElectronicFilings@ftc.gov

I also certify that I caused a copy of the foregoing document to be transmitted by electronic mail to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., N.W., Room H-110
Washington, DC 20580

I also certify that I caused a copy of the foregoing document to be transmitted by electronic mail to:

Marc Ching d/b/a/ Whole Leaf Organics
14900 Magnolia Blvd, Suite #57347
Sherman Oaks, CA 91413
marcching@gmail.com

Respondent Pro Se

May 18, 2020

s/ Tawana E. Davis
Federal Trade Commission
600 Pennsylvania Ave, N.W.
Washington, D.C. 20580
(202) 326-2755 (ph)
(202) 326-3259 (fax)
tdavis@ftc.gov

Counsel Supporting the Complaint

Notice of Electronic Service

I hereby certify that on May 18, 2020, I filed an electronic copy of the foregoing Consent Motion to Withdraw Matter from Adjudication for Purpose of Considering a Proposed Consent Agreement, with:

D. Michael Chappell
Chief Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC, 20580

I hereby certify that on May 18, 2020, I served via E-Service an electronic copy of the foregoing Consent Motion to Withdraw Matter from Adjudication for Purpose of Considering a Proposed Consent Agreement, upon:

TAWANA DAVIS
Federal Trade Commission, Division of Advertising Practices
tdavis@ftc.gov
Complaint

AMBER LEE
Federal Trade Commission, Division of Advertising Practices
alee5@ftc.gov
Complaint

I hereby certify that on May 18, 2020, I served via other means, as provided in 4.4(b) of the foregoing Consent Motion to Withdraw Matter from Adjudication for Purpose of Considering a Proposed Consent Agreement, upon:

Marc Ching
d/b/a
Whole Leaf Organics
marcching@gmail.com
Respondent

TAWANA DAVIS
Attorney