

19-825 FTC V. CREDIT BUREAU CENTER

DECISION BELOW: 937 F.3d 764

LOWER COURT CASE NUMBER: 18-2847, 18-3310

QUESTION PRESENTED:

Under Section 13 (b) of the Federal Trade Commission Act, 15 U.S.C. 53(b), the Commission may sue those who violate the laws under its purview in federal district court. The statute authorizes district courts in such cases to issue "a permanent injunction." Seven courts of appeals have held that district courts exercising that authority may enter an injunction that requires defendants to return to the victims of their wrongdoing funds obtained through their illegal activity. One has held the opposite.

The question presented is:

Whether Section 13(b) authorizes district courts to enter an injunction that orders the return of unlawfully obtained funds.

CONSOLIDATED WITH 19-508 FOR ONE HOUR ORAL ARGUMENT.

ORDER OF NOVEMBER 9, 2020:

THIS CASE IS NO LONGER CONSOLIDATED WITH NO. 19-508.

THE JULY 9, 2020 ORDER GRANTING THE PETITION FOR A WRIT OF CERTIORARI IN THIS CASE IS VACATED. JUSTICE BARRETT TOOK NO PART.

CERT. GRANTED 7/9/2020