



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Courtney McRae
National Corporate Research, Ltd.
1025 Vermont Avenue, NW, Suite 1130
Washington, DC 20005

FEB 17 2017

Re: FOIA-2017-00382
Herbalife

Dear Ms. McRae:

This is in response to your request dated January 13, 2017, under the Freedom of Information Act seeking access to "a copy of the names and mailing addresses of the consumers that received the refunds referenced in the Federal Trade Commission's (FTC) press release, *FTC Sends Checks to Nearly 350, 000 Victims of Herbalife's Multi-Level Marketing Scheme*, and the amount of the refund that each consumer received." In accordance with the FOIA and agency policy, we have searched our records as of January 30, 2017, the date we received your request in our FOIA office.

We have located one spreadsheet responsive to your request. I am granting partial access to the responsive record, portions of which are exempt from release under FOIA Exemption 6. 5 U.S.C. § 552(b)(6). I am denying access to consumers' names and addresses and any other identifying information because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. See *The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).

Based on the fee provisions of the FOIA, 5 U.S.C. § 552(a)(4)(A), and the Commission's Rules of Practice, 16 CFR § 4.8 et seq., as amended, I am also enclosing an invoice for the charges we incurred for this response to your request. Failure to pay this bill promptly will result in our refusal to provide copies of accessible documents in response to future requests. If not paid within 30 days, this bill will accrue interest penalties as provided by Federal Claims Collection Standards, 31 C.F.R. § 900-904, as amended.

Please make checks payable to U.S. Treasury and send payment to:

Financial Management Office, H-790
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission,

600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or via e-mail at rgold@ftc.gov; or from the Office of Government Information Services via email at ogis@nara.gov, via fax at 202-741-5769, or via mail at Office of Government Information Services (OGIS), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Jonathan Hill at (202) 326-2684.

Sincerely,



Dione J. Stearns
Assistant General Counsel

Enclosed: 1 spreadsheet
Invoice