

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

SIMPLE HEALTH PLANS LLC, a Florida limited  
liability company, et al.,

Defendants.

**Case No.: 18-cv-62593-DPG**

**REPLY IN SUPPORT OF  
MOTION FOR PRELIMINARY  
INJUNCTION AGAINST  
DEFENDANT CANDIDA GIROUARD**

In moving for a preliminary injunction against Defendant Candida Girouard, the Federal Trade Commission presented the Court with overwhelming, uncontested evidence of Girouard's direct involvement in the scheme the Court previously found to be a "classic bait and switch." The evidence demonstrates that Girouard – the Chief Compliance Officer of the six corporate defendants – drafted and approved the deceptive scripts used by defendants to deceive thousands of consumers into purchasing practically worthless health care plans. For more than six years, Girouard also lied to state regulators and the Better Business Bureau to perpetuate defendants' scheme. As a result of her conduct, thousands of consumers were left uninsured and with significant uncovered medical expenses. Meanwhile, Girouard was paid a six-figure salary for her unlawful conduct. In short, the FTC has produced evidence that it is likely to succeed on the merits of its claims against Girouard, and that the equities favor a preliminary injunction.

The FTC's evidence is uncontested. Girouard did not oppose the FTC's motion. In the months before filing this motion, counsel for the FTC offered Girouard multiple opportunities to stipulate to the preliminary injunction, to no avail. Only after her response deadline did counsel indicate she "might" be willing to stipulate (with unspecified "clarifications and modifications").

Given Girouard's post-litigation employment in the healthcare industry and the outsized risk to consumers—especially in the current environment—of her bogus sales tactics, and on the basis of the uncontested evidence, the FTC seeks immediate relief. The FTC respectfully requests that this Court issue the proposed Preliminary Injunction against Candida Girouard.

Dated: March 25, 2020

Respectfully submitted,

ALDEN F. ABBOTT

General Counsel

/s/Elizabeth C. Scott

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FEDERAL TRADE COMMISSION

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served on this March 25, 2020, by the Notice of Electronic Filing, and was electronically filed with the Court via the CM/ECF system, which generates a notice of filing to all counsel of record.

*/s/Elizabeth C. Scott*

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