

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 17–cv–20848–Gayles–Otazo–Reyes

Federal Trade Commission,

Plaintiff,

v.

World Patent Marketing, Inc., et al.,

Defendants.

NOTICE OF SELECTION OF MEDIATOR

Plaintiff, the Federal Trade Commission, and Defendant Scott Cooper¹ hereby give notice that they have conferred and agreed on a mediator: **Hon. Herbert Stettin.**

Further, subject to rescheduling by mutual agreement, the FTC, Defendant Cooper, and the Mediator have agreed to engage in mediation on **Thursday, February 1, 2018**, beginning at **9:00 am.**

The Court-appointed Receiver, Jonathan Perlman, has agreed to host the mediation at his firm’s Miami office:

Genovese, Joblove, & Battista
100 Southeast Second Street
44th Floor
Miami, FL 33131

Pursuant to Local Rule 16.2(d)(C), at least fourteen days prior to the mediation date, the FTC and Defendant Cooper will each provide the Mediator with a confidential written summary of the case identifying issues to be resolved.

¹ The Corporate Defendants—World Patent Marketing, Inc., and Desa Industries, Inc.—are not currently represented by counsel. *See* Motion to Withdraw (Docket No. 128); Order Granting Motion to Withdraw (Docket No. 129); Notice of Appearance for Defendant Cooper (Docket No. 137). “The rule is well established that a corporation is an artificial entity that can act only through agents, cannot appear pro se, and must be represented by counsel.” *Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985). Accordingly, the only parties currently eligible to mediate are the FTC and Defendant Cooper. If counsel appears for one or both of the Corporate Defendants, the FTC will inform counsel of the planned mediation.

Respectfully submitted,

David C. Shonka
Acting General Counsel

Dated: December 14, 2017

/s/ James Evans

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2017, I electronically filed the foregoing Notice of Selection of Mediator with the Clerk of the Court using CM/ECF, which will send a notice of electronic filing to counsel of record identified on the service list below:

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