

## Kimball Anderson Quoted in *Chicago Tribune* Article in Connection with His Representation of Author Kevin Trudeau

DECEMBER 2, 2011

Winston & Strawn partner Kimball R. Anderson was quoted in connection with his representation of author Kevin Trudeau in an article titled “Federal Trade Commission Prepare for Showdown in Court Over Business Activities” that was published on September 14, 2009 in the *Chicago Tribune*.

The article discusses the closely-watched upcoming court trial of Trudeau, author of books, such as “The Weight-Loss Cure ‘They’ Don’t Want You to Know About,” that is set for federal court in Chicago. Trudeau also hosts popular infomercials on topics ranging from health-related issues to financial services. In 2004, the U.S. District Judge Robert Gettleman found that Trudeau had misled would-be dieters through one of his infomercials, and handed down a multi-million dollar penalty.

The subsequent hearing is expected to address how much Trudeau has made in revenues, and whether he should pay the multi-million penalty imposed by Judge Gettleman.

Trudeau said of the trial and other steps taken against him by federal officials in recent years, “I’ve been pretty much wiped out.”

The FTC has calculated revenue from Trudeau’s weight-loss cure book at \$46 million, which includes infomercial sales, plus another \$9 million through bookstores, mass merchants and Web sites. The agency said that profits were \$12 million.

Mr. Anderson said he doesn’t buy those numbers, and described the revenue figures as “guesstimates.”

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In the December 2, 2011 article of *Law Bulletin*, titled “Court directs Trudeau to pay a \$37.6M sanction,” Mr. Anderson said his client, Trudeau, plans to seek a rehearing of the 7th Circuit’s decision. The 7th U.S. Circuit Court of Appeals recently ruled that Trudeau must pay a \$37.6 million sanction because he violated a 2004 court order related to the lawsuit brought by the FTC.

If the 7th Circuit denies the rehearing request, Anderson said he expects Trudeau to seek review before the U.S. Supreme Court.

Anderson further stated: “We respectfully disagree with the 7th Circuit’s constitutional analysis. We view the decision as an unwarranted government intrusion on Mr. Trudeau’s First Amendment rights.”

1 Min Read

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Kimball Anderson