

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Federal Trade Commission v. Golden Sunrise Nutraceutical, Inc., et  
al.

No. 1:20-cv-01060-DJC-SKO (E.D. Cal. Sept. 30, 2025) · No. No. 1:20-cv-01060-DJC-SKO · Decided  
September 30, 2025

SUMMARY

The United States District Court for the Eastern District of California grants the Federal Trade Commission’s motion for summary judgment against Golden Sunrise Nutraceutical, Inc., Golden Sunrise Pharmaceutical, Inc., and Huu Tieu. The court holds that defendants lacked competent and reliable scientific substantiation for claims that their products could treat, mitigate, or cure COVID-19, cancer, and Parkinson’s disease, and that their representations concerning FDA approval and RMAT designation were false. The court also strikes unauthorized sur-replies and treats the corporate defendants’ failure to file a valid opposition as non-opposition.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                                        |
| WRITING FOR THE COURT | Daniel J. Calabretta                                                                                                                                                                                                                                                                                                                                                                                                       |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                                        |
| DECIDED               | September 30, 2025                                                                                                                                                                                                                                                                                                                                                                                                         |
| DOCKET                | No. 1:20-cv-01060-DJC-SKO                                                                                                                                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Plaintiff Federal Trade Commission moved for summary judgment on claims that Defendants violated sections 5(a) and 12 of the Federal Trade Commission Act through false, misleading, and unsubstantiated advertising. The court granted summary judgment, struck unauthorized sur-replies, denied Defendants' motion to set aside as moot, and directed Plaintiff to submit a revised proposed permanent-injunction order. |
| STANDARD OF REVIEW    | Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court viewed reasonable inferences in favor of the opposing party and considered whether a rational trier of fact could                                                                                                                                            |

find for that party. For evidentiary objections, the court considered whether evidence was admissible at trial, while recognizing that a district court may exercise some leniency regarding Rule 56 formalities.

**PRECEDENTIAL VALUE**

unpublished district court order; persuasive rather than binding outside the case

**TOPICS**

consumer protection

deceptive trade practices

summary judgment

injunctions

evidence

**PRACTICE AREAS**

consumer protection

FTC Act enforcement

false advertising

health-related advertising

civil procedure

**QUESTIONS PRESENTED**

1. Whether Defendants' efficacy claims concerning treatment, mitigation, or cure of COVID-19, cancer, and Parkinson's disease violated sections 5(a) and 12 of the FTC Act because they lacked the required reasonable basis and substantiation.
2. Whether Defendants' representations that their products had FDA approval or RMAT designation were false, material, and likely to mislead consumers in violation of sections 5(a) and 12 of the FTC Act.
3. Whether Defendant Tieu was individually liable for injunctive relief based on his participation in or authority to control the challenged conduct.
4. Whether Golden Sunrise Nutraceutical, Inc. and Golden Sunrise Pharmaceutical, Inc. operated as a common enterprise and could be held jointly and severally liable.
5. Whether permanent injunctive relief was appropriate and whether the proposed scope of relief was permissible.

**HOLDINGS**

1. Defendants violated sections 5(a) and 12 of the FTC Act by advertising that their products could treat, mitigate symptoms of, or cure COVID-19, cancer, and Parkinson's disease without the level of substantiation required for those claims.
2. Defendants' representations that their products had been reviewed or approved by the FDA or designated as RMATs were false, material, and likely to mislead reasonable consumers, violating sections 5(a) and 12 of the FTC Act.
3. Defendant Tieu was individually liable for injunctive relief because he personally participated in the challenged conduct and had authority to control it; the FTC was not required to establish his knowledge because it sought only injunctive relief.
4. Golden Sunrise Nutraceutical, Inc. and Golden Sunrise Pharmaceutical, Inc. operated as a common enterprise and could be held jointly and severally liable.

5. Permanent injunctive relief was appropriate because the record demonstrated a cognizable danger of recurrent violations, and the proposed fencing-in provisions were permissible and reasonably limited.

#### KEY QUOTATIONS

*“Representations, omissions, or practices fall within the prohibition of section 5(a) and section 12 when: “(1) if it is likely to mislead consumers acting reasonably under the circumstances (2) in a way that is material.””*  
(at 5)

*“Those caught violating the FTC Act must expect some fencing in.”* (at 11)

#### FACTUAL BACKGROUND

Defendants Golden Sunrise Nutraceutical, Inc. and Golden Sunrise Pharmaceutical, Inc. sold herbal dietary supplement products through costly plans of care marketed for COVID-19, cancer, and Parkinson's disease. Their advertising claimed that the products could treat, mitigate symptoms of, or cure those diseases, and represented that products had FDA approval or RMAT designation. Defendants lacked human clinical trials or other competent and reliable scientific evidence substantiating the efficacy claims, and no Golden Sunrise product had been approved or received an RMAT designation from the FDA. Defendant Tieu operated and controlled the relevant websites and social-media advertising, and the corporate defendants admitted that they operated as a common enterprise.

#### PROCEDURAL HISTORY

The FTC filed the action in July 2020 and obtained a temporary restraining order, followed by a stipulated preliminary injunction. The FTC moved for summary judgment in October 2021. After delays involving counsel withdrawal and extensions, Defendant Huu Tieu filed an opposition in August 2025, while the corporate defendants did not file a valid opposition. The court considered the opposition, struck unauthorized sur-replies, granted summary judgment, and deferred entry of the permanent injunction pending a revised proposed order.

#### DISPOSITION

other

#### CASES CITED

- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)
- *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986)
- *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 585, 587 (1986)
- *Fraser v. Goodale*, 342 F.3d 1032, 1036 (9th Cir. 2003)
- *Block v. City of Los Angeles*, 253 F.3d 410, 418-19 (9th Cir. 2001)
- *Pfingston v. Ronan Eng'g Co.*, 284 F.3d 999, 1004 (9th Cir. 2002)
- *In re Oracle Corp. Sec. Litig.*, 627 F.3d 376, 385-86 (9th Cir. 2010)
- *Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1261 (9th Cir. 1993)
- *D-Beam Ltd. P'ship v. Roller Derby Skates, Inc.*, 366 F.3d 972, 973-74 (9th Cir. 2004)

- **FTC v. Pantron I Corp.**, 33 F.3d 1088, 1095-96 (9th Cir. 1994)
- **FTC v. Cyberspace.com LLC**, 453 F.3d 1196, 1199-1201 (9th Cir. 2006)
- **FTC v. John Beck Amazing Profits, LLC**, 865 F. Supp. 2d 1052, 1067 (C.D. Cal. 2012)
- **POM Wonderful, LLC v. FTC**, 777 F.3d 478, 490-91 (D.C. Cir. 2015)
- **FTC v. Medlab, Inc.**, 615 F. Supp. 2d 1068, 1081 (N.D. Cal. 2009)
- **FTC v. Garvey**, 383 F.3d 891, 900 (9th Cir. 2004)
- **FTC v. Network Servs. Depot, Inc.**, 617 F.3d 1127, 1142-43 (9th Cir. 2010)
- **FTC v. Johnson**, 156 F. Supp. 3d 1202, 1207 (D. Nev. 2015)
- **FTC v. AMG Cap. Mgmt., LLC**, 593 U.S. 67, 1348-49 (2021)
- **FTC v. John Beck Amazing Profits, LLC**, 888 F. Supp. 2d 1006, 1012 (C.D. Cal. 2012)
- **FTC v. AMG Servs., Inc.**, 558 F. Supp. 3d 946, 966 (D. Nev. 2021)
- **FTC v. Noland**, 672 F. Supp. 3d 721, 806 (D. Ariz. 2023)
- **FTC v. Grant Connect, LLC**, 763 F.3d 1094, 1097 (9th Cir. 2014)
- **In re Slatkin**, 525 F.3d 805, 812 (9th Cir. 2008)
- **United States v. Tieu**, 1:20-cr-00109-BAM