

Supreme Court Unanimously Holds FTC Cannot Seek Monetary Relief Under FTCA Section 13(b)

Date: 05/03/21

Since its enactment in 1973, Section 13(b) of the Federal Trade Commission Act has been relied upon by the Federal Trade Commission as an avenue to bypass administrative proceedings and directly seek and obtain monetary relief from federal courts for alleged violations of Section 5 of the FTC Act. The recent U.S. Supreme Court decision in *AMG Capital Management v. FTC* rejected this judicially implied right developed by the lower courts, limiting the scope of the FTC's enforcement abilities.