

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

Case No. _____

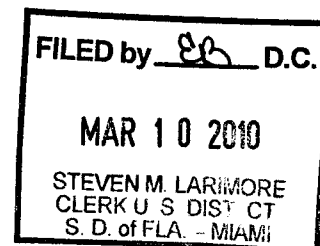
ALBERT SEGAL,
MARIANNA CHAPAROVA

Plaintiffs,

v.

AMAZON.COM, INC.

Defendant.



COMPLAINT FOR CIVIL PENALTIES, DAMAGES, INJUNCTIVE AND OTHER
EQUITABLE RELIEF

We, Plaintiffs Albert Segal and Marianna Chaparova (“Plaintiffs”), on our own behalf, as both consumers (“Buyers”) and merchants (“Sellers”), for our complaint against Amazon.com, Inc., state:

I. NATURE OF PROCEEDINGS

This is an action in law and equity to remedy acts of, inter alia, unfair and dishonest business activity, deceptive and unfair trade practices under the Florida Deceptive and Unfair Trade Practices Act (FDUTPA) (Fla. Stat. §501.201 *et seq.*), unjust enrichment, common law tortious interference with business opportunities, all caused by Defendant’s willful and intentional disruption of Plaintiffs’ ability to engage in trade and commerce.

II. PARTIES

1. Plaintiffs are citizens of the United States and residents of Miami-Dade, Florida.
2. At all relevant times, Plaintiffs have been residing at 10490 S.W. 12th Terrace, Apt. #202, Miami, Florida 33174.
3. Upon information and belief, Amazon.com, Inc. (“Amazon”) is a Delaware corporation with its principal place of business at 1200 12th Ave. South, Ste. 1200, Seattle, Washington 98144.

III. JURISDICTION AND VENUE

4. The Court has jurisdiction over this action pursuant to 28 U.S.C. §1332(a) (diversity of citizenship, since the damages in this action are in excess of the sum of \$75,000.00, exclusive of interests and costs); 28 U.S.C. § 1367 (supplemental jurisdiction); and Florida’s consumer protection laws.
5. Upon information and belief, this Court has personal jurisdiction over Amazon because Amazon has engaged and continues to engage in acts or omissions within this judicial district causing injury, has engaged and continues to engage in acts or omissions outside of this judicial district causing injury within the district; or has otherwise made/established contacts with this judicial district sufficient to permit the exercise of personal jurisdiction, or has had continuous and systematic contacts with this forum as a result of business regularly conducted within this district via sales over the Internet.
6. Upon information and belief, Amazon maintains thousands of sales to residents of the state of Florida each year, and at all pertinent times has engaged in “trade or commerce”, as defined by Fla. Stat. §501.203(8), within the State of Florida and within Miami-Dade County.

7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(a) and (c) because the wrongful conduct and/or omissions giving rise to the claims occurred in the Southern District of Florida.

IV. FACTUAL ALLEGATIONS

8. Plaintiffs have been purchasing merchandise from Amazon since February of 2008.

9. In November of 2009, Plaintiffs established an Amazon merchant account (“Seller Account”), and started selling textbooks and other various merchandise. As part of the verification process, Amazon placed a hold of fourteen (14) days on all funds in the Plaintiffs’ account. The hold was placed as a “security requirement”, and prevented disbursement of funds to the Plaintiffs’ checking account during that period. (Amazon’s confirmation e-mail is attached hereto as “Exhibit 1”.)

10. Between November 30, 2009 and January 31, 2010, Plaintiffs purchased as well as sold thousands of dollars worth of merchandise on Amazon.com without having received a single complaint or negative feedback from any of the consumers and/or merchants with whom Plaintiffs had established a business relationship.

11. On January 31, 2010, Plaintiffs received an e-mail from Amazon informing that, as part of Amazon’s “ongoing commitment to improving the customer experience on Amazon.com”, the funds in the Plaintiffs’ Seller Account would be “reserved” for thirty (30) days. The e-mail further stated that this action is taken “regularly”, and that it is not a negative reflection of the Plaintiffs’ selling history. (A copy of that e-mail is attached hereto as “Exhibit 2”.)

12. Upon receiving Amazon’s e-mail of January 31st, Plaintiffs e-mailed Amazon,

expressing concern over the funds having been made unavailable for disbursement without a reasonable justification, without any compensation, and for reasons unrelated to Plaintiffs' performance as either Buyers or Sellers. (A copy of that e-mail is attached hereto as "Exhibit 3".)

13. Amazon never provided Plaintiffs with an explanation as to how holding the Plaintiffs' funds interest-free for thirty (30) days at a time helps improve "customer experience" on Amazon.com.

14. On February 5, 2010, Plaintiffs received an e-mail from Amazon, which stated that "funds are held equivalent to any claim for 30 days". As of February 5, 2010, however, there had not been any claims filed and there was not a single negative feedback left by any of the Plaintiffs' customers to justify the hold. Nonetheless, as of February 5, 2010, Amazon was refusing to disburse over \$1,384.00 of the Plaintiffs' "available funds", without a reasonable justification, and without any compensation. (Amazon's e-mail of February 5th is attached hereto as "Exhibit 4".)

15. On February 13, 2010, in response to Plaintiffs' numerous attempts to get Amazon to disburse the Plaintiffs' funds, Amazon sent an e-mail to Plaintiffs, stating that the Plaintiffs' account would be "blocked" and that all listings would be "removed". Amazon's now new reason for not disbursing the Plaintiffs' funds was the 2.5% pre-fulfillment cancellation rate. The e-mail further stated that the funds will be "reserved" for ninety (90) days from February 11th, rather than the initial thirty (30) days from January 31st. (A copy of that e-mail is attached hereto as "Exhibit 5".)

16. Upon receiving Amazon's e-mail of February 13th, Plaintiffs, yet again, e-mailed Amazon, explaining that, due to lack of inventory, Plaintiffs had voluntarily cancelled certain

orders, and had issued full refunds for those orders. This was something Plaintiffs had done for the benefit of the customer, and was a reflection of Plaintiffs' good-faith effort to provide good customer service. Plaintiffs also emphasized that Amazon's actions have been causing them to suffer monetary losses, and that they needed to have access to their "available funds" to be able to continue to buy and sell merchandise over the Internet. (A copy of that e-mail is attached hereto as "Exhibit 6".)

17. By February 14, 2010, Amazon was refusing to disburse over \$1,500.00 of the Plaintiffs' "available funds" without a reasonable justification, despite the fact that, as of February 14, 2010, there was not a single negative feedback left by any of the Plaintiffs' customers and not a single claim filed against the Plaintiffs' Seller Account. In fact, Plaintiffs' had a customer satisfaction rating of 4.7 out of 5.0 with feedback remarks such as:

"Received book on time and in the condition described."

(Copies of the "Feedback Report" and "Payments Summary" are attached hereto as "Exhibit 7".)

18. On February 14, 2010, in response to Plaintiffs' request for more information regarding the status of their Seller Account, Amazon sent an e-mail to Plaintiffs, which stated that the closure of the account is a "permanent action", and that "[f]urther correspondence regarding the status of your selling account will not be answered". (A copy of that e-mail is attached hereto as "Exhibit 8".)

19. Plaintiffs have suffered and continue to suffer monetary losses as a result of being denied access to the available funds in their account.

20. Amazon has financially gained as a direct result of withholding the Plaintiffs' funds and blocking the Plaintiffs' listings.

V. CAUSE OF ACTION

COUNT 1

**DECEPTIVE AND UNFAIR TRADE PRACTICES
(CHAPTER 501 PART II, FLORIDA STATUTES)**

21. Plaintiffs adopt, re-allege and incorporate herein by reference, the allegations contained in paragraphs 1-20 as if fully set forth herein.

22. Florida Deceptive and Unfair Trade Practices Act, Fla. Stat. § 501.20 *et seq.*, makes it unlawful for “unfair methods of competition, unconscionable acts or practices and unfair or deceptive acts or practices in a conduct of any trade or commerce”. Amazon has engaged in activities that violate said statute. Specifically, Amazon has unlawfully and without a reasonable justification denied Plaintiffs access to their funds and has indicated intent to continue to deny Plaintiffs access to their funds for a period of over one hundred (100) days; has directly and/or indirectly made use of those funds; and has denied the Plaintiffs’ customers and other consumers access to the Plaintiffs’ listings.

23. Plaintiffs, prior to entering into a business relationship with Amazon, could not have reasonably foreseen that Amazon would refuse to disburse the available funds in the Plaintiffs’ account for many months at a time, without having a reasonable justification to do so.

24. Plaintiffs, prior to entering into a business relationship with Amazon, could not have reasonably foreseen that Amazon would deny them access to their own money, and would leave them without the funds they needed to continue to engage in honest trade and commerce.

25. Amazon is a leading Internet retailer whose original focus on on-line book sales has expanded into online retail of just about every type of merchandise, including consumer electronics, tools, apparel, health and personal care items, baby products, groceries, and more.

26. Plaintiffs had been selling many of the same books as Amazon sells on its own website. In fact, Plaintiffs had over sixty (60) different books listed at or below the lowest price of Amazon's listings for identical books. (A printout of the Plaintiffs' listings is attached hereto as "Exhibit 9".)

27. Amazon's actions have made it impossible for Plaintiffs to offer their customers and other consumers books for less money than Amazon is charging, as a direct seller, on Amazon.com.

28. Upon information and belief, Amazon has engaged and continues to engage in a systematic practice of using dishonest and anticompetitive tactics for its own benefit and profit.

29. Plaintiffs have recently conducted a Google search of the words "Amazon.com withheld funds". The search results included countless of complaints from persons whose money Amazon withheld from them for many months at a time without a reasonable justification. The following is an example of the types of complaints that have been posted:

"Amazon suspended payments during the review period and will now hold all my remaining funds for 90 days. I was never trying to rip people off. I have usually sent my orders in a timely fashion except when I realized there was an issue, like a DVD was loose in the case and I had to get a replacement. I was really scared of ever refunding money if I realized a product may be defective and rather bought a new one because I did not want to get bad feedback. Since they use refunds as a measure of seller quality, you're damned if you do and you're damned if you don't refund if a buyer contacts you and claims that they 'did not intend to make' an order or 'ordered the wrong thing'....

So now I am not only unable to sell the merchandise I have bought to be sold on Amazon, stuff I had to pay for, but I also had to pay for postage for the orders I already fulfilled. This money was taken out of my credit card. I will have to pay interest. Amazon is keeping my money for four months. Since my A-Z claims over the three years I have been selling on Amazon were less than \$500, how can they withhold \$3000 for possible future claims?...

I have sent a few emails to Amazon but to no avail. If I do get a response, it's a form letter that does not really answer the question. They suspend accounts because of 'poor customer service' and their customer service is either a cookie cutter reply

or a friendly "we will not answer any further emails". An individual has no chance getting through to them!"

(A printout of a mere sampling of the complaints is attached hereto as "Exhibit 10".)

30. Plaintiffs have very limited resources, and the funds Amazon is currently refusing to disburse are in fact a significant portion of all of the Plaintiffs' funds.

31. As defined by Fla. Stat. §501.203, Amazon's conduct is unlawful as it constitutes, "unfair methods of competition," "unconscionable acts or practices," and/or "unfair or deceptive acts or practices in the conduct of any trade or commerce." See also Fla. Stat. §501.204.

32. Amazon's actions have caused the Plaintiffs to discontinue all buying and selling activity on the Internet and, in effect, have put the Plaintiffs out of business.

33. Amazon's conduct as set forth herein was "willful" and constitutes violation under said statute. See Fla. Stat. §501.203(3).

34. As a direct and proximate result of Amazon's activities and conduct in violation of Florida's Deceptive and Unfair Trade Practices Act, Plaintiffs are aggrieved persons as defined by said statute and have suffered damages within the meaning of said statute. See Fla. Stat. §501.203(6), (7); and Fla. Stat. §501.211.

35. In addition, because Amazon's actions were undertaken with actual malice, and despite knowledge of a high probability that injury or damage would result, Plaintiffs are entitled to punitive damages.

36. Unless Amazon is permanently enjoined from engaging further in the acts and practices complained of herein, the continued activities of Amazon will result in irreparable damage, loss and injury to Plaintiffs for which there is no adequate remedy at law.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

COUNT 2
UNJUST ENRICHMENT

37. Plaintiffs adopt, re-allege and incorporate herein by reference, the allegations contained in paragraphs 1-36 as if fully set forth below.

38. Amazon unlawfully denied Plaintiffs access to the Plaintiffs' financial resources, and used the Plaintiffs' resources for profit, which profit was an unjust enrichment to Amazon.

39. Based upon Amazon's unauthorized and unlawful use of the Plaintiffs' funds for profit and in conjunction with Amazon's failure to provide any reasonable and fair compensation to Plaintiffs, Amazon has received and appreciated benefits under circumstances by which it would be unfair and unjust for Amazon to retain such benefits without compensation to Plaintiffs.

40. As a direct and proximate result of Amazon's unjust enrichment, the Plaintiffs have suffered damages.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

COUNT 3
ACCOUNTING

41. Plaintiffs adopt, re-allege and incorporate herein by reference, the allegations contained in paragraphs 1-39 as if fully set forth below.

42. Amazon received the benefits and profits through deceptive, unfair and unlawful activity without any legitimate reimbursement to Plaintiffs, and is therefore liable to account to Plaintiffs for those benefits and profits.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the equitable and legal relief set forth hereinafter in the prayer for relief.

COUNT 4

TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS

43. Plaintiffs adopt, re-allege and incorporate herein by reference, the allegations contained in paragraphs 1-42 as if fully set forth herein.

44. Plaintiffs have entered into and/or had a reasonable expectation of being able to maintain or enter into contracts or business relationships with certain third parties who were the Plaintiffs' existing customers and/or had communicated their interest in establishing prospective relationship with the Plaintiffs. Plaintiffs had fulfilled a substantial number of orders and had established a customer base by providing good customer service, and offering competitive prices and other incentives.

45. Amazon was aware of the Plaintiffs' existing and prospective business relations.

46. Amazon knowingly, willfully and unjustifiably interfered in the Plaintiffs' expectancies by diverting the Plaintiffs' customers through the use of deceptive, unfair, and anticompetitive trade practices, such as denying the Plaintiffs' customers access to the Plaintiffs' listings.

47. At all relevant times, Amazon's conduct as complained of herein was knowing, deliberate and malicious.

48. Amazon's intentional interference with the Plaintiffs' existing contractual ongoing business relationships is causing, and threatens to continue to cause, serious and irreparable harm to Plaintiffs, including harm to Plaintiffs' reputation, credibility and good will, as well as lost sales.

49. Amazon has been profiting and continues to profit from the purported unlawful

activity, which includes withholding funds and denying honest consumer and merchants, such as Plaintiffs, access to (Amazon's competitors') listings on Amazon.com.

50. Plaintiffs have been damaged and continue to be damaged by the Amazon's conduct as complained of herein.

51. In addition, because Amazon's actions were undertaken with actual malice, and despite knowledge of a high probability that injury or damage would result, Plaintiffs are entitled to punitive damages.

52. Amazon's aforesaid acts, unless enjoined by this Court, will continue to cause Plaintiffs irreparable damage, loss and injury, for which Plaintiffs have no adequate remedy at law.

WHEREFORE, Plaintiffs respectfully request that this Court render judgment against Amazon as set forth below:

VI. DEMAND FOR RELIEF

WHEREFORE, Plaintiffs request that this Court render judgment against Amazon in each claim for relief jointly and severally, and as follows:

53. Issuing a temporary, preliminary, and permanent injunction preventing Amazon from further engaging in the unlawful conduct set forth in this Complaint, including but not limited to, requiring Amazon to:

- (a) release all of the funds in the Plaintiffs' Seller Account;
- (b) make the Plaintiffs' listings available to the Plaintiffs' customers and other consumers; and
- (c) cease any further unlawful conduct set forth in this Complaint.

54. Awarding Plaintiffs compensatory damages, treble damages, punitive damages,

and any other damages permitted by law, in the amount to be determined at trial, but in excess of \$75,000.00, plus Plaintiffs' costs and fees in this suit;

55. Awarding Plaintiffs other appropriate equitable relief, including, but not limited to, disgorgement of all profits obtained from Amazon's wrongful conduct and declaratory relief;

56. Awarding Plaintiffs prejudgment and post-judgment interest at the maximum rate allowed by law;


57. Awarding Plaintiffs costs and expenses in this litigation; and/or

58. Awarding Plaintiffs any other and further relief this Honorable Court deems equitable and just.

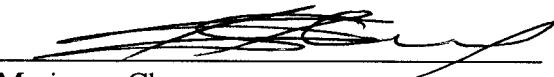
VII. REQUEST FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs request a trial by jury as to all issues so triable.

Respectfully submitted,



Albert Segal
Plaintiff, pro se
10490 S.W. 12th Terr., Apt# 202
Miami, FL 33174
(908) 510-3584
E-mail address: alby1969_98@yahoo.com



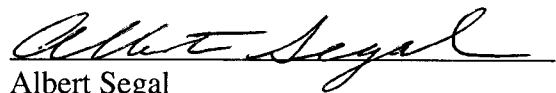
Marianna Chaparova
Plaintiff, pro se
10490 S.W. 12th Terr., Apt# 202
Miami, FL 33174
E-mail address: manach101@yahoo.com

March 10, 2010

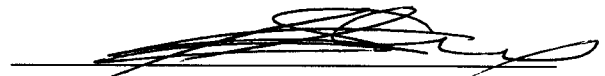
CERTIFICATION

PLAINTIFFS HEREBY CERTIFY that a true copy of this Complaint has been furnished by electronic notice and/or U.S. Mail to all interested persons provided on this 10th day of March, 2010.

Respectfully submitted,



Albert Segal
Plaintiff, pro se
10490 S.W. 12th Terr., Apt# 202
Miami, FL 33174
(908) 510-3584
E-mail address: alby1969_98@yahoo.com



Marianna Chaparova
Plaintiff, pro se
10490 S.W. 12th Terr., Apt# 202
Miami, FL 33174
E-mail address: manach101@yahoo.com

Exhibit 1

Hi, Marianna | Sign Out
All-New Mail | Help

Preview Mail w/
Toolbar

Yahoo! Mail

YAHOO! MAIL
Classic

Mail | **Contacts** | **Calendar** | **Notepad** | **What's New?** | **Mobile Mail** | **Options**

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Folders

- Inbox (1069)**
- Drafts (33)
- Sent

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My Photos
My Attachments

Your Amazon.com Seller Account is Registered

Sunday, November 29, 2009 11:48 PM

From: "Amazon Merchant Notifications" <merchant-notifications@amazon.com>
To: "manach101@yahoo.com" <manach101@yahoo.com>

Congratulations from Amazon Marketplace!

Alby2009, you've successfully created an Amazon Marketplace account and are now selling at Amazon.com.

From now on, you can access your new seller account at the following URL:

www.amazon.com/gp/seller-account/management/your-account.html

If you haven't already, please go to your Seller Account to finish setting up your account and start listing additional items for sale. As a seller, you can use Seller Account to:

- o access Seller Help to learn more about what to do when your product sells
- o view your customer feedback and ratings
- o view your inventory and list additional products
- o issue a refund to a customer
- o set up your disbursements so you receive payments from your customer sales

Please note that there is an initial 14-day holding period before funds will be released from your Payments account. This holding period is a very important security requirement and you will not be able to disburse funds to your checking account during this time.

If you have any questions as you begin listing products

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

My Folders [Add - Edit]

1

ADVERTISEMENT

If you have any questions as you begin listing products and setting up your seller account, please visit our Seller Help Center:

www.amazon.com/seller-help

www.amazon.com/new-seller-faq

where you can search and browse our help documents and/or request additional support.

Thank you for selling with Amazon.com.

Amazon Services

Delete Reply Forward Spam Move...

Previous | Next | Back to Search | Select Message Encoding | Full Headers

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Exhibit 2

Hi, Marianna | Sign Out |
All-New Mail | Help


New IE8 powered by
Y!

Yahoo! Mail

YAHOO! MAIL
Classic

Mail **Contacts** **Calendar** **Notepad** **What's New?** **Mobile Mail** **Options**

 New ▾ **Try the new Yahoo! Mail**

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Folders

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- Drafts (33)
- Sent

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My Photos
My Attachments

Your Amazon.com Seller Account Sunday, January 31, 2010 6:13 PM

From: "Amazon.com Seller Performance Team" <seller-evaluation@amazon.com>
To: "manach101@yahoo.com" <manach101@yahoo.com>

Hello from [Amazon.com](#).

As part of our ongoing commitment to improving the customer experience on Amazon.com, we are conducting a review of your seller account. During this review period your funds will be reserved in your Amazon Payments account for up to 30 days, although we will continue accepting orders on your behalf for items you list for sale on Amazon.com.

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

Please know this is not necessarily a negative reflection of your selling history. This action is taken regularly on marketplace selling accounts across the Amazon platform, particularly where sales volumes or inventory levels are not supported by sufficient buyer feedback or established sales history. Account reviews may also be the result of increases in negative feedback, chargebacks or A-to-z Guarantee claims received.

During this review we will be evaluating the performance of your account, including customer feedback and A-to-z Guarantee claims received. It is important that you continue to fulfill orders and only list items for sale that you are able to deliver as promised during this process.

My Folders [Add - Edit]

1

While our review can take as many as 30 days to complete, you may be able to expedite the release of your funds by providing us with the following information:

ADVERTISEMENT

1. Tracking numbers of items shipped with corresponding Amazon.com order numbers
2. Current retail or online sales channels including links to selling pages
3. Detailed explanation of your business including your source of inventory

SOURCE OF INVENTORY

4. Amount of inventory you plan to list for sale on Amazon.com and availability of items for delivery

Please write to merchant-approval@amazon.com to provide us with information regarding your seller account. Amazon sellers can confirm shipments in Seller Central or your seller account by clicking the "Orders" tab, then

clicking "Confirm Shipment" and entering tracking information for fulfilled orders.

We will evaluate the information that you provide to us and respond accordingly.

You will be notified via e-mail when our account review is complete.

Regards,

Seller Performance Team
Amazon.com
<http://www.amazon.com>

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Reply ▾

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Spam

Move... ▾

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Select Message Encoding ▾

| Full Headers

Check Mail

New ▾

Mail Search

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Exhibit 3

Hi, Marianna | Sign Out |
All-New Mail | Help

Y! Recommends New
IE8

Yahoo! Mail

YAHOO! MAIL
Classic

Search

Web Search

Mail | **Contacts** | **Calendar** | **Notepad** | **What's New?** | **Mobile Mail** | **Options**

Check Mail | **New** ▾ | Mail Search | Try the new Yahoo! Mail



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Delete | Reply ▾ | Forward | Move... ▾

Folders

- Inbox (1070)**
- Drafts (33)
- Sent**

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My Photos
My Attachments

RE: [Case 16713421] Delayed payment

Thursday, February 4, 2010 1:03 AM

From: "Marianna Chaparova" <manach101@yahoo.com>
To: merchant-reserve-inquiry@amazon.com

RE: [Case 16713421] Delayed payment

To Whom It May Concern:

I have now contacted your company twice regarding disbursement of the available funds in my account. Unfortunately, I still have not been given an acceptable explanation for your failure to disburse the available funds in my account and have not been provided with a response to several other issues (detailed herein) that I had raised in my previous email letters to you. Perhaps my business is not valuable to Amazon!

MY CONCERN IS AS FOLLOWS:

There can be no reasonable justification for keeping my money (interest free) and not allowing me access to it once it becomes available/disburseable. I do NOT have any A-Z claims or negative feedback to justify the hold. You are currently holding over \$1,000.00 interest-free for no reason (I have included an email that was sent to me by your "Seller Performance Team below, which states that that is a routine business practice for your company).

I pay in full for the items I sell, as well as for the shipping of those items (and you do charge a commission for that as well). Needless to say, I need to be compensated to be able to continue to do business.

I have paid a lot of money in commissions to Amazon and have made numerous purchases from you. Unless the available funds are disbursed immediately, I will discontinue making my purchases and/or sales through my Amazon account.

The hold is insulting; moreover, as stated above, the items I sell I did not get for free - I paid for them and I want to be compensated once the funds become available, NOT a month thereafter.

Also, I would like to know whether you can charge me a lower commission on my sales due to the volume of sales per my account.

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

My Folders [Add - Edit]

1

ADVERTISEMENT

PLEASE HAVE SOMEONE FROM MANAGEMENT REPLY TO THIS EMAIL ASAP!

Thank You!!

Delete Reply Forward Move...

Previous | Next | Back to Messages | Select Message Encoding | Full Headers


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Exhibit 4

Mail | **Contacts** | **Calendar** | **Notepad** | **What's New?** | **Mobile Mail** | **Options**

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- Drafts (33)
- Sent

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My Photos
My Attachments

RE: [Case 1671321] Delayed payment

Friday, February 5, 2010 10:35 PM

From: "Amazon Seller Support"
<seller.service05@amazon.com>
To: "manach101@yahoo.com" <manach101@yahoo.com>

Greetings,

We're sorry to know about the situation.

I have reviewed your account and see that you have \$1,384.83 under reserve.

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

Please note that as per our new reserve policy we hold funds equivalent to any claims until 30 days. Once we conclude that there are no unexpected changes in account activity we will release this fund and make it available for disbursement.

Please note that your concern would be better handled by sending an e-mail to merchant-reserve-inquiry@amazon.com.

Please feel free to contact us with any other concerns. We hope your issue gets resolved soon.

Best regards,

Dharani
Amazon.com Seller Support
Have you seen our support blog? For valuable strategies and best selling practices, visit <http://www.amazonsellersupportblog.com/>
Check your seller account: <http://www.amazon.com/seller-account>

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1

ADVERTISEMENT

Please note: this e-mail was sent from a notification-only address that cannot accept incoming e-mail. Please do not reply to this message.

To contact us again about this issue, please use the Contact Us form using the following link:

Exhibit 5

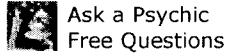
Hi, Marianna | Sign Out |
All-New Mail | Help

[Get Yahoo! Toolbar](#)

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YAHOO! MAIL
Classic

[Mail](#)
[Contacts](#)
[Calendar](#)
[Notepad](#)
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Folders

- Inbox (1070)**
- Drafts (28)
- Sent

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My Photos

My Attachments

Your Amazon.com Inquiry

Saturday, February 13, 2010 1:05 PM

From: "Amazon.com" <merchant-reserve-inquiry@amazon.com>
To: "manach101@yahoo.com" <manach101@yahoo.com>

Greetings from [Amazon.com](#).

Thank you for contacting us. Due to the status of your account we are reserving your funds in your Amazon selling account until we are sure all items have shipped and no A-z Guarantee Claims are received against your account. Your account will be evaluated 90 days after the initial date of block or closure request, which was February 11, 2010. Your funds will be disbursed to the bank account on file after your 90 day review, minus any outstanding chargebacks or A-z claims.

Please note, your Amazon.com selling account is a non-interest earning account.

For questions regarding why your account was blocked, please contact seller-performance@amazon.com.

Per section 2 of the AMAZON SERVICES BUSINESS SOLUTIONS AGREEMENT:

"If we reasonably conclude based on information available to us that your actions and/or performance in connection with the Agreement may result in a significant number of customer disputes, chargebacks or other claims, then we may, in our sole discretion, delay initiating any remittances and withhold any payments to be made or that are otherwise due to you under this Agreement for the shorter of: (a) a period of ninety (90) days following the initial date of suspension; or (b) completion of any investigation(s) regarding any Seller actions and/or performance in connection with the Agreement."

Best regards,
 Payment Specialist

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

My Folders [Add - Edit]

1

Business Administration with emphasis in:

- Operations Management**
- Technical Communications**

Payment Specialist
<http://www.amazon.com>
=====

----- Original message: -----

To Whom It May Concern:

I currently do NOT have any negative feedback. In fact my feedback rating is 4.7 out of 5. You further stated that my account sales volume or inventory level is not supported by sufficient buyer feedback or established sales history. In fact, I have filled over sixty (60) orders and have not had a single complaint filed against me; and, to date, I have indeed continued to fill all of the orders.

As you know, most satisfied buyers do not leave any feedback. So, that is not a good reason for holding funds interest-free for 30 days. I had previously requested information from you regarding the timing of the disbursements, whether the funds were being held in an interest-bearing account, etc. Yet, until now, I have only received pre-prepared email responses from you. I have paid a lot of money in commissions, but you have NOT treated me like a valued customer.

As for your claim that my "cancel rate is excessive". In fact, my cancel rate is minimal - I have satisfied over 97% of my orders. Sometimes an order comes in right after the item ordered was sold and, therefore, the item is no longer available. That is normal in any business. I try very hard to keep my listings/inventory up to date, and I believe that I do a pretty good job.

You are costing me monetary losses!

I am once again requesting that someone from your management team respond to my concerns and that my account be reinstated immediately in order to limit further losses to me.

I thank you and hope to hear from you soon!

--- On Thu, 2/11/10, Marianna Chaparova <manach101@yahoo.com> wrote:

From: Marianna Chaparova <manach101@yahoo.com>
Subject: Fw: RE: [Case 16713421] Delayed payment
To: merchant-reserve-inquiry@amazon.com, merchant-approval@amazon.com
Date: Thursday, February 11, 2010, 12:17 AM

I need to know exactly when my funds will be released,

Exhibit 6

Mail Contacts Calendar Notepad What's New? Mobile Mail Options

Check Mail New Mail Search Try the new Yahoo! Mail

Yahoo! Small Business news & resources

Previous | Next | Back to Messages Mark as Unread | Print

Delete Reply Forward Move...

Folders

Inbox (1069)

Drafts (33)

Sent

My Photos

My Attachments

Chat & Mobile Text

I am Available

0 Online Contacts

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

My Folders

1

ADVERTISEMENT

Re: Your Amazon.com Inquiry, Case 16713421, Delayed payment

Saturday, February 13, 2010 12:00 PM

From: "Marianna Chaparova" <manach101@yahoo.com>

To: "Amazon.com" <seller-performance@amazon.com>

To Whom It May Concern:

I have already provided you with a response regarding my "cancel rate". My cancel rate is NOT excessive. I filled over 97% of my orders. I only cancelled a few orders because I ran out of inventory. I do my best to stay on top of my inventory; however, sometimes multiple orders come in and I prefer to cancel when I am out of inventory rather than make my customers wait an extra week or two before I can get additional inventory to fill their order. I believe I do a pretty good job!

My rating is 4.7 out of 5 and I do NOT have any complaints or claims pending. Therefore, your current actions are unjustified. Moreover, I have repeatedly requested to know whether my funds are being held in an interest-bearing account. You have not provided me with that information. I would hate to know that you fail to disburse thousands of dollars without a reasonable justification and/or any compensation while you (Amazon) somehow benefits from that action.

I have paid you a lot of money in commissions and have purchased thousands of dollars worth of books from you (many of which I am still eligible to return for a full refund). Yet, you have not treated me like I am a valued customer. If I am not a valued customer, please let me know, and I will take my business elsewhere!

I want this matter straightened out immediately and my available funds promptly disbursed.

Thank You!

--- On Fri, 2/12/10, Amazon.com <seller-performance@amazon.com> wrote:

From: Amazon.com <seller-performance@amazon.com>
Subject: Your Amazon.com Inquiry

Exhibit 7

Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#) | [Your Account](#) | [Help](#)

[Shop All Departments](#)

Search

[Cart](#)

[Wish List](#)

Hello, Alby2009.

[Seller Help](#) | [Logout](#)

Alert

Amazon.com has suspended your account because of issues related to performance or policy violations. Funds in your amazon account will be reserved for up to 30 days. [Read more](#)

Textbook Sellers

NEW: Follow Amazon Textbook Seller Support on Twitter for tweets just for textbook sellers. [Learn more.](#)

TIP: Communicating with your buyer is the key to resolving order problems. Buyers can remove negative feedback within 60 days. [Learn more.](#)

[Webinar Recording - NEW!](#)
[Textbook Selling Resources](#)
[Textbook Selling Blog](#)

New Sellers:
[New Seller FAQ](#)
[Confirm Shipment in 30 days!](#)
[Questions about Getting Paid?](#)

Amazon Seller Forums

- [Amazon Announcements](#)
- [Seller Success](#)
- [Seller Discussions](#)
- [Seller Support Blog](#)

WebStore by Amazon

Launch your own Online Store!
 Sell the same items on your online store (e.x. [www.yourwebsite.com](#)) which you sell on Amazon.com including media items like books. **SignUp for FREE* 30-day Trial.**

Try Amazon EasySell

Amazon's easiest way to sell your books, CDs, DVDs and games! Let us pack and ship your online orders. [Learn More.](#)

Manage Your Inventory

- [List single items](#)
- [View your current inventory](#)

Manage Your Orders

- [View your orders](#)
- [Issue a refund for an order](#)

Get Paid

- [View your payments account](#)

Reports

- [View your performance summary](#)
- [View your customer metrics summary](#)
- [View your Ratings and Feedback](#)
- [Review your A-to-z Guarantee Claims](#)

Settings

- [Seller Account Information](#)
- [Notification Preferences](#)
- [Store Settings](#)
- [Amazon.com Settings](#)

Your Orders

In last day: **4**

In last 7 days: **14**

[View your Orders](#)

Buyer Claims

A-to-z Guarantee claims: **0**

Chargeback claims: **0**

[Claims requiring action](#)

Feedback Rating



4.7 stars over the past 12 months (**3 ratings**)

| Feedback | 30 days | 90 days | 365 days |
|----------|---------|---------|----------|
| Positive | 100% | 100% | 100% |
| Neutral | 0% | 0% | 0% |
| Negative | 0% | 0% | 0% |
| Count | 3 | 3 | 3 |

[View your Ratings and Feedback](#)

Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#) | [Your Account](#) | [Help](#)

[Shop All Departments](#)

Search

[Cart](#)

[Wish List](#)

[Seller Account: Alby2009](#) > **Feedback**

[Seller Help](#) | [Logout](#)

Feedback Manager

Use the Feedback Manager to track buyer satisfaction with your service. You can view short- and long-term metrics, as well as detailed feedback entries, including buyer names and order IDs. Click the Order ID to view transaction details within the Manage Orders section of your Seller Account. [Learn more.](#)

Feedback Rating: ★★★★★

| | 30 days | 90 days | 365 days | Lifetime |
|-----------------|---------|---------|----------|----------|
| Positive | 100% | 100% | 100% | 100% |
| Neutral | 0% | 0% | 0% | 0% |
| Negative | 0% | 0% | 0% | 0% |
| Count | 3 | 3 | 3 | 3 |

This feedback information is available to buyers: [See how your feedback displays on Amazon.](#)

View Current Feedback

[View all your feedback](#)

| Date | Rating | Comments | Arrived on Time | Item as Described | Customer Service | Order ID | Rater | Rater Role |
|--------|--------|--|-----------------|-------------------|------------------|-------------------------------------|----------------------------------|------------|
| 2/9/10 | 5 | The book was great RESPOND | Yes | Yes | - | 103-2330004-8132254 | Danielle Balczon | Buyer |
| 2/8/10 | 5 | Received book on time and in the condition described. RESPOND | Yes | Yes | - | 002-0221370-3110602 | Lanre Popoola | Buyer |
| 2/7/10 | 4 | Book was in great condition! Thanks! RESPOND | Yes | Yes | - | 102-4335404-9958664 | Thanh Ngo | Buyer |

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Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?) [Kindle:](#)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#)

[Shop All Departments](#)

Search

Ca

Hello, Alby2009.

Alert

Amazon.com has suspended your account because of issues related to performance or policy violations. [Read more](#)

Textbook Sellers

NEW: Follow Amazon Textbook Seller Support on Twitter for tweets just for textbook sellers. [Learn more.](#)

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[Questions about Getting Paid?](#)

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- [Amazon Announcements](#)
- [Seller Success](#)
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- [Seller Support Blog](#)

WebStore by Amazon

Launch your own Online Store!
 Sell the same items on your online store (e.x. [www.yourwebsite.com](#)) which you sell on Amazon.com including media items like books. **SignUp for FREE* 30-day Trial.**

Try Amazon EasySell

Amazon's easiest way to sell your books, CDs, DVDs and games! Let us pack and ship your online orders. [Learn More.](#)

Manage Your Inventory

[List single items](#)
[View your current inventory](#)

Manage Your Orders

[View your orders](#)
[Issue a refund for an order](#)

Get Paid

[View your payments account](#)

Reports

[View your performance summary](#)
[View your customer metrics summary](#)
[View your Ratings and Feedback](#)
[Review your A-to-z Guarantee Claims](#)

Settings

[Seller Account Information](#)
[Notification Preferences](#)
[Store Settings](#)
[Amazon.com Settings](#)

Your Orders

In last day: [0](#)
 In last 7 days: [6](#)

[View your Orders](#)

Buyer Claims

A-to-z Guarantee claims: [0](#)
 Chargeback claims: [0](#)
 Claims requiring action

Feedback Rating

★★★★★

4.7 stars over the past 12 months (**3 ratings**)

| Feedback | 30 days | 90 days | 365 days |
|----------|---------|---------|----------|
| Positive | 100% | 100% | 100% |
| Neutral | 0% | 0% | 0% |
| Negative | 0% | 0% | 0% |
| Count | 3 | 3 | 3 |

[View your Ratings and Feedback](#)

Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?) [Kindle:](#)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#)

[Shop All Departments](#)

Search

Ca

[Seller Account: Alby2009](#) > **Feedback**

Feedback Manager

Use the Feedback Manager to track buyer satisfaction with your service. You can view short- and long-term metrics, as well as detailed feedback entries, including buyer names and order IDs. Click the Order ID to view transaction details within the Manage Orders section of your Seller Account. [Learn more.](#)

Feedback Rating: ★★★★★

| | 30 days | 90 days | 365 days | Lifetime |
|-----------------|---------|---------|----------|----------|
| Positive | 100% | 100% | 100% | 100% |
| Neutral | 0% | 0% | 0% | 0% |
| Negative | 0% | 0% | 0% | 0% |
| Count | 3 | 3 | 3 | 3 |

This feedback information is available to buyers: [See how your feedback displays on Amazon.](#)

View Current Feedback

[View all your feedback](#)

| Date | Rating | Comments | Arrived on Time | Item as Described | Customer Service | Order ID | Rater | Rater Role |
|--------|--------|--|-----------------|-------------------|------------------|-------------------------------------|----------------------------------|------------|
| 2/9/10 | 5 | The book was great RESPOND | Yes | Yes | - | 103-2330004-8132254 | Danielle Balczon | Buyer |
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| 2/7/10 | 4 | Book was in great condition! Thanks! RESPOND | Yes | Yes | - | 102-4335404-9958664 | Thanh Ngo | Buyer |

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[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#)

[Shop All Departments](#)

Search

Ca

[Seller Account: Alby2009](#) > [View your performance summary](#)

[Summary](#) | [Refunds](#) | [A-to-z Guarantee Claims](#) | [Chargebacks](#)

A-to-z Guarantee Claims

This page provides detailed information about A-to-z Guarantee claims associated with your orders. Customers can request reimbursement under Amazon.com's A-to-z Guarantee if an item they purchased either never arrived or arrived damaged, defective, or not as advertised by the merchant. [Learn more.](#)

| Date | A-to-z Claims Received | Claims Amount |
|---------------|------------------------|---------------|
| Month to date | 0 | \$0.00 |
| Last 30 days | 0 | \$0.00 |

Status:

Important Message

You have no A-to-z Guarantee claims that currently require action.

[Back to Performance Summary](#)

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Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?) [Kindle:](#)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#)

[Shop All Departments](#)

Search

Ca

[Seller Account: Alby2009](#) > [View your payments account](#)

[Close](#)

Welcome to Charge When Ship

- Remember to confirm shipment of each order you ship.
- It may take several hours after you have confirmed shipment before you see the transaction reflected on your payments pages.

[Learn more about confirming shipments.](#)

Payments

Totals are updated periodically throughout the day. [Learn more](#)

[Summary](#) | [Transactions](#) | [More Settlements](#)

Account Summary for [Download](#)

Current balance: \$1,688.80

Reserve amount: [What's this?](#)
\$1,688.80

Available balance: [How do I get paid?](#)
\$0.00
Not eligible to disburse now. [Why?](#)

Last settlement date: Feb 13, 2010

Next settlement date: Feb 27, 2010

Find a transaction:
[More Search Options](#)

Orders

| | |
|------------------|---------------|
| Product charges: | \$0.00 |
| Amazon fees: | \$0.00 |
| Other: | \$0.00 |
| Total: | \$0.00 |

Refunds

| | |
|------------------|---------------|
| Product charges: | \$0.00 |
| Amazon fees: | \$0.00 |
| Other: | \$0.00 |
| Total: | \$0.00 |

Other Transactions
(may include amounts from failed disbursements. [Learn More.](#))

Total: \$1,688.80

Balance: \$1,688.80


[View Transactions](#)

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Exhibit 8

Mail Contacts Calendar Notepad **What's New?** Mobile Mail Options

Check Mail **New** ▾ Mail Search **Try the new Yahoo! Mail**

 iPhone 3G S from AT&T.
Shop Now.

[Previous](#) | [Next](#) | [Back to Messages](#) [Mark as Unread](#) | [Print](#)

Delete Reply ▾ Forward Spam Move... ▾

- Folders**
- Inbox (1070)**
 - Drafts (28)
 - Sent
 - []
 - []
-
- My Photos
 - My Attachments

Chat & Mobile Text [Hide]

I am Available

0 Online Contacts [Add]

You don't have any Chat contacts yet.

Start a New Chat

0 Mobile Contacts [Add]

You don't have any Mobile Text contacts yet.

Start a Text Message

Settings

My Folders [Add - Edit]

1

ADVERTISEMENT

Your Amazon.com Inquiry Sunday, February 14, 2010 10:15 PM

From: "Amazon.com" <seller-evaluation@amazon.com>

To: "manach101@yahoo.com" <manach101@yahoo.com>

Hello from Amazon.com.

Thank you for writing. After a review of your account by an account specialist, we have decided your account will remain blocked.

We regret we are unable to provide further information on this situation. Further correspondence regarding the closure of your selling account will not be answered.

The closure of this account is a permanent action. Any subsequent accounts that are opened will be closed as well.

Best regards,

Seller Performance Team
<http://www.amazon.com>

=====

----- Original message: -----

I understand that my current rating is 4.7 (stars) out of 5, and I do NOT have any A-Z claims, or anything else negative impacting my account. Is that correct?

Also, please explain to me what it means to have a rating of 4.7.

Thank You!

Exhibit 9

...by consumers, for consumers

Ripoff Report

Regi

Don't let them get away with it...scams, consumer complaints, and frauds reported. File a report, post your review or experience!



File a Report

Help and Support

Latest Reports

Consumer Resources

Consumer's Story

Legal Directory



[Read "Thank You" e-mails from consumers because Ripoff Report protects consumer's right to speak out](#)

Please [use our support form](#) if you have any difficulties or wish to contact us

Report: #377798

Report: Amazon.com

Reported By: (New York New York)



Amazon.com Withheld Funds, Blocked Account, Suspended Account, Unethical Practices Seattle Washington

***REBUTTAL Individual responds...** Amazon suspended me for listings in there queue

Amazon.com
www.amazon.com
Seattle Washington
U.S.A.
Phone: 866-216-1072
Web Address:

Category: [Internet Fraud](#)

Submitted: Wednesday, October 01, 2008

Last posting: Wednesday, February 03, 2010

Report & Rebuttal:

4 Author 14 Consumer 1 Employee

Respond to this report!

?

Victim of this person/company?

?

I was a seller on Amazon.com til recently and abruptly had my account blocked and suspended for unethical reasons. They are currently holding a considerable amount of my funds they say for up to 90 days. The sellers performance department which you have to communicate with was not specific on reasons why certain items are ok and others are not ok to list. Bluntly they were vague. It was almost like talking to a second grader! I have documented my communication via email and believe that they Amazon.com are operating unethically and illegally against sellers on their site. I would like to hear from other Amazon.com sellers who have had their sellers account blocked or suspended and their funds held. I would also like to hear from business law attorneys that might be interested in this issue to make a class action lawsuit out of it. I have compelling additional information about Amazon.com that could blow the lid off their scam of screwing sellers! That additional information will only be discussed with a

trusted attorney(s) who will put this class action lawsuit together. If you were a seller on Amazon.com and were blocked or suspended from selling I would like to hear from you. Their might be considerable monetary compensation due me and you! Attorneys: I have information that would make an open and shut case against them! Contact me if interested in building a class action lawsuit against Jeff Benoz and Amazon.com!

John xxxxxxx
New York, New York
U.S.A.

[Click Here to read other Ripoff Reports on Amazon.com](#)

Search for additional reports

If you would like to see more Rip-off Reports on this company/individual, search here:

[SEARCH TIPS](#)

Report & Rebuttal:

Respond to this report!

[File a Rebuttal](#)

Victim of this person/company?

[File a Report](#)

Repair Your Reputation

[Get Started](#)



Updates & Rebuttals:

REBUTTALS & REPLIES:

4 Author 14 Consumer 1 Employee

#1 Amazon.com
Update By John smith - Eureka (U.S.A.)
Author

Respond to this report!

[File a Rebuttal](#)

SUBMITTED: Monday, October 06, 2008
POSTED: Monday, October 06, 2008
Seller Performance Department at Amazon.com sends email stating that they will no longer answer my emails! Hows that for customer service? Be aware if you are a seller on Amazon.com or thinking of listing your items there you are better of looking elsewhere otherwise you may be in for a good screwing from the good ole boy Jeff Benoz and Amazon.com! I have escalated the facts of my issues to U.S. Government Officials and other agencies. Amazon.com should be we aware that they are under investigation for fraud and illegal business practices! If you are an attorney and are interested in handling this case for me and others who will come on board with evidence about Amazon.com breaking their policy agreements let me know. I plan to give them a Giant Screwng like they did me only legally through the court system!

#2
Consumer
Comment

Respond to this report!

[File a Rebuttal](#)

Suggestion


Jeff B - Pasadena (U.S.A.)

SUBMITTED: I had same issue with amazon.com , even issuing refund to customer lowers your seller performance rating. I did not know that before so if customer emailed me and asked me to return our items i issue rma number and refunded their money, Sounds right? yes but not for amazon.com , They believe issuing refunds is bad . So they decide lowering your seller performance point, once you refunded 5% of your sales you are automatically out of business. I had wonderful record on amazon.com i was seller for 2 years and now i'm about to lose my house. I need someone (legal adviser or lawyer) to help me out. Thanks
Monday, October 06, 2008

POSTED:
Monday, October 06, 2008

#3 Amazon.com also locked me out
Owner of Company John - Sunnyvale (U.S.A.)

Respond to this report!

[File a Rebuttal](#) 

SUBMITTED: Same here. Amazon terminated my seller account without explanation or recourse. No amount of phone calls or emails can get me an audience from them to plead my case. You can google any of these terms to find a significant number of sellers like myself who were shafted by Amazon, experiencing a great amount of financial loss, and angry enough at Amazon to participate in a class action suit against Amazon. I say wronged sellers unite and sue Amazon!
Sunday, October 12, 2008

POSTED:
Sunday, October 12, 2008

#4 They have over \$7000.00 of my
Consumer Comment money and have hurt me greatly because of this
Anthony - Grand Forks (U.S.A.)

Respond to this report!


[File a Rebuttal](#) 

SUBMITTED: They have done the same thing. If you have any information on a lawsuit and you need more people please let me know. I plan on talking to some on monday becuse everything that has been said above my post has happened exactly the same way. They must have a mass email system for this. I have the same emails from amazon that everyone else has. Includeing the, " we will no longer reply to your emails" that is a great way to solve things. They are costing me alot of sales too. I was making about 2500.00 a day before they shut me down. And my sales were just picking up
Sunday, December 07, 2008

POSTED:
Sunday, December 07, 2008

#5 This really does hurt people that put
Consumer Comment time and money in selling on Amazon
Matthias - San Jose (U.S.A.)

Respond to this report!

[File a Rebuttal](#) 

My Amazon seller account was also suspended after it was under review for 30 days. Amazon suspended payments during the review period and will now hold all my remaining funds for 90 days. I was never trying to rip

SUBMITTED:
Friday, July
10, 2009

POSTED:
Friday, July
10, 2009

people off. I have usually sent my orders in a timely fashion except when I realized there was an issue, like a DVD was loose in the case and I had to get a replacement. I was really scared of ever refunding money if I realized a product may be defective and rather bought a new one because I did not want to get bad feedback. Since they use refunds as a measure of seller quality, you're damned if you do and you're damned if you don't refund if a buyer contacts you and claims that they 'did not intend to make' an order or 'ordered the wrong thing'.

The A-Z claim are a whole different thing. Though a good idea, I got a few too many people claiming the brand-new, shrink-wrapped stuff I sent to them did not work.

So now I am not only unable to sell the merchandise I have bought to be sold on Amazon, stuff I had to pay for, but I also had to pay for postage for the orders I already fulfilled. This money was taken out of my credit card. I will have to pay interest. Amazon is keeping my money for four months and is collecting interest on it. Since my A-Z claims over the three years I have been selling on Amazon were less than \$500, how can they withhold \$3000 for possible future claims.

To me, this is a serious matter, and I am not amused at all! I have sent a few emails to Amazon but to no avail. If I do get a response, it's a form letter that does not really answer the question. They suspend accounts because of 'poor customer service' and their customer service is either a cookie cutter reply or a friendly "we will not answer any further emails". An individual has no chance getting through to them!

#6
Consumer
Suggestion

John Contact me
Valiant One - Bridgeport (U.S.A.)

Respond to this report!

File a Rebuttal



SUBMITTED: John:
Friday, July
31, 2009

POSTED:
Friday, July
31, 2009

Here is my contact information. E-mail me at (((ROR REDACTED)))
Let's get the ball rolling!!

[CLICK here to see why Rip-off Report, as a matter of policy, deleted either a phone number, link or e-mail address from this Report.](#)

#7
Consumer
Comment

amazon.com holding money
Chris - pleasant hill (USA)

Respond to this report!

File a Rebuttal



SUBMITTED:
Wednesday,
October 14,
2009

POSTED:
Wednesday,
October 14,
2009

This is for John who has money being held by Amazon. Please include me in any class action suite which may be going on. I know three sellers, all of whom are legitimate California corporations who have money being held by amazon. I am a bookseller and them holding money has caused me a lot of problems as I cannot access the cash to use towards my business despite the fact that followed all the rules had good feedback proved I had a bricks and mortar store, etc. The stress of this alone is worth compensation. Please contact me. Not sure why they can seize assets-they are running

amuck and unmonitored.chris By the way ebay does this too and they told me to go get an attorney-can you believe it!!!!id this too!

#8 Amazon same seller scam running for
Consumer years
Comment babyblues - davie (United States of America)

Respond to this report!

[File a Rebuttal](#)



SUBMITTED:
Thursday,
October 29,
2009

This is the same scam running by Amazon for years. They take in un-suspecting sellers and let them sell on Amazon. Once the seller has some good money over \$1000 they put the account for review at 15, 30 days intervals. After first 15 day review they remove the restriction and once 30 day come they again suspend you at time of payment to your bank. They keep the money in reserve for 90 days with no interest and finally release your money and permanently ban you for life. Amazon collect interest for millions of dollars in it reserve and repeat the process for new un-suspecting suckers. It is so sad Amazon is allowed to carry out this scam for years and nobody filed a lawsuit against Amazon. Amazon also require you to fill the orders you receive during the initial review process. Don't do this. Its a trap. Amazon only freeze your account and hold all money in reserve for 90 days.

POSTED:
Thursday,
October 29,
2009

Their A-Z claim is another scam. If any buyer claim non-receipt of item Amazon require signature confirmation as proof of delivery and even won't accept delivery confirmation or you will loose the claim and Amazon will remove the money from your account. Same with item not as described claims. They just refund buyer without any investigation. Same rule apply for any site using checkout by Amazon. So if you are a seller don't accept this payment method or you will loose the item plus money as A-Z claim terms state that buyer don't have to return the items.

#9 Scammed also
Consumer savannahashlee - Milwaukie (USA)
Comment

Respond to this report!

[File a Rebuttal](#)



SUBMITTED:
Sunday,
November
22, 2009

I am just about 2 months into my Amazon account and already had to battle 2 scam A to Z Guarantee Claims.. One was a minor item, in which the seller became threatening and incoherent in his responses. The 2nd one, I am currently battling is for a high dollar item. I am afraid that I am going to be "punished" by Amazon for this item. I have yet to receive my money back from the first A to Z Claim that they put in their "reserve". I have gotten nowhere with Amazon, and they keep pushing me off, or not even responding to my emails. If someone does sign on to do a class action suit, I would like to become part of it. I have also reported Amazon to my local News station to do an investigative report. I think if they get more emails about Amazon they will do it.. www.kptv.com is their website. We should

POSTED:
Sunday,
November
22, 2009

have them called out and investigated

#10

Consumer
Comment

Amazon.com problems

psprague57 - East Taunton (United States of America)

Respond to this report!

[File a Rebuttal](#)



SUBMITTED:
Wednesday,
November
25, 2009

I have had the exact same experince with Amazon. My account is supended with no contact available to Amazon and they reported that any attempt to contact them will not receive ant reply!

POSTED:
Wednesday,
November
25, 2009

They are currently holding \$6500.00 of my money since October 5th.

I no longer encourage anyone to buy from Amazon I will not under any circumstances purchase anything from that site. I had sent many customers to Amazon in the past but now refer them all to Ebay since most items are actually less expensive on Ebay anyway.

I never thought I would be turning people away from Amazon and directing them to Ebay but that is what it has come down to.

The number of people suspended with no warning and dropped cold by Amazon simply continues to pile up. Amazon is rude and arrogant beyond all possible measure and soon this will lead them to a great down fall.

I gave my customers better attention and sevice than Amazon.com themselves ever provided.

May this truly be the beginning of the end for these tyrants of the internet!

#11

Consumer
Comment

Ditto

Susan - Corcoran (United States of America)

Respond to this report!

[File a Rebuttal](#)



SUBMITTED:
Sunday,
November
29, 2009

My experiences are the same.

POSTED:
Sunday,
November
29, 2009

#12

Respond to this report!

11
2/12/2010
1:16 PM

NEW

REBUTTAL

Zizzazz made child sick and false credit card charges Las Vegas Internet

*Consumer Comment...WOW!
Child abuse maybe?
Author: Denver, Colorado

Internet
Fraud :
Zizzazz
Internet

12
2/12/2010
1:15 AM

NEW

UPDATE

Avanquest Avanquest Software, Will Not Deliver software, Does Not Respond to Letters, Phone Calls or PayPal 92250 La Garenne Colombes , Internet

*UPDATE by author...I received my refund.
Author: Hayward, California

Internet
Fraud :
Avanquest
Internet

13
2/11/2010
11:37 PM

NEW

UPDATE

REBUTTAL

Amazon.com Amazon routinely freezes seller payment accounts for no reason Seattle Washington

*General Comment...Are You Serious?
Author: Commack, New York

Internet
Fraud :
Amazon.com
Washington

14
2/6/2010
10:42 PM

NEW

Google Works Fortune Google Works Fortune Review I didn't do anything with the company but they Charged me 1.97\$ and then 69.97\$, after called, they told me to refund me but nothing happended for 2 months. Internet *EDitor's Suggestions on how to get your money back into your

Exhibit 10

Hello, Marianna Chaparova. We have [recommendations](#) for you. (Not Marianna?) [Kindle:](#)

[Marianna's Amazon.com](#) | [Today's Deals](#) | [Gifts & Wish Lists](#) | [Gift Cards](#)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> 83-S3X8-44A8 | 0470383348 | Elementary Differential Equations and Boundary Value Problems | 02/09/2010 17:45:46 | 4 | New | \$100.00 | \$ <u>100.00</u> | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> LO-IOPH-A7ED | 0735534357 | Contracts: Law in a Flash | 02/06/2010 09:10:07 | 0 | Used - Good | \$6.76 | \$ <u>6.75</u> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> RV-1HUU-LL7M | 007149670X | Programming HD DVD and Blu-ray Disc | 02/01/2010 12:50:44 | 1 | New | \$67.00 | \$ <u>67.00</u> | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> O1-DHEQ-CTOK | 0471663158 | Physics | 02/01/2010 11:22:12 | 4 | New | \$60.00 | \$ <u>57.49</u> | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> RV-R7LH-LL71 | 080537146X | Biology, 7th Edition (Book & CD-ROM) | 02/01/2010 11:18:22 | 0 | New | \$44.95 | \$ <u>44.95</u> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> OW-D3GQ-CML3 | 0314176209 | High Court Case Summaries on Property (Keyed to Dukeminier, 6th) | 02/01/2010 11:17:25 | 0 | New | \$23.79 | \$ <u>23.79</u> | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> 07-C5KE-JD12 | 0314163824 | High Court Case Summaries on Torts (Keyed to Prosser, 11th Edition) | 02/01/2010 11:05:14 | 2 | New | \$24.00 | \$ <u>24.00</u> | (|

All Listings

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | SR-GLY7- I2MY | <u>0314166939</u> | High Court Summaries on Civil Procedures (Keyed to Friedenthal, Ninth Edition | 02/01/2010 11:02:25 | 2 | New | \$27.00 | \$ 27.00 | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 64- MGT0- 7X82 | <u>0314176209</u> | High Court Case Summaries on Property (Keyed to Dukeminier, 6th) | 02/01/2010 11:00:22 | 2 | New | \$26.95 | \$ 26.95 | (|
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | OB- OWGT- ZNHO | <u>0136019706</u> | Chemistry: An Introduction to General, Organic, & Biological Chemistry (10th Edition) | 02/01/2010 10:50:32 | 0 | Used - Very Good | \$94.00 | \$ 86.24 | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Q3- SM3U- SMCK | <u>0735562431</u> | Criminal Law Examples & Explanations, 4e | 02/01/2010 10:38:56 | 0 | New | \$32.00 | \$ 32.00 | (|
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PW-7T6J- PECX | <u>0314159541</u> | Hazen's Securities Regulation: Cases and Materials, 7th Edition (American Casebook Series) | 01/29/2010 11:44:18 | 2 | New | \$140.00 | \$ 140.00 | (|

All Listings

Page 3 of 10

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | CW-C4HO-SYQ9 | <u>0735524696</u> | <u>Modern American Remedies: Cases and Materials (Casebook Series)</u> | 01/29/2010 11:09:39 | 1 | Used - Acceptable | \$85.00 | \$ <u>82.99</u> | (|
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | QH-AMF0-Z1Z5 | <u>0735555567</u> | <u>Civil Procedure: Examples & Explanations 5th edition</u> | 01/29/2010 10:27:12 | 4 | New | \$27.00 | \$ <u>20.00</u> | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | O8-NKBY-G1EE | <u>0521847850</u> | <u>The Global Workplace: International and Comparative Employment Law - Cases and Materials</u> | 01/28/2010 13:25:19 | 0 | Used - Like New | \$52.00 | \$ <u>52.00</u> | (|

All Listings

Page 4 of 10

| | | | | | | | | | |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | EA-2GBQ-FHRH | <u>0470383348</u> | <u>Elementary Differential Equations and Boundary Value Problems</u> | 01/27/2010 11:46:01 | 0 | New | \$100.00 | \$ <u>100.00</u> |
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All Listings

Page 9 of 10

| | | | | | | | | | |
|-------------------------------------|--------------------------|--------------|-------------------|--|------------------------|---|---------------------|----------|----------------------|
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| | | | | <u>Taxation: Keyed to Courses Using Freedland, Lathrope, Lind and Stephens's</u> | | | | | |

All Listings

Page 6 of 10

| | | | | | | | | | |
|-------------------------------------|--------------------------|--------------|-------------------|--|------------------------|---|------------------|----------|-----------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | IX-YZQ9-14GM | <u>0735561672</u> | <u>Fundamentals of Federal Income Taxation, 14th Edition (Casenote Legal Briefs)</u> | 01/19/2010 10:06:29 | 0 | Used - Very Good | \$20.95 | \$ <u>19.35</u> |
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All Listings

Page 7 of 10

| | | | | | | | | | | |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8Z-6S85-0KPI | 0314162615 | Antitrust Law in Perspective: Cases, Concepts and Problems in Competition Policy (American Casebook Series) | 01/15/2010 09:53:59 | 0 | Used - Very Good | \$102.59 | \$ 72.00 | (|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MG-E7UG-N1ZZ | 0735555486 | TM: Property Law: Rules Policies & Practices 4e | 01/14/2010 21:33:53 | 1 | Used - Like New | \$39.00 | \$ 39.00 | (|
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | LK-AYTX-QKKI | 0735555478 | Property Law: Rules, Policies, and Practices | 01/14/2010 21:10:43 | 1 | Used - Good | \$54.00 | \$ 7.55 | (|
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All Listings

Page 8 of 10

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | OF-58D3-J8PL | <u>1594602786</u> | Florida Constitutional Law: Cases and Materials (Carolina Academic Press Law Casebook) | 01/14/2010 09:14:31 | 0 | Used - Good | \$50.00 | \$ 40.00 | |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8K-NZPW-U4X5 | <u>0314907009</u> | Selected Federal Taxation Statutes & Regulations, with Motro Tax Map, 2010 Edition | 01/14/2010 09:02:01 | 0 | Used - Good | \$29.50 | \$ 22.99 | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | LV-KJ6I-DECX | <u>0314159541</u> | Hazen's Securities Regulation: Cases and Materials, 7th Edition (American Casebook Series) | 01/14/2010 08:58:22 | 0 | Used - Very Good | \$40.00 | \$ 34.49 | |
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| Image | Item ID | ISBN | Title | Date | Qty | Condition | Price | Value |
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| <input checked="" type="checkbox"/> | J7-TDZX-NY2I | 0735557942 | Criminal Law and Its Processes: Cases and Materials, Eighth Edition (Casebook) | 01/14/2010 08:03:50 | 0 | Used - Very Good | \$85.00 | \$ 22.99 |
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All Listings

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | AJ-CA4Y-QA1A | <u>1599415291</u> | <u>Selections for Contracts 2008 ed: Uniform Commercial Code, Restatement 2d</u> | 12/04/2009 15:22:11 | 0 | Used - Like New | \$15.99 | \$ 9.61 |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | TN-ZHVR-EHJJ | <u>B002BH4N12</u> | <u>HP Mini 110-1030NR 10.1-Inch Black Netbook - 6.75 Hours of Battery Life</u> | 11/29/2009 21:02:44 | 2 | New | \$315.00 | \$ 315.00 (|

Listings: **1 - 103** of 103

Show results per page