

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30736
LANSING, MICHIGAN 48909

DANA NESSEL
ATTORNEY GENERAL

April 13, 2020

Seek Everest, LLC
c/o Registered Agents, Inc.
30 N. Gould St. Ste. R
Sheridan, WY 82801

Re: *Notice of Intended Action – Seek Everest, LLC*
AG No. 2020-0286171-A

Dear Sir/Madam:

This letter gives you notice of intended action in accordance with MCL 445.905(2) and provides you an opportunity to immediately cease and desist from engaging in the unlawful business practices described below.

As background, this Office is responsible for enforcement of the Michigan Consumer Protection Act, MCL 445.901 *et seq.* Under this Act, the Attorney General may bring injunctive actions to protect the interests of consumers. The Attorney General can also bring an action for money damages on behalf of affected consumers.

Our Office recently received a consumer complaint from an anesthesiologist who works for Sparrow Hospital in Lansing, Michigan. This medical worker shared with us an email solicitation you made to him, using his personal email address, purportedly for N-95 face masks. (Enclosure A). Given the recognized shortages in the availability of N-95 face masks, we began looking into your company and your offered product.

We obtained from the Better Business Bureau (BBB) a series of sixteen consumer complaints that have been made against Seek Everest from consumers throughout the country, including two Michiganders. (Enclosure B). These complaints relate to your sales activities prior to the Covid-19 pandemic. A review of these complaints generally reveals that Seek Everest has sold ski pants delivered from China that have been defective, or which have often not matched the sizes advertised on your website. Your company has routinely denied refunds or other assistance. These complaints demonstrate a pattern of business practices violative of Michigan's Consumer Protection Act.

But your misconduct has not stopped there. It is evident from those complaints and a comprehensive review of your website that you are almost certainly a drop shipping operation. In other words, you use a website to generate orders and payments from consumers, but then you simply order the product you have advertised from a different company and have it shipped directly to the customer. Thus, you were charging consumers what seemed like a reasonable price for ski pants, and then placing orders with a supplier, apparently out of China, that was providing a poorly made product at a cost likely allowing you a substantial profit.

On your website, in presenting Frequently Asked Questions, you attempt to obscure this reality:

FAQ: Where are my items coming from? Answer: “Our primary warehouse is in America, but most of our specialty items are located in other countries such as the United Kingdom and China.

Looking further at your website, we see you have a confusing presentation about the face masks you are offering. You inter-changeably refer to them as N-95s and KN-95s, the latter designation of which seems to reflect your acknowledgement the products you are selling are coming from China. But your website is not consistent with your recent solicitation to the anesthesiologist. Throughout that email, you refer to the masks as having the N-95 designation. Not only did that email not say anything about them being KN-95 masks, but it said, “these masks are FDA approved, medically sterile.” You also make a troubling statement that the masks are “anti-viral,” which consumers may rely upon in assuming a level of protection the masks cannot deliver.

The Centers for Disease Control (CDC) has recently warned about counterfeit face masks being sold in the United States. A guidance is published at: <https://www.cdc.gov/niosh/npptl/usernotices/counterfeitResp.html>.

Further, products designated as KN-95 are of particular concern due to the number of counterfeit face masks coming out of China. For this reason, the FDA has been reluctant to approve any face masks out of China and has only created a process to review and approve such imports within the past few weeks. See <https://www.nytimes.com/2020/04/03/health/coronavirus-n95-95-masks.html>. But your solicitation to the Sparrow physician claiming you are selling an FDA-approved face mask from China was sent on March 16th—before the FDA even announced its willingness to consider such imports for approval. Thus, your representation was false.

The N-95 designation is assigned by the National Institute of Occupational Safety and Health (NIOSH), which is part of the CDC. You do not provide in your

solicitation or on your website the manufacturer or model of the face masks you are selling. Your reference to them as N-95 masks is improper.

An N-95 face mask provides a level of protection that a mask not meeting that designation does not. For a front-line medical worker, the difference is substantial, and reliance on a misrepresentation could have dangerous consequences. Because we do not take an apparent misrepresentation like this lightly, special agent Steve Morse emailed you on April 8th to learn more about the masks you are marketing and your claim about FDA approval. (Enclosure C). No response has yet been received, and your failure to respond only heightens our concern.

In your solicitation to the anesthesiologist, you also make the following statement: “Throughout the **United States**, sanitizer and **medical grade masks are sold out**. There is very little if ANY inventory at all. During the height of the pandemic in China, our factories stopped producing our main line of gear and clothing, and instead started **manufacturing medical grade masks** and clothing for those on the ground. Now that the situation in China has calmed, we are bringing a small quantity to the United States to help.”

Here, again, by making reference to “our factories,” you attempt to make consumers believe you are a large operation that manufactures the goods you are selling. The experiences of the consumers described in their BBB complaints about ski pants reveals that is just a snow job. And we are not inclined to wait to see if Michiganders purchasing face masks from apparently this same manufacturer are equally dissatisfied with the products you have shipped to them. Just because whatever entity you are purchasing the masks from in China is labeling them as KN-95s does not mean they will actually provide the level of protection anticipated by that designation. Such masks and their testing would need to be reviewed through the new FDA approval process.

Based on the above, the Attorney General has probable cause to believe you are engaging in the following unfair trade practices made unlawful by the Act:

(c) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has sponsorship, approval, status, affiliation, or connection that he or she does not have.

(s) Failing to reveal a material fact, the omission of which tends to mislead or deceive the consumer, and which fact could not reasonably be known by the consumer.

(u) Failing, in a consumer transaction that is rescinded, canceled, or otherwise terminated in accordance with the terms of an agreement, advertisement, representation, or provision of law, to promptly restore to the person or persons entitled to it a deposit, down payment, or other payment, or in the case of property traded in but not available, the greater of the agreed value or the fair market value of the property, or to cancel within a specified time or an otherwise reasonable time an acquired security interest.

(z) Charging the consumer a price that is grossly in excess of the price at which similar property or services are sold.

(aa) Causing coercion and duress as the result of the time and nature of a sales presentation.

(bb) Making a representation of fact or statement of fact material to the transaction such that a person reasonably believes the represented or suggested state of affairs to be other than it actually is.

[MCL 445.903(1).]

You have ten days within which to provide this Office with assurances of voluntary compliance under the Act. To be acceptable to this Office, such assurances must include an agreement that you will not market or sell any products to Michigan consumers. Additionally, we request that you immediately provide our office responses to the questions posed by Special Agent Morse, including contact information for all Michigan consumers, medical professionals, health care clinics and facilities and government agencies that have purchased these masks from your company.

This Office is taking steps to either file a civil lawsuit pursuant to MCL 445.905 or commence a formal investigation under MCL 445.907. Your response to this Notice will help us determine if one of these paths will be necessary.

I look forward to receiving your prompt response.

Sincerely,



Darrin F. Fowler (P53464)
Assistant Attorney General
Corporate Oversight Division

Enclosure A

From: [Michigan Attorney General](#)
To: [Email, CP](#)
Subject: FW: Price gouging, thought you might want to see this: Fwd: [!] FINAL Warning of Limited Stock: N-95 Medical Grade Masks.
Date: Wednesday, March 18, 2020 8:32:39 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)

From: Joel [REDACTED]
Sent: Tuesday, March 17, 2020 9:35 PM
To: Michigan Attorney General <miag@michigan.gov>
Subject: Price gouging, thought you might want to see this: Fwd: [!] FINAL Warning of Limited Stock: N-95 Medical Grade Masks.

To whom it may concern:

I am an Anesthesiologist at Sparrow Hospital in Lansing. I received this email yesterday. The link leads to an offer for masks at a significantly increased price from normal market conditions. I hope you have some legal basis to address this.

Regards,

Joel [REDACTED]

Begin forwarded message:

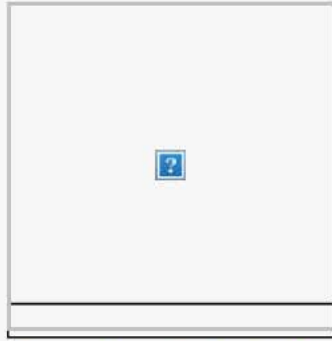
From: SeekEverest YOUR Order Details <help@seekeverest.com>
Subject: [!] FINAL Warning of Limited Stock: N-95 Medical Grade Masks.
Date: March 16, 2020 at 5:00:42 PM EDT
To: Joel [REDACTED]

Yes, we sent this yesterday. The response was overwhelming. In addition to our current inventory, we are in the process of securing more masks domestically. Trump just declared a state of National Emergency. We DO NOT KNOW how long we will have masks. **Our manufacturers could be ordered to ship the masks to the middle east or Europe** -- the current WHO's hotspot. If you may end up in public, filling up your gas, grocery shopping, anything with other people, protect yourself. [While we have these masks, please get your inventory.](#)

FIGHT THE CORONA VIRUS WITH ANTI-VIRAL N-95 MASKS -- WHICH ARE OUT OF STOCK (REPORTEDLY), AT ALL UNITED STATES RETAILERS.

YOU CANNOT FIND THESE AT HOME DEPOT, LOWES, WALMART, WALGREENS, ETC. THERE ARE REPORTEDLY ZERO RETAILERS IN THE UNITED STATES WITH MASKS IN STOCK. SEE IMAGE AT BOTTOM OF EMAIL.

[!] SEEK EVEREST HAS A LIMITED QUANTITY OF THESE MASKS IN STOCK

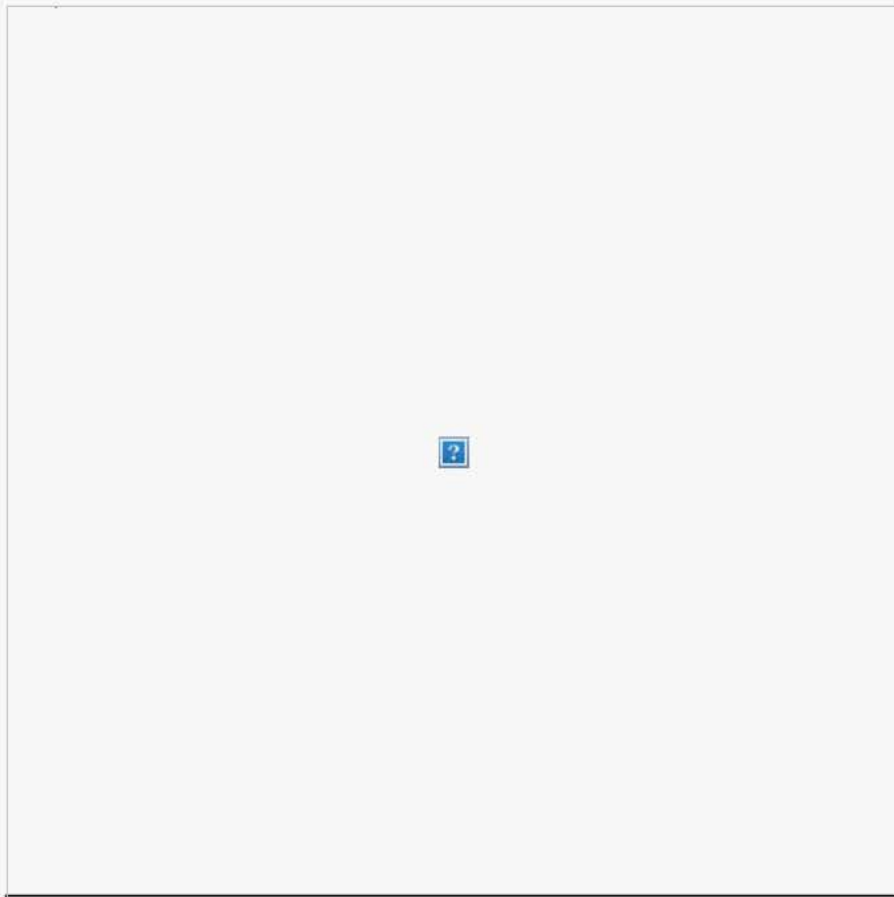


[N95 Particulate Coronavirus Respirator Masks 10/20/50 Box](#)

SEEKEVEREST HAS SECURED A **LIMITED SUPPLY OF N-95 MASKS** FOR USE DURING THE **CORONA VIRUS PANDEMIC** (PER THE WORLD HEALTH ORGANIZATION).

WE ARE **LIMITED TO 100 PACKAGES PER DAY**. *THIS IS NOT A MARKETING PLOY.* THE COST OF RAW GOODS, LABOR, AND OTHER FACTORS, HAS LIMITED OUR CAPACITY TO ONLY 100 BOXES PER DAY.

BUY CORONA VIRUS MASKS



The most dangerous particles in the air are impossible to see with the naked eye.

Currently, the **Corona Virus** causing **Covid-19** has reached **pandemic status**. Throughout the **United States**, sanitizer and **medical grade masks are sold out**. There is very little if ANY inventory at all. During the height of the pandemic in China, our factories stopped producing our main line of gear and clothing, and instead started **manufacturing medical grade masks** and clothing for those on the ground. Now that the situation in China has calmed, we are bringing a small quantity to the United States to help.

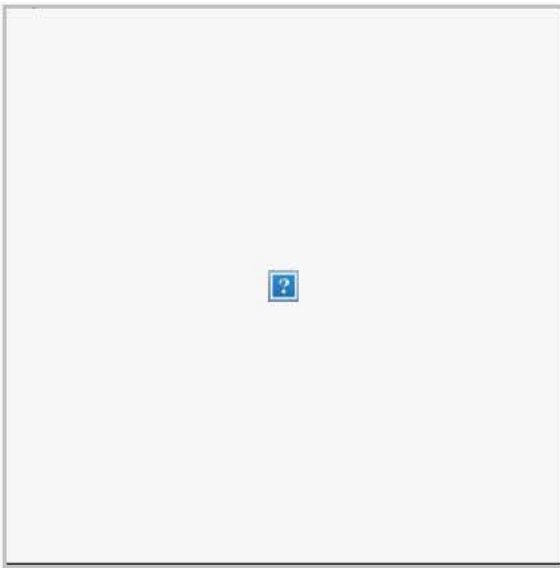
The cost of raw goods has skyrocketed. The cost of labor has skyrocketed. We are selling our masks at half of the price of others online – and, in some instances, at a quarter of the price. Our community has been a family since the beginning. The price reflects our commitment to you, and the enormous increase in price that the raw goods suppliers have instated world wide.

We are able to ship **ONLY 100 boxes per day**. This is **not a marketing tactic**. The shortage in raw goods is the limiting factor.

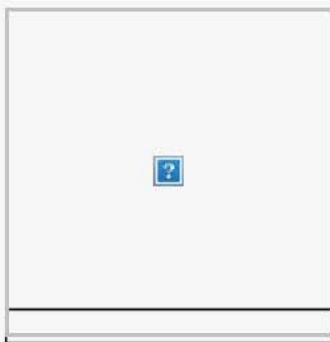
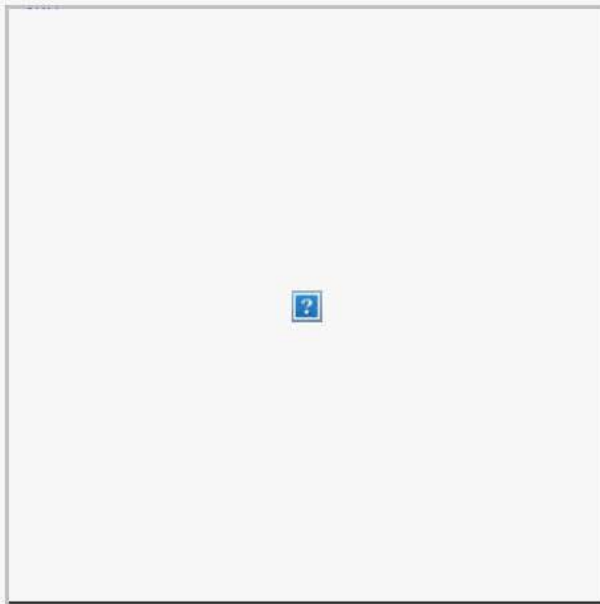
These masks are FDA approved, medically sterile



BUY CORONA VIRUS MASKS



A screenshot from today's (March 12, 2020) google news feed regarding these masks.



[N95 Particulate Coronavirus Respirator Masks 10/20/50 Box](#)

WE ARE ABLE TO SHIP ONLY 100 PACKAGES OF N-95 MASKS PER DAY. IF THE SITE REPORTS THAT WE ARE OUT OF STOCK, COME BACK AT 9AM, MST, THE FOLLOWING DAY. WE ARE SECURING MANUFACTURING WHICH GUARANTEES TWO WEEKS OF MASKS, 100 PACKAGES PER DAY.

[BUY CORONA VIRUS MASKS](#)

No longer want to receive these emails? [Unsubscribe](#)
Seek Everest

Enclosure B

Complaint ID	12903260
Consumer name	Dr. Amy [REDACTED]
Consumer street	[REDACTED]
Consumer city	Shelby
Consumer state/province	MI
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>This company refuses to issue me a refund after sending a defective product. The product was supposed to ship in 3-5 days, it took almost 4 weeks to receive it, and once it arrived, it was damaged. I informed the company that I would just like a refund because of how cheaply made the product was, and they responded by sending me a replacement product, when I specifically informed them I did NOT want to replace it, and then it took another 4 weeks for the replacement to arrive. Again, all I wanted to do was return the item, and they refuse to let me. Can anyone help with this?? Also there is no where to leave product reviews or feedback to this company, apparently they only post the positive reviews, which to be honest I'm surprised there are any! Please help!</p>
Desired outcome	<p>I will gladly send both products back (the original damaged and the unwanted/unrequested replacement) all I want is a refund! I've never dealt with a company that blatantly refuses to allow you to return a defective product. Bad bad business!!</p>

Complaint ID	13466621
Consumer name	Ms. Julie [REDACTED]
Consumer street	[REDACTED]
Consumer city	Oneill
Consumer state/province	NE
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I ordered two pair of ski pants. They were marked down so I made sure I could return them. Ashley of e-mail assured me I could. I received the merchandise and the quality was very, very poor. The pants cost 50 and 60 dollars on sale. The quality was just very very cheap. The sizing was very off, they didn't come close to fitting me. I sent them back. I did not receive a refund or a credit or acknowledgement of any kind. Efforts to contact the company have failed. I have received no response from the company. I'm out \$110 plus the cost of postage to return</p>
Desired outcome	Refund

Complaint ID	13399890
Consumer name	Ms. Rebecca [REDACTED]
Consumer street	[REDACTED]
Consumer city	Haslett
Consumer state/province	MI
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I purchased 2 pair of snow pants for a winter vacation. The pants were not delivered in the timeline on the website and were delivered after trip was completed. I contacted the company to initiate the return process for a refund. I have been going back and forth with the company for 2 months via email on the return and the refund they refuse to issue. I was given a gift card for the amount of the 2 snow pants. All email responses with Ashley at Seek Everest have been vague and non-productive. I requested to speak to someone with the company to resolve the issue and was told in an email that phone service is not a "primary option" for customers. I do not want nor do I need any products from Seek Everest so the gift card is useless.</p>
Desired outcome	<p>Full Refund for products returned. Products were returned in a timely fashion in the original packaging....never taken out of sealed plastic bag they were shipped in.</p>

Complaint ID	13574440
Consumer name	Maureen [REDACTED]
Consumer street	[REDACTED]
Consumer city	Fort Defiance
Consumer state/province	AZ
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I ordered 2 items, both wrongly sized, both made in China, no SEEK EVEREST label or company paperwork provided with shipments which took 6 weeks each to arrive from "UTAH" to "ARIZONA." First item returned, at my cost for a store gift card at a lesser price than item bought. Ordered 2nd item (after gift card was revoked for NO REASON, had to contact by email only to have it reinstated. 2nd item arrived, wrong size, wrong color. I contacted again by email and asked for refund only. Company told me I could order again: " Seek Everest <shipping@seekeverest.com> 2:33 AM (11 hours ago) to me Hi Maureen, Here in seekeverest, our customer is important to us. We see to it that we are giving them an excellent customer service all the time. As a small family run business, our delighted repeat customers and positive word of mouth advertising is what keeps us in business. I just took a look on your order and see that we sent you the right color. Anyway as a customer courtesy, if you would like to get another jacket in a different color, we can send it to you at \$22 at our cost." Customer service sent a photo of the color I ordered and told me I ordered the wrong color! It seems this business is a scam company, located in China and is selling highly inferior products. Regards, Sarah --</p>
Desired outcome	I would like a full refund

Complaint ID	13802858
Consumer name	Ms. Jeme [REDACTED]
Consumer street	[REDACTED]
Consumer city	Cary
Consumer state/province	IL
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I ordered snow pants and a jacket for a ski trip in March. The products did not arrive in time for the trip, and actually it was 6 weeks before I received them directly from China. The sizing was not as described ('like European sizing'), but rather Chinese sizing. Both items were too small and I was not happy with the quality so I contacted the company to return them, which I had to do at my expense. I was then informed that they would not issue credit card credit but rather a 'store' credit, or I could donate the value to 'someone in need'. Since my order was approximately \$125 USD I really wanted a refund! The store credit was issued and I found that it was only good for 30 days- totally ridiculous time span to buy something else, especially as their inventory is not large, promoted as almost all 'on sale' and out of stock. This does not give the buyer much choice. There is no way to contact these people by phone, and email exchanges touted their customer service and desire to keep the buyer happy but I cannot get any response on repeated requests for getting my money back. Extremely unhappy with this company and their deceptive business practices - \$125 USD is a lot of money and essentially this company has stolen it.</p>
Desired outcome	<p>I would like to receive a complete refund of my money. I returned the purchased items in good faith at my own expense and did not receive my original purchase money in return. As stated, the company has essentially stolen my money.</p>

Complaint ID	13715599
Consumer name	Michelle [REDACTED]
Consumer street	[REDACTED]
Consumer city	New Hampton
Consumer state/province	NH
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I ordered 2 pairs of pants. The box didn't have include any paperwork. The pants didn't fit and because of the material, they can't be altered to fit. I emailed the company requesting a RMA. Ashley sent me an RMA and said the return wouldn't be a problem. Their return policy states they will refund your credit card. However, if the product is on sale then they will only offer store credit. Well, every single item they sell is on sale, therefor they never give a refund. I am now out \$110.00 and have nothing for it.</p>
Desired outcome	Refund

Complaint ID	13329640
Consumer name	Dr. Alyssa [REDACTED]
Consumer street	[REDACTED]
Consumer city	Brunswick
Consumer state/province	ME
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I purchased two items from Seek Everest after carefully checking the size chart provided online for each item and measuring myself. In doing so, I was reassured by the fact that their website states boldly on the homepage "Return policy 30 days. Unhappy? We'll Fix It! We stand behind our high-quality products and your satisfaction is our number one priority!" When I received the two items, both of them were wildly different in size than what the size chart had indicated, and neither of them fits me at all. (Their items are clearly not what they purport to be: for example, I normally wear a size L or XL but ordered 3XL according to their sizing chart, the largest size available, and it was still tiny.) I contacted the company within just a few days of receiving the items about how to make a return, as the return procedure details were nowhere visible on their site that I could see. I received a reply telling me that the return policy was actually located (indicated with a tiny, single word "Returns" in small print) in the corner of the checkout page, and that that policy indicates that any return requires the customer to pay return postage AND pay a 20% restocking fee. Aghast at this policy--since any reputable online clothing company will offer full refunds in the case of unsatisfactory items, together with a return postage paid label, no questions asked--I contacted the company again to complain. This time, I was told that actually the particular items I had purchased were "final sale" and that no return of them was possible at all. Instead, I was encouraged to gift them to someone else and given full store credit in lieu of a refund. When I made</p>

the original purchase, nowhere that I could see was there any indication that my items were final sale and ineligible for return--if there had been, I would definitely not have purchased them! I wrote back again, telling the agent that full store credit is useless to me and I am again requesting a full refund, since these two items were the only ones in their inventory that I needed, and since they were unsuitable, there was nothing else I could use the credit for. At that point the customer rep simply did not reply to my inquiry, and therefore I am making this complaint. This business uses deceptive advertising (foregrounding a customer satisfaction promise and return policy that do not, in fact, exist) and sells shoddy merchandise from China that does not correspond to the size parameters that are advertised, and then refuses to return consumers' money.

Desired outcome

I am requesting a full refund of the amount I paid for this defective merchandise which was falsely described and sold under misleading pretenses. If the store would like the merchandise returned, then I am also requesting a postage-paid return shipping label. If not, then a full refund in the amount of my order (\$113.90) will suffice.

Complaint ID	13477136
Consumer name	Ms. Deborah [REDACTED]
Consumer street	[REDACTED]
Consumer city	Boise
Consumer state/province	ID
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	Ordered 2 pair ski pants size Medium. Order took over a month to arrive. It came from China. Wrong size - size Large. No paper work with the order. Order label declaration from China was wrong (they claimed one pair enclosed, there were two - I have photos of the label. Company has no phone number to contact them, I used email. They told me they do not offer refunds on sales items... all they offer are sales items. I am suspicious of this company that sends their goods from China, has no store front, only a PO Box number. They did say they would give me a store credit for the purchase price minus postage and handling and restocking fee. I do not wish to do business with this company by reordering something else.
Desired outcome	I have returned the pants and want refund of my payment to them in full - \$109.98. It can be credited to my credit card, American Express

Complaint ID	13563880
Consumer name	Ms. Susan [REDACTED]
Consumer street	[REDACTED]
Consumer city	San Francisco
Consumer state/province	CA
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I had ordered 2 pairs of pants and on the site promised "Return 30 Days Policy" "Unhappy? We'll Fix It!". Because I had never heard of them before I assumed that they would stick with their promise and I went ahead and purchased the pants. They did not fit so I attempted to return them. They first told me there was a steep restocking fee, but I wanted to return them anyway. When I spent \$16 to ship them back, they are now telling me that they will only offer a store credit because the pants were final sale! No where on the site mentioned that these were final sale and they've been selling at the same price for months. The information is very misleading as their site does not mention that they are on sale, only that they are pricing less than what competitors might:" Your price: \$ 54.99 USD120.00 USD You Save: \$65.01 USD (54%)" Since they are a small and new company, I have nothing else that I am interested in purchasing from them, so a store credit does me no good. Their return policy and final sale should be declared upfront when purchases are made.</p>
Desired outcome	Please I would like a refund for the full amount. As well as changes to their website to disclose their [poor] return policy and final sale pricing."

Complaint ID	13358714
Consumer name	Karen [REDACTED]
Consumer street	[REDACTED]
Consumer city	Austin
Consumer state/province	TX
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I ordered 4 pairs of pants. They took many weeks to arrive. When they did arrive, it was too late for them to be of any use. I sent them back. About 10 days later, I received an e-mail saying the I had been issued a gift card. This is after going back and forth with Ashley to be clear that I wanted a refund, and not a gift card. I contacted them again and now they are asking for the tracking # on the packages that I returned.</p>
Desired outcome	<p>I would like to be refunded the money back to my credit card minus the 20% re-stocking fee.</p>

Complaint ID	13420449
Consumer name	Mrs. Molly [REDACTED]
Consumer street	[REDACTED]
Consumer city	Clarks Summit
Consumer state/province	PA
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	This company is a fraud. First order was lost or so they say second time they reshipped and received only to see that The sizing was completely inaccurate. Want to return but afraid I'll only get half of what I paid in returns due to their restocking fees etc. I have emailed the company several times but keep getting automated responses and no answers.
Desired outcome	

Complaint ID	14147853
Consumer name	Ms. Kris [REDACTED]
Consumer street	[REDACTED]
Consumer city	Malvern
Consumer state/province	PA
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I purchased 3 pairs of ski pants from this company, using the size charts provided on their website for guidance to the sizing. Based on this information, I ordered size "XS". I received my order rather quickly, so no complaints with delivery time. However, the pants received were labeled size "S". According to the information they provided, they "adjust" their clients size requests because they are sourcing from Asia and American sizes are larger than the products they ship. That would be fine, if the pants fit as described in the sizing charts, but they do not. I would say that the "S" I received matches their description of "S" in the size chart, not "XS". Because of that fact, the pants are very large on me - unwearable. So I tried to reach their customer service group to discuss options for return/exchange. They have no information on the website about how to return an item, nor any automated returns process (as many online retailers have). You cannot call them because the only method of contact available is email. So I emailed them and after several email exchanges, finally learned that (1) there is no "XS" - or anything that would fit the size description on their size chart for "XS" (2) I can return them for a refund, but they will charge me a 20% restocking fee, and I have to pay the return shipping charges. Again, most online clothing retailers do not charge a</p>

restocking fee and many do not require the buyer to pay the return shipping charges.

Desired outcome

I am requesting a full refund of the purchase price (I will live with having to pay the shipping), based on the fact that I cannot exchange these pants for something that will fit, because they do not have anything in my size (despite advertising that they do based on the size charts). I feel that this is false and deceptive marketing. \$154.67 is the total amount that is due to me.

Complaint ID	13360818
Consumer name	Madison [REDACTED]
Consumer street	[REDACTED]
Consumer city	Washington
Consumer state/province	DC
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>I purchased two pairs of pants from from this company through a Facebook promotion. I looked at their website regarding return policies, and it said "contact us for refund information!" They never sent me a confirmation email, and when the pants arrived almost four weeks later, they came with no paperwork indicating order number. I tried them on and the product was shoddy and falling apart. I contacted the company for a refund. Nothing. Complained on their Facebook page. They told me to email the company. I did that again, explaining the situation about not having any order information. They sent me not one, but TWO form emails explaining their "pay it forward" promotion (donate the pants and get 40% off the next order). I said I wasn't interested in that, and AGAIN asked for my order number and information. They finally gave me my order number, and then told me I could return the pants at my expense for a store credit. I don't want store credit. So THEN they dropped the "20% restocking fee" on me, which is listed NOWHERE on their website. I've repeatedly asked for a refund and they say no, so I will be forced to file a fraud claim with my bank to recoup my money.</p>
Desired outcome	I want this company to recoup my money, and I would like for the BBB to investigate their shoddy business practices.

Complaint ID	14034243
Consumer name	Mrs. Angela [REDACTED]
Consumer street	[REDACTED]
Consumer city	Houston
Consumer state/province	TX
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Evening phone	[REDACTED]
Email	[REDACTED]
Narrative	Seek Everest did not refund my card the \$179.90 return made. A store gift card was given and the system is not accepting the the code. Multiple emails have been sent to Seek Everest with no reply. There is no other form of contact other the email.
Desired outcome	Refund of \$179.90 and or valid store credit.

Complaint ID	13363325
Consumer name	Sharon [REDACTED]
Consumer street	[REDACTED]
Consumer city	Piscataway
Consumer state/province	NJ
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	This company is a fraud. The product took very long to arrive. Then I wanted a refund bc the product was cheaply made. The quality of the product wa very poor. The company did not want to refund the money. They lied and said final sale and it wasn't when I purchased it. This company is a fraud and doesn't not want to issue me refund.
Desired outcome	Refund me my \$21.98.

Complaint ID	13474182
Consumer name	Tammarie [REDACTED]
Consumer street	[REDACTED]
Consumer city	Allendale
Consumer state/province	MI
Consumer postal code	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Narrative	<p>On 12/24.18 I ordered some winter pants (order 15061) from Seek Everest. I ordered a 10R based on their sizing directions. What I got was an 8R but even those were huge. I emailed and told them I wanted to exchange for the next smaller size but didn't know what to order because I had ordered a 10R ...got an 8R. Do I now order an 8R and or a 6R. They just kept saying please use the size chart. I tried to explain that again and they sent me back same thing. I said forget it I just want to return them and told them I would be returning to the address they had provided. Confirmed it was received and didn't get a refund. Contacted them and they said they had moved the warehouse. Waited and nothing finally contacted them again and they said they found them but couldn't offer a refund only a gift certificate. I told them again I didn't know what to order it has now been several days and they are not responding at all. They have my \$63.49 AND the product and I have nothing. I can't dispute with my credit card because it has been over 3 months since ordered ...it took forever to get ..then trying to work it out with them.</p>
Desired outcome	Refund \$63.49 to my credit card. Order 15061

Enclosure C

From: Morse, Stephen (AG)
Sent: Wednesday, April 8, 2020 1:00 PM
To: help@seekeverest.com
Subject: MI Attorney General Complaint

To whom it may concern,

This is Special Agent Supervisor Steve Morse from the Michigan Department of Attorney General's Financial Crimes Division. We have received information from Michigan residents that your company, Seek Everest, LLC., is soliciting them via email to purchase KN95 masks.

In reviewing the email, your website and business registration I am requesting the following information as part of my investigation:

- Name, address and telephone number of the owner(s)/operator(s) or actual employee, not the Registered Agents, Inc. representative information out of the state of Wyoming.
- Physical address of facility headquarters and board, president, CEO, COO, or any and all employees.
- Name and supplier of the masks you are selling ("KN95 Particulate Coronavirus Respirator Masks" since they are "KN95" masks they must have a China based manufacturer).
- Whether they are shipped directly from the manufacturer/supplier or your company.
- Names, addresses and contact information of all consumers, businesses (including hospitals and healthcare providers).
- Michigan residents, businesses or governmental entities that may have purchased your products.
- Your email indicates masks are "FDA approved," please provide proof of same.
- The email states they are "N95" masks, while your website only shows "KN95" masks. Please provide the reason for the product discrepancy between your email solicitation and actual product for sale.
- Invoice, statement or other proof of costs associated with retail price of ten masks for \$54.99.

Please respond in a timely manner and if you need further clarification of my request don't hesitate to email me directly or call our office at the number below.

Regards,

Stephen C. Morse, MPA
Special Agent Supervisor
Michigan Department of Attorney General
Financial Crimes Division
525 W. Ottawa St.
Lansing, MI 48933
Telephone: [REDACTED]
Facsimile: [REDACTED]

