

JUDICIAL REVIEW

5. (A) ANY PARTY TO A PROCEEDING UNDER THIS ACT MAY OBTAIN A REVIEW OF THE COMMISSION'S ORDER IN THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, OR IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, BY FILING WITHIN 60 DAYS AFTER COMMISSION DETERMINATION OF AN APPLICATION FOR RECONSIDERATION, A WRITTEN PETITION PRAYING THAT THE ORDER OF THE COMMISSION BE MODIFIED OR SET ASIDE.

(B) A COPY OF THE PETITION SHALL BE DELIVERED TO THE OFFICE OF THE COMMISSION AND THE COMMISSION SHALL CERTIFY AND FILE WITH THE COURT A TRANSCRIPT OF THE RECORD UPON WHICH THE COMMISSION ORDER WAS ENTERED.

(C) THE COURT SHALL HAVE EXCLUSIVE JURISDICTION TO AFFIRM, MODIFY, REMAND FOR RECONSIDERATION, OR SET ASIDE THE COMMISSION'S ORDER.

(D) THE COURT'S JUDGMENT SHALL BE FINAL, SUBJECT TO REVIEW BY THE SUPREME COURT OF THE UNITED STATES UPON CERTIORARI OR CERTIFICATION AS PROVIDED IN TITLE 28 U.S.C. §§ 1254 AND 2350.

(E) THE COMMENCEMENT OF PROCEEDINGS UNDER SUBSECTION (A) OF THIS SECTION MAY NOT OPERATE AS A STAY OF THE COMMISSION'S ORDER UNLESS SPECIFICALLY ORDERED BY THE COURT.

(F) THE COMMISSION AND ITS MEMBERS, OFFICERS, AGENTS, EMPLOYEES, OR REPRESENTATIVES ARE NOT LIABLE TO SUIT OR ACTION OR FOR ANY JUDGMENT OR DECREE FOR DAMAGES, LOSS, OR INJURY RESULTING FROM ACTION TAKEN UNDER THE ACT, NOR REQUIRED IN ANY CASE ARISING OR ANY APPEAL TAKEN UNDER THIS ACT TO MAKE A DEPOSIT, PAY COSTS, OR PAY FOR SERVICE TO THE CLERKS OF A COURT OR TO THE MARSHAL OF THE UNITED STATES OR GIVE A SUPERSEDEAS BOND OR SECURITY FOR DAMAGES.

ENFORCEMENT OF ACT; PENALTY FOR VIOLATIONS

6. (A) WHENEVER THE COMMISSION DETERMINES THAT A PERSON IS ENGAGED OR WILL ENGAGE IN AN ACT OR PRACTICE WHICH VIOLATES A PROVISION OF THIS ACT OR A RULE, REGULATION, OR ORDER UNDER IT, THE COMMISSION MAY BRING AN ACTION IN THE UNITED STATES DISTRICT COURT IN THE DISTRICT IN WHICH THE PERSON RESIDES OR CONDUCTS BUSINESS OR IN WHICH THE VIOLATION OCCURRED TO ENJOIN THE ACT OR PRACTICE AND TO ENFORCE COMPLIANCE WITH THIS ACT OR A RULE, REGULATION, OR ORDER UNDER IT.

(B) IF THE COURT MAKES A DETERMINATION UNDER SUBSECTION (A) OF THIS SECTION, THAT A PERSON HAS VIOLATED OR WILL VIOLATE THIS ACT OR A RULE, REGULATION, OR ORDER UNDER THE ACT, THE COURT SHALL GRANT A PERMANENT OR TEMPORARY INJUNCTION OR DECREE OR RESTRAINING ORDER WITHOUT BOND.