

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
Phoenix Division**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

GLOBAL ASSISTANCE NETWORK FOR
CHARITIES aka GANC, an unincorporated organization,
et al.,

Defendants.

)
) CIV-96-2494 PHX RCB
)
) STIPULATED FINAL
) JUDGMENT AND ORDER
) FOR PERMANENT
) INJUNCTION
) AND CONSUMER
) REDRESS AGAINST
) EILEEN BELCAR AND
) CEDRICK ROBLES
)
)
)
)
)

1. This Court has jurisdiction of the subject matter and of the parties hereto and venue is proper in this Court. The complaint states a claim upon which relief may be granted against Defendants under Sections 13(b) of the FTC Act, 15 U.S.C. § 53(b), as amended;

2. Entry of this Final Judgment is in the public interest;

3. Eileen Belcar and Cedrick Robles have waived all rights to seek appellate review or otherwise challenge or contest the validity of this Final Judgment;

4. This Final Judgment does not constitute and shall not be interpreted to constitute either an admission by Eileen Belcar or Cedrick Robles or a finding by the Court that Eileen Belcar and Cedrick Robles have engaged in violations of the FTC Act; provided, however, that in the event Plaintiff must institute proceedings to enforce any provision of this Order, Defendants agree that the facts as alleged in Plaintiff's complaint shall be deemed admitted for purposes of the instituted proceedings; and

5. For purposes of this order, "Defendants" means Eileen Belcar and Cedrick Robles,

B. Making directly or by implication, orally or in writing (including electronically) any material misrepresentation; and

C. Failing to have any basis for substantiating representations relating to the income or profitability of any goods or services.

II.

IT IS FURTHER ORDERED that Defendants Eileen Belcar and Cedrick Robles, are hereby permanently enjoined from providing to any person, except agents of the Commission or other law enforcement authorities, the name, address, telephone number, or credit card or bank account number, of any person who purchased a membership in GANC from any of the Defendants.

III.

IT IS FURTHER ORDERED that Defendants Eileen Belcar and Cedrick Robles, are jointly and severally liable to pay to plaintiff Federal Trade Commission the sum of FOUR THOUSAND NINE HUNDRED DOLLARS (\$4,900.00) as monetary equitable relief, which shall be paid within 30 days from the date Defendants sign this Stipulated Final Judgment and Order for Permanent Injunction and Consumer Redress. Any and all funds received from Defendants may be used to provide consumer redress and pay attendant administrative expenses. If the Commission determines, in its sole and full discretion, that redress is wholly or partially impracticable, any funds not so used shall be deposited into the United States Treasury.

IV.

IT IS FURTHER ORDERED that Defendants Eileen Belcar and Cedrick Robles are hereby permanently restrained and enjoined from promoting, offering for sale, or selling any memberships or participation rights in GANC or any other multi-level marketing, investment, or charitable donation program or plan, or from holding any ownership interest, share, or stock in, or serving as an officer, director or trustee of, any business entity engaged in whole or in part in the

sale of goods or services that are the subject of any multi-level marketing, investment, or charitable donation program or plan.

V.

IT IS FURTHER ORDERED that, for a period of five (5) years commencing with the date of entry of this Final Judgment, Eileen Belcar and Cedrick Robles, each shall:

A. Notify the Commission in writing of any change in their respective residential address within ten days of such change;

B. Notify the Commission in writing of any change in their respective employment status within ten days of such change. Such notice shall include the name and address of each business that the respective defendant is affiliated with or employed by, a statement of the nature of the business, and a statement of the defendant's duties and responsibilities in connection with the business; and

C. Notify the Commission in writing at least thirty days prior to the effective date of any proposed change in the structure of any business entity owned or controlled by Eileen Belcar or Cedrick Robles, such as creation, incorporation, dissolution, assignment, sale, creation or dissolution of subsidiaries, or any other changes that may affect compliance obligations arising out of this Final Judgment.

VI.

IT IS FURTHER ORDERED that Eileen Belcar and Cedrick Robles, and any successors or assigns shall, in connection with any multi-level marketing, investment, or charitable donation program or plan, for a period of five (5) years from the date of entry of this Final Judgment:

A. Make available to representatives of the Commission, upon reasonable notice, books, records, and accounts which, in reasonable detail, accurately and fairly reflect the income, disbursements, transactions, and use of money by each defendant; and

B. Provide representatives of the Commission, upon reasonable notice and without restraint or interference, access during normal business hours to the offices of each defendant to inspect and copy all documents relating in any way to any conduct subject to this Final Judgment

and to interview the officers, directors or employees of any such business with regard to compliance with the terms of this Final Judgment.

VII.

IT IS FURTHER ORDERED that all notices required of Eileen Belcar and Cedrick Robles by this Final Judgment shall be made to the following address:

Associate Director
Division of Marketing Practices
Federal Trade Commission
Room 238
6th Street & Pennsylvania Ave., N.W.
Washington, D.C. 20580

VIII.

IT IS FURTHER ORDERED that the Court's approval of this Final Judgment is expressly premised upon the truthfulness, accuracy, and completeness of the financial statements provided by Eileen Belcar and Cedrick Robles to counsel for the Commission. If, upon motion by the Commission, this Court finds that Eileen Belcar, or Cedrick Robles on their respective financial statements either failed to disclose any material asset, or materially misrepresented the value of any asset, or made any other material misrepresentations or omissions of assets, the Commission may request that the Final Judgment herein be reopened for the purpose of requiring additional consumer redress from that Defendant; provided, however, that in all other respects this Final Judgment shall remain in full force and effect unless otherwise ordered by this Court; and provided further, that proceedings instituted under this section are in addition to, and not in lieu of, any other civil or criminal remedies as may be provided by law, including any other proceedings the Commission may initiate to enforce this Final Judgment. Solely for the purposes of reopening or enforcing this paragraph, Eileen Belcar and Cedrick Robles waive any right to contest any of the allegations of the complaint filed in this matter.

IX.

IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for all purposes.

DATED this _____ day of _____, 19____.

ROBERT C. BROOMFIELD
United States District Judge

The parties, directly or by their respective counsel, have read, understand and hereby consent to the terms and conditions of the Stipulated Final Judgment as set forth above and consent to the entry thereof. Eileen Belcar and Cedrick Robles waive any rights that may arise under the Equal Access to Justice Act, 28 U.S.C. § 2412.

PLAINTIFF:

DEFENDANTS:

Date: _____, 1997

Dated: _____, 1997

FEDERAL TRADE COMMISSION
BY:

TARA M. FLYNN
D.C. Bar No. 442355

EILEEN BELCAR, Individually

JUDITH M. NIXON
VA Bar No. 36686

CEDRICK ROBLES, Individually