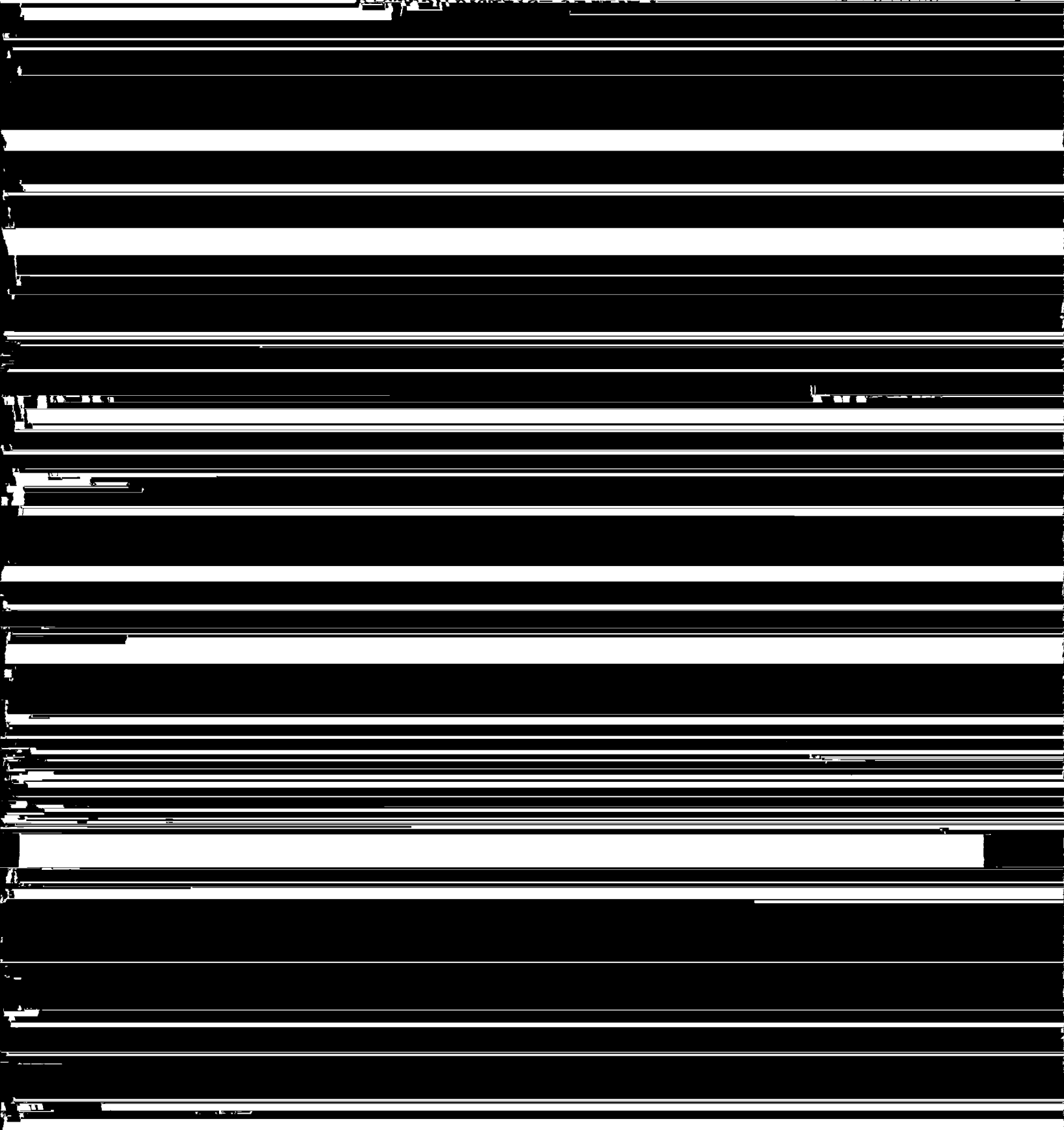


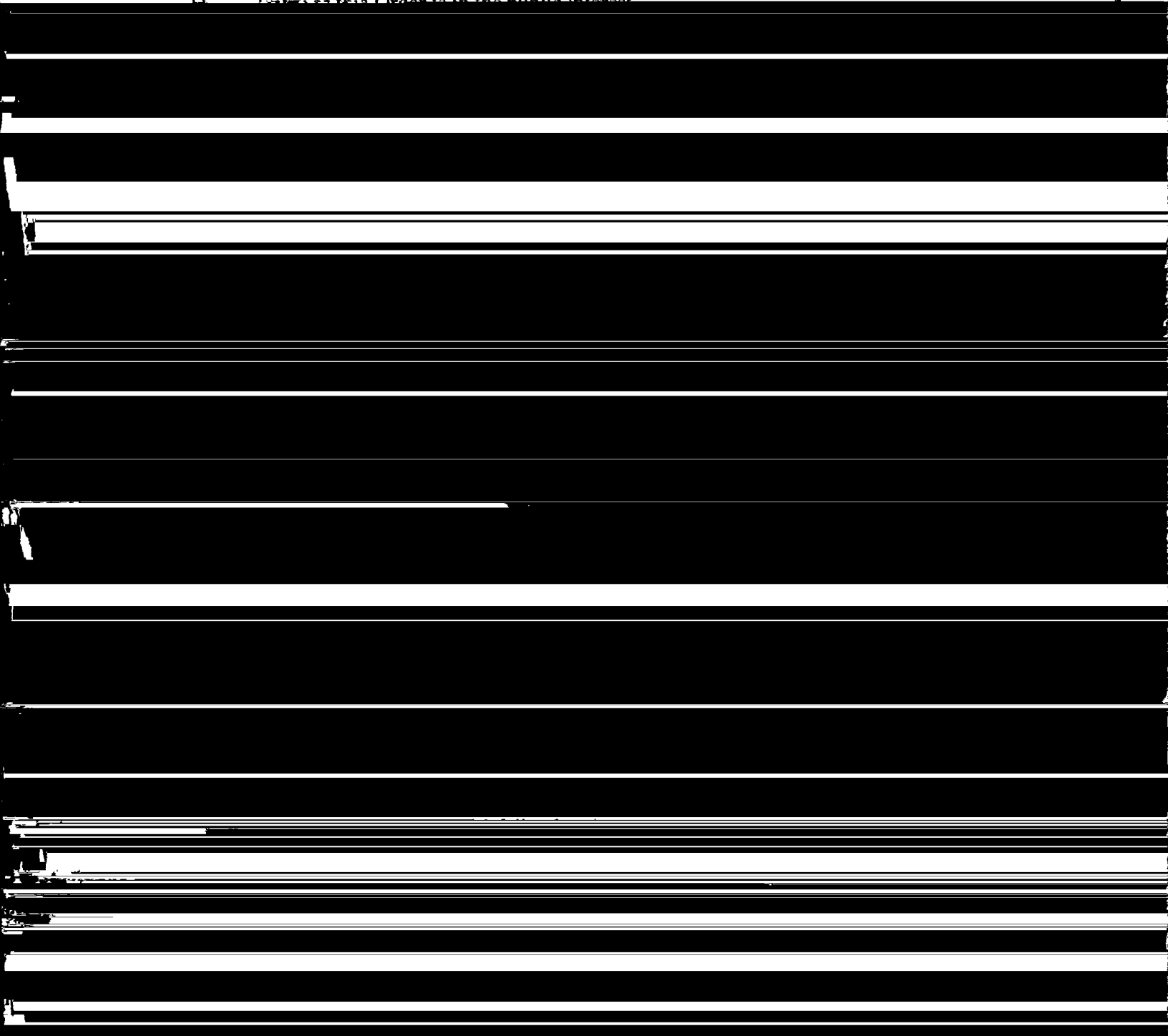
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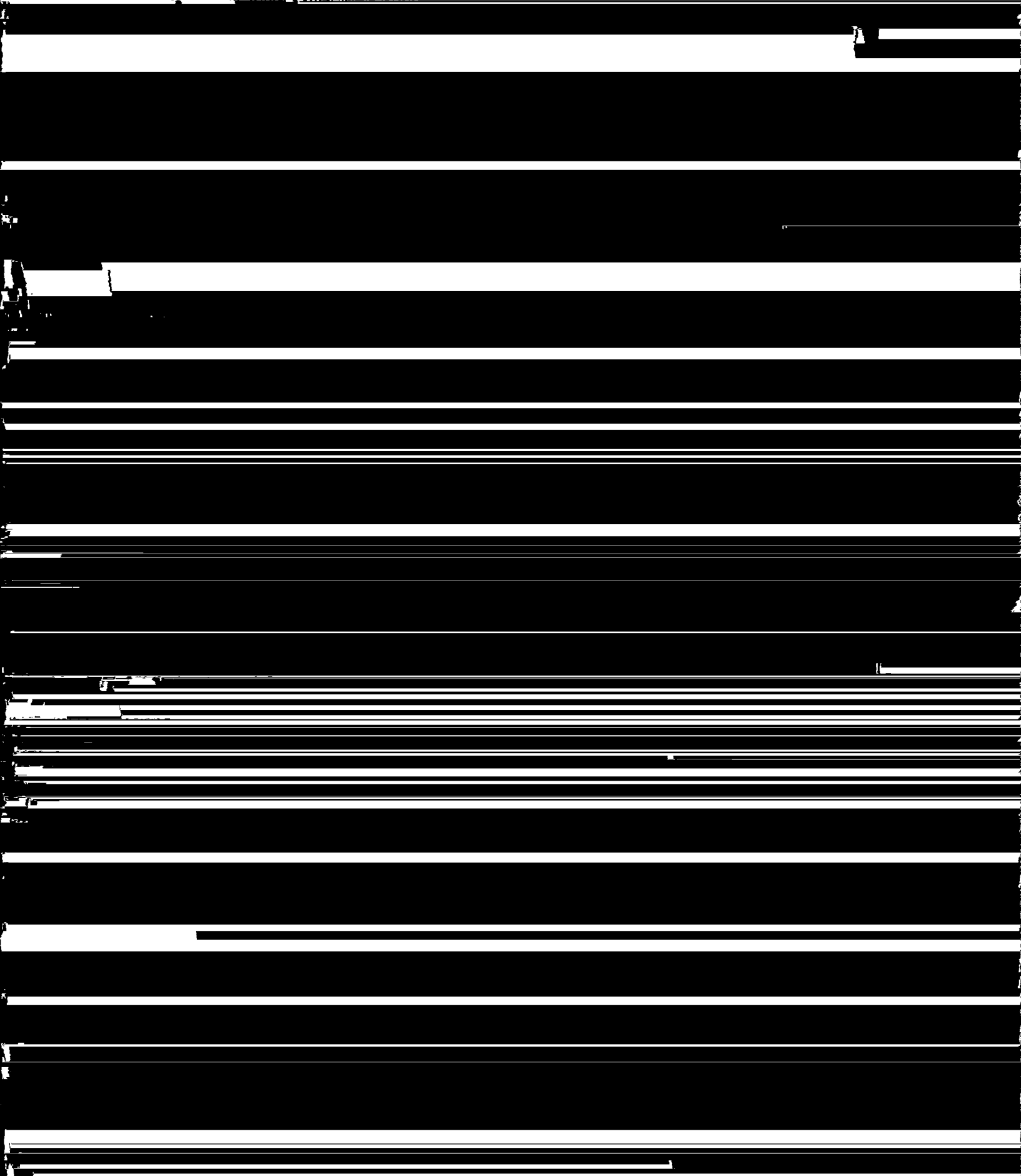
UNITED STATES DISTRICT COURT FOR THE



- A. The Commission and the Defendants agree that this Order is binding in form and scope pursuant to Fed. R. Civ. P. 65(d);
- B. No provision of this Order shall be construed as an admission or denial that any Defendant has engaged in violations of the FTC Act;
- C. Fed. R. Civ. P. 65(c) does not require security of the United States for the issuance of a preliminary injunction; and
- D. Entry of this Order is in the public interest



"Check processing" ...



H. "Defendant" means any of the Individual Defendants and the Corporate Defendants. "Defendants" means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

I. "Document" is equal in scope and synonymous in meaning to the usage of the term in Federal Rule Civil Procedure 34(a), and includes writings, drawings, charts, graphs, photographs, audio and video recordings, computer records, and any other data compilations from which information can be obtained.

J. "In or affecting commerce" shall mean as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

K. "Individual Defendants" means Jonathan Frankel and Craig Frankel, individually, collectively, or in any combination, and whether acting directly or through any successor, assign, agent, entity, corporation, subsidiary, division, or other device, unless specified otherwise.

L. "Merchant" means a person, corporation or any other entity, who/which sells or leases goods or services, and acts as a consumer by purchasing, leasing or renting goods or

|  |  |
|--|--|
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

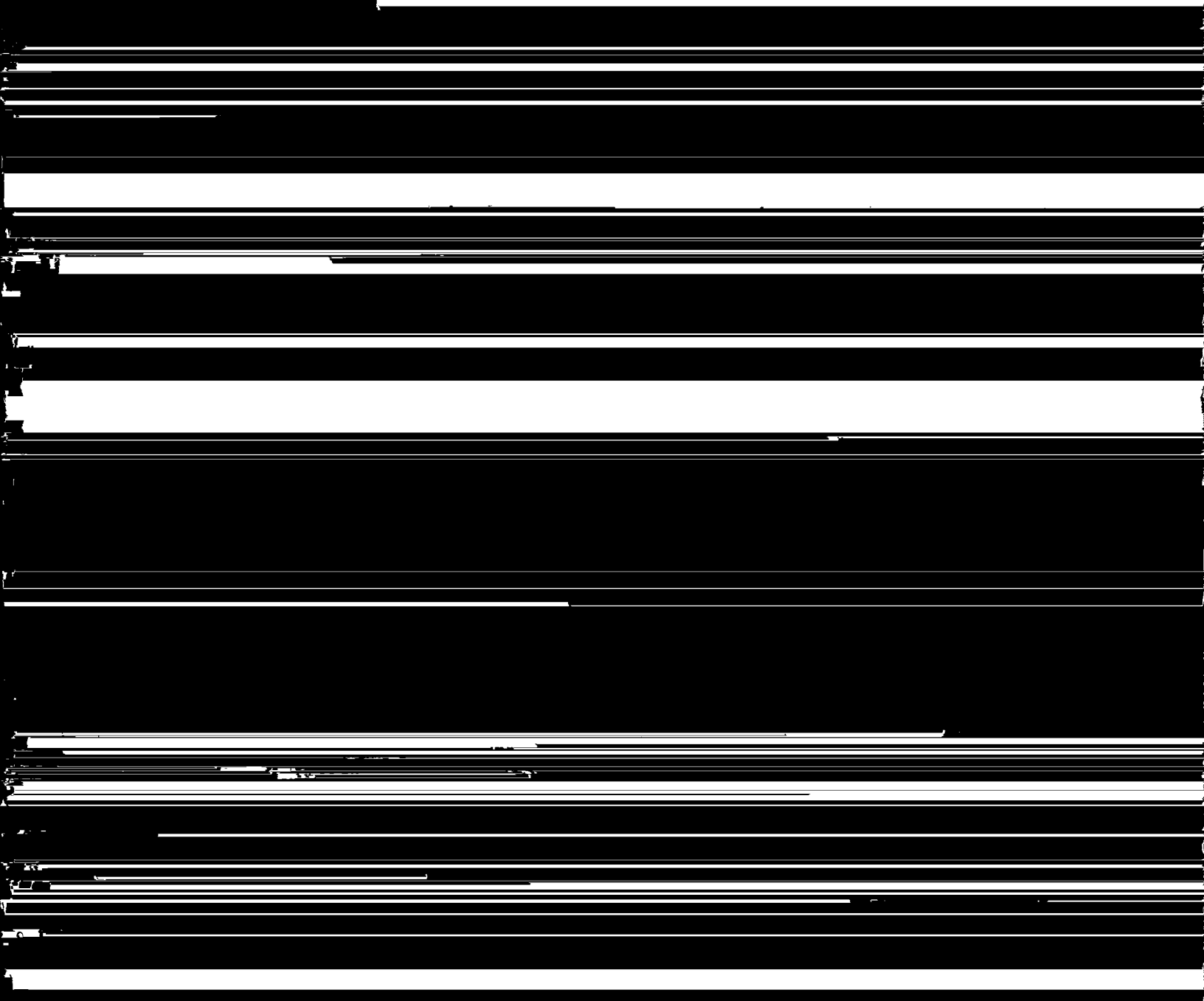
[REDACTED]

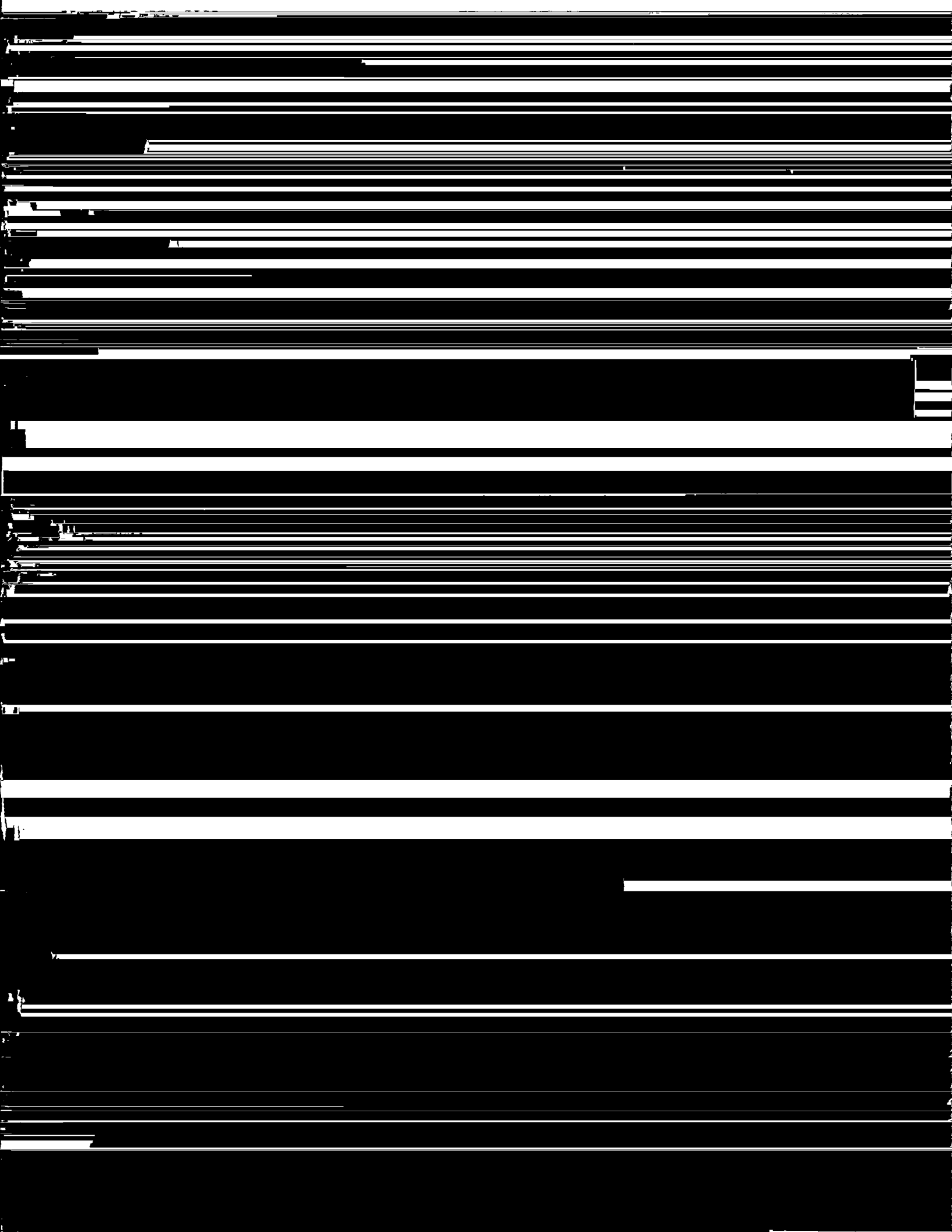
[REDACTED]

[REDACTED]

preliminarily restrained and enjoined from failing to disclose clearly and conspicuously, directly or by implication, orally or in writing, any material fact relating to fees, including but not limited to:

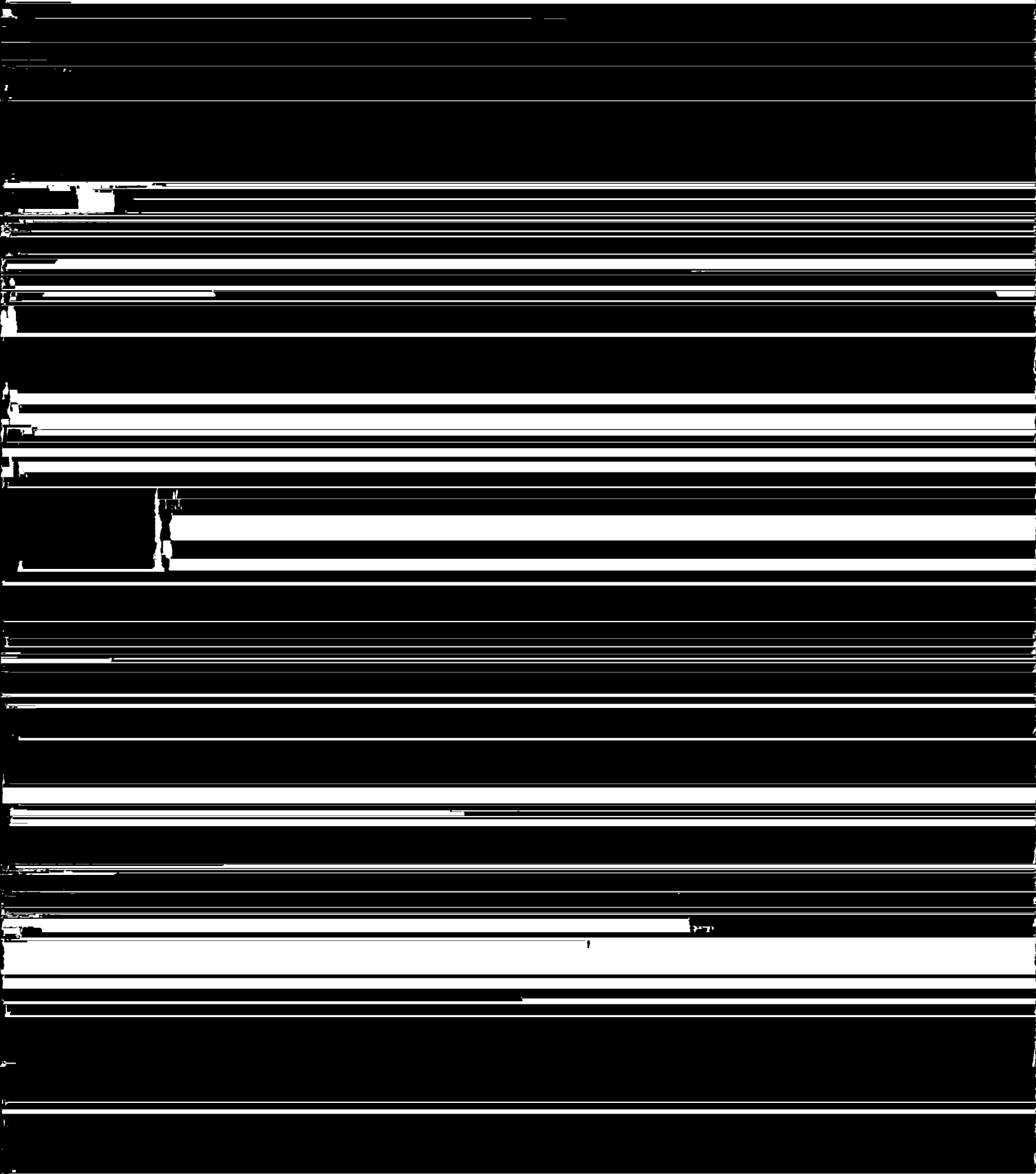
- A. Whether, under what conditions, and in what amounts the Defendants charge or debit any monthly minimum fees;
- B. Whether, under what conditions, and in what amounts the Defendants charge or debit any semi-annual fees; and
- C. Whether, under what conditions, and in what amounts the Defendants charge or



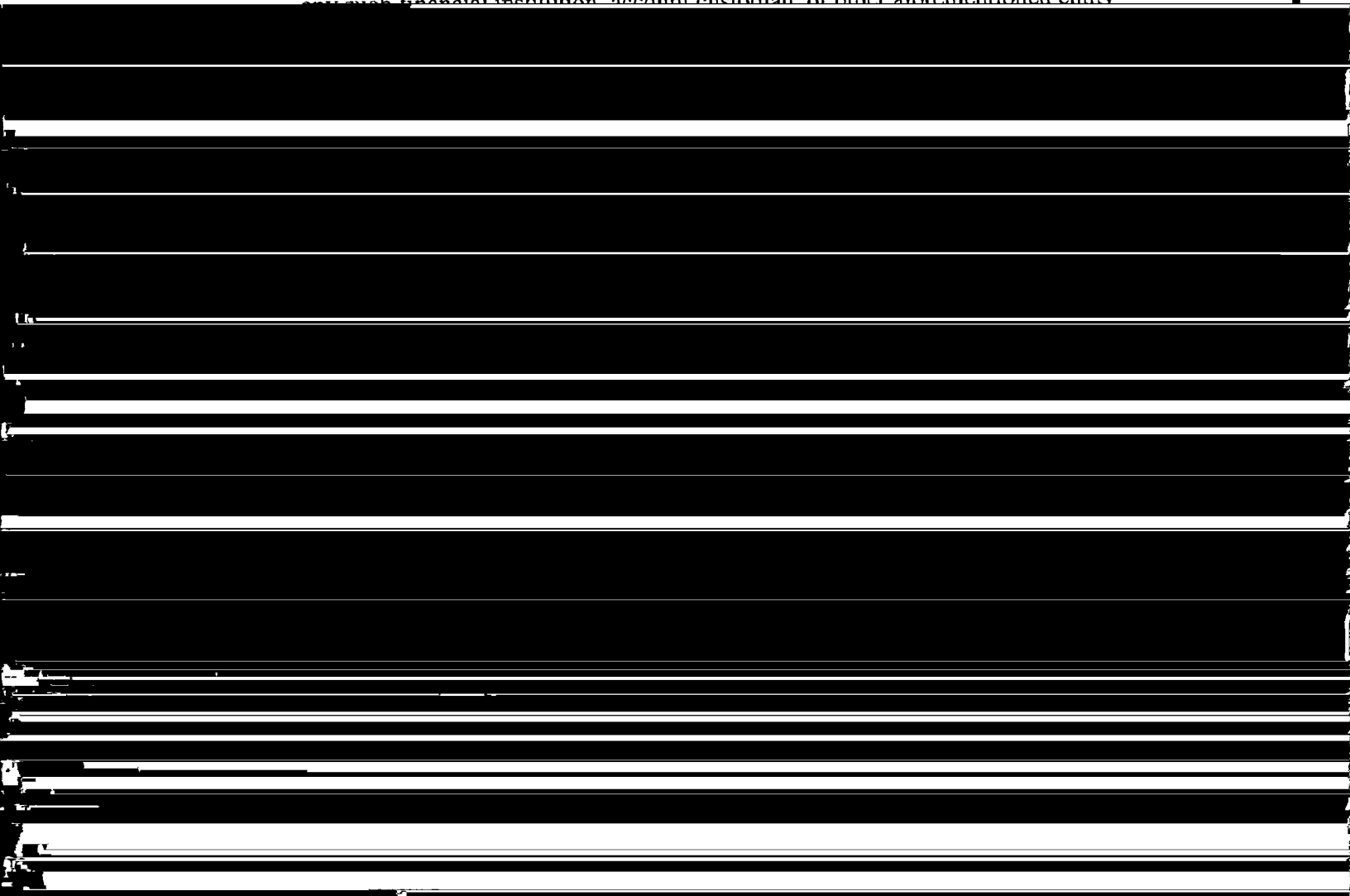


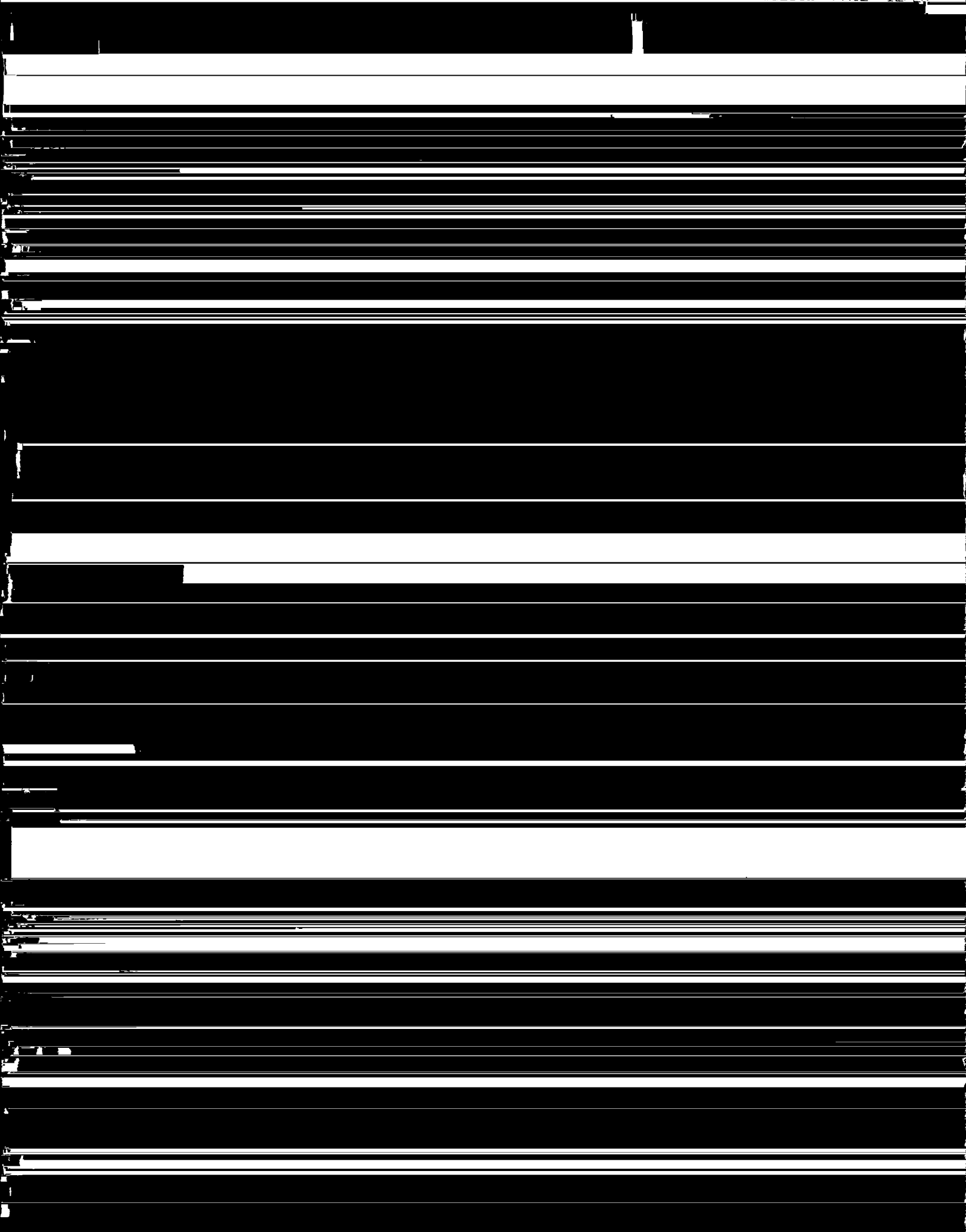


provisions set forth in subparagraph C. above, shall be subject to the exception

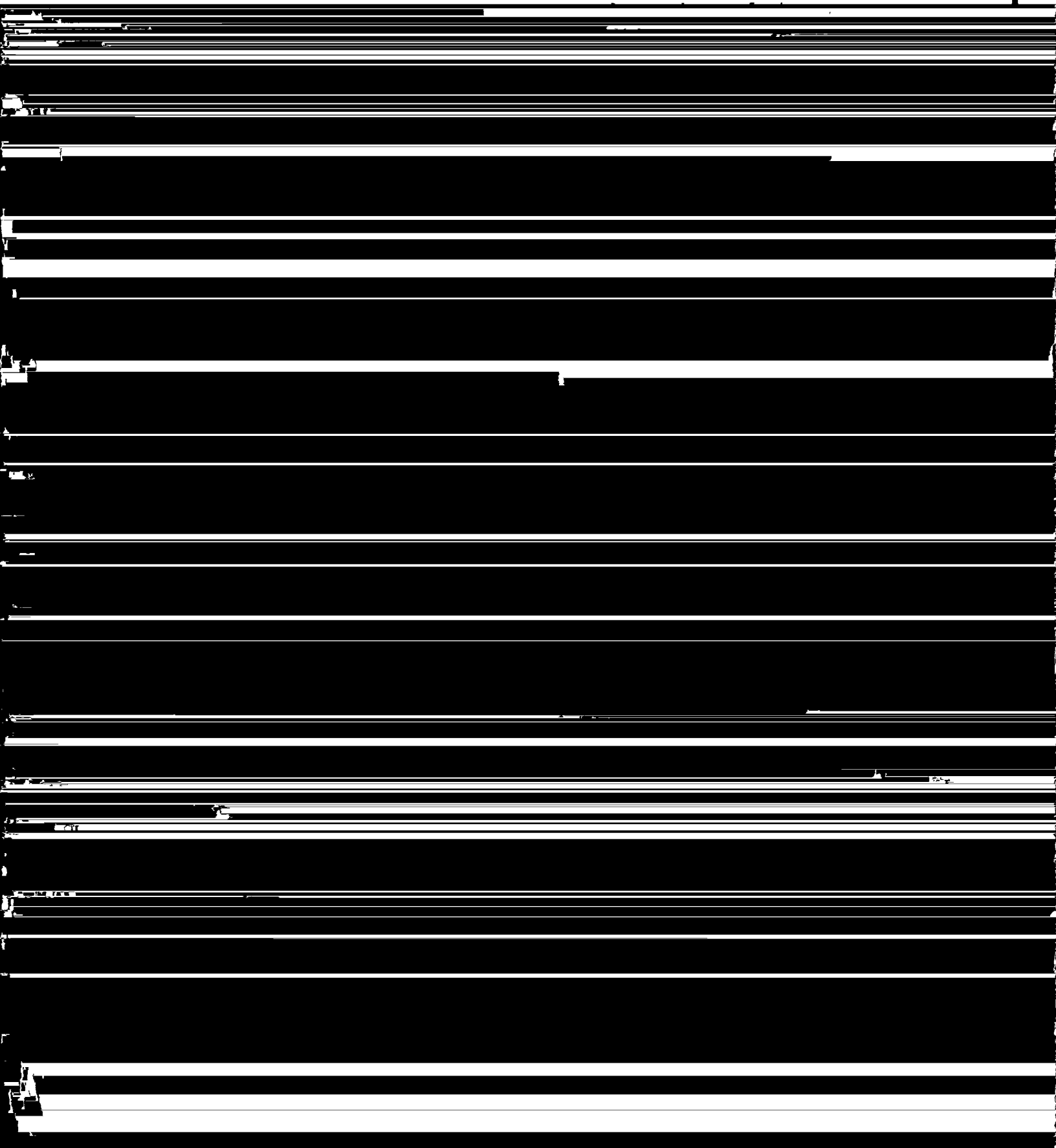


1. as directed by further order of the Court;
  2. as directed in writing by the Receiver (regarding assets held in the name or for the benefit of the Corporate Defendants and determined by the Receiver to be necessary for the operation of the business or any portion thereof); or
  3. for specific transfers agreed to in writing by counsel for the Commission.
- B. Deny access to any safe deposit boxes that are either:
1. titled in the name, individually or jointly, of any Defendant; or
  2. otherwise subject to access by any Defendant.
- C. The Commission and Receiver are granted leave, pursuant to Fed. R. Civ. P. 45, and notwithstanding Fed. R. Civ. P. 26, to subpoena documents immediately from ~~any such financial institution, account custodian, or other aforementioned entity~~

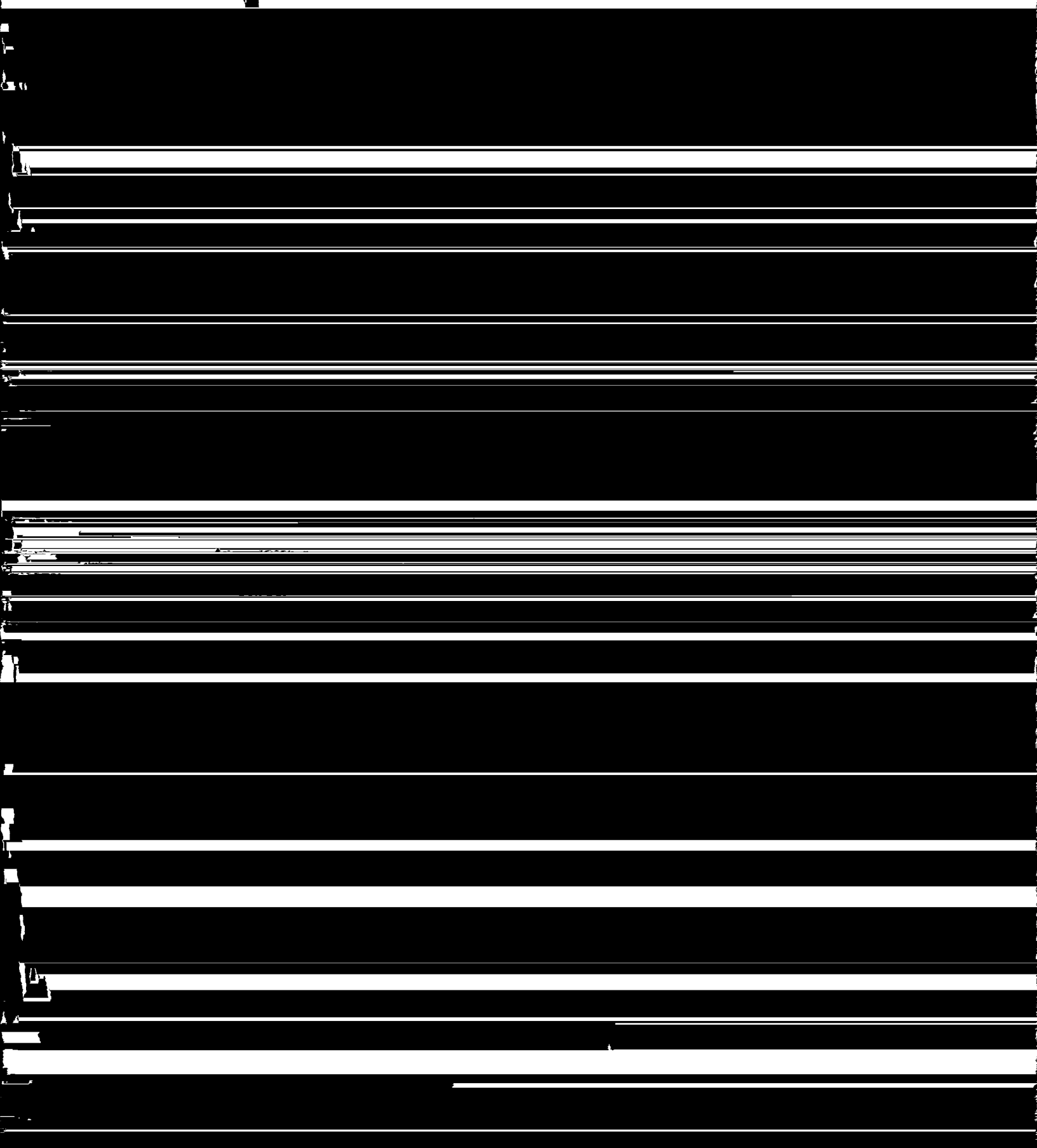




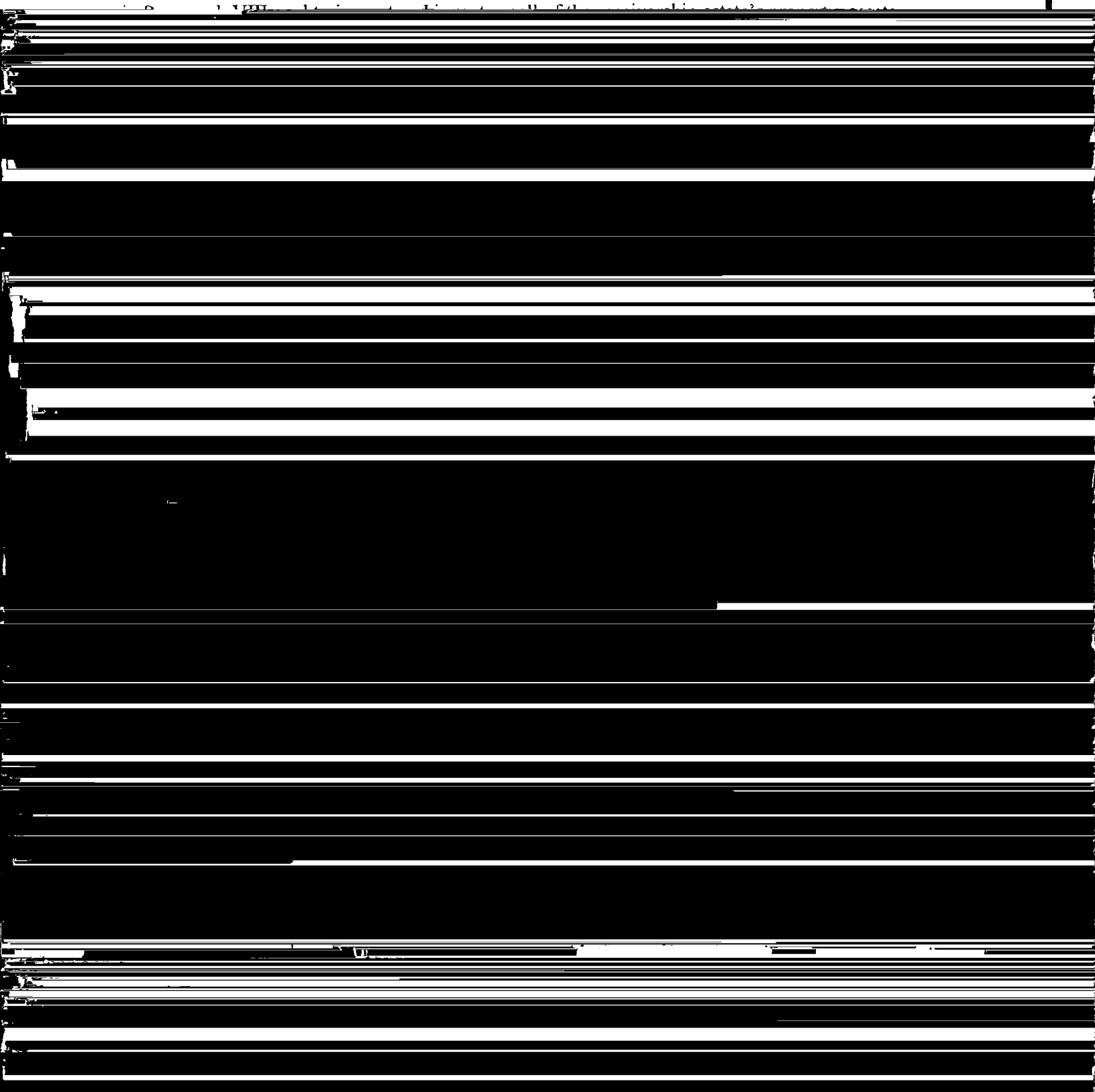
members and employees of the Receiver's firm, to assist, advise, and represent the



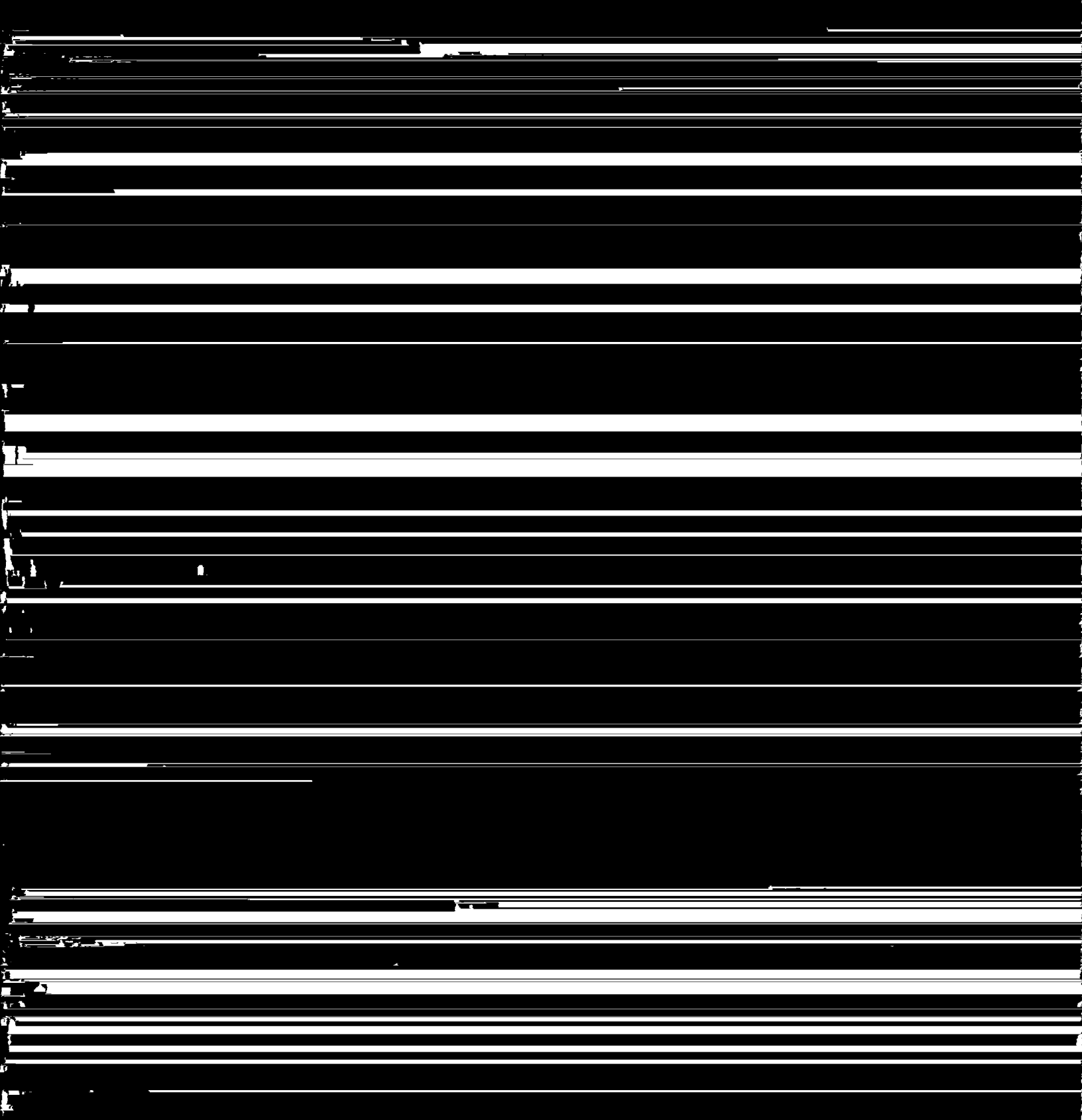
Obtain by presentation of this Order documents books records accounts



75380. The Receiver is authorized to employ the assistance of law enforcement officers as the Receiver deems necessary, to effect service and to implement peacefully the provisions of this Order. The purpose of access shall be to implement and carry out the Receiver's duties set forth



returns, and other documents or records of any kind that relate to the Corporate  
Defendants' property or assets, or are relevant to this action;



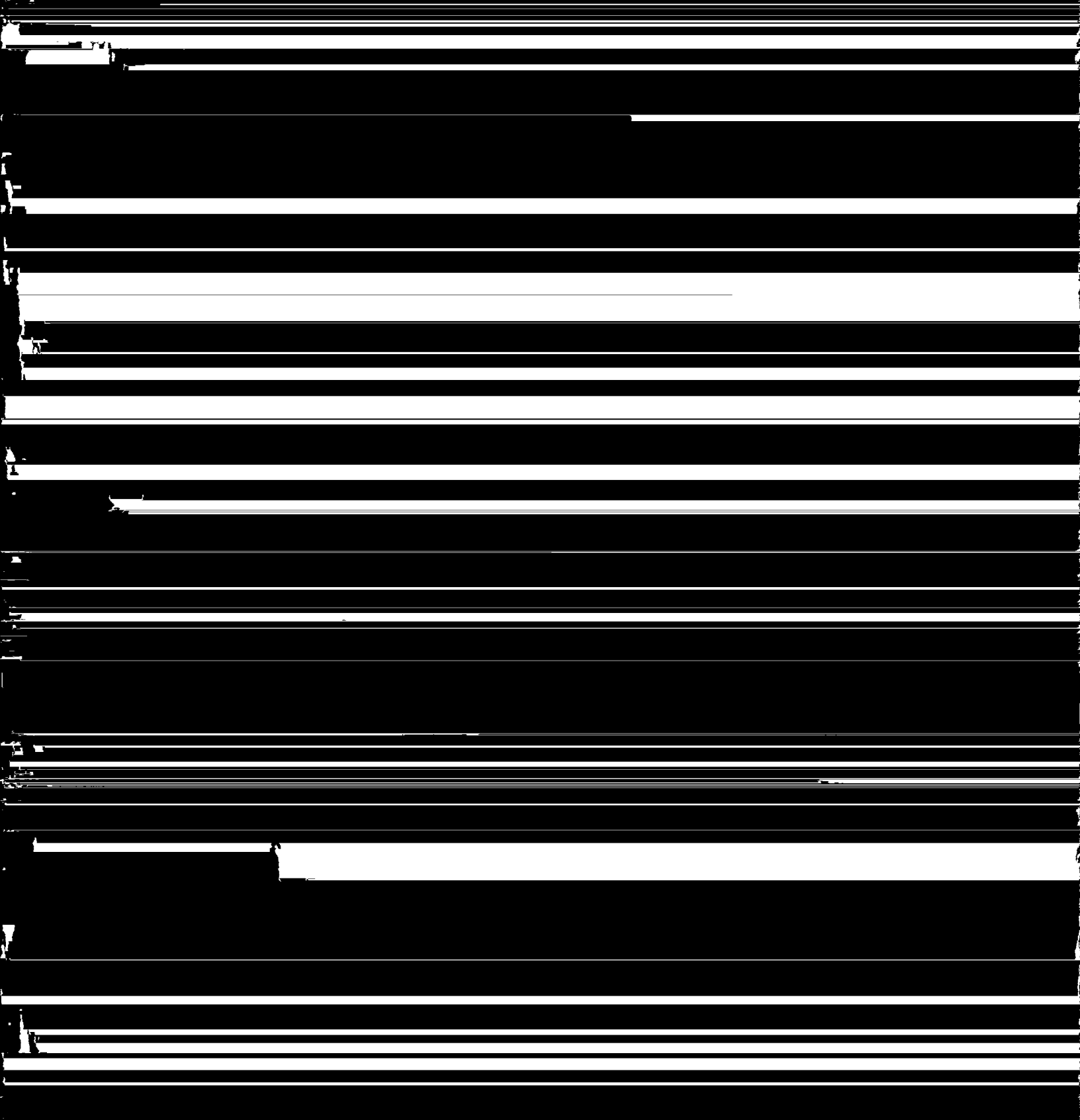
1. All funds or assets received from any source after the effective date of this Order, including without limitation funds received by payment, loan or gift;
2. The name, address, and telephone number of the source of all funds or assets received from any source after the effective date of this Order, including without limitation funds received by payment, loan, or gift;
3. The amount of each expenditure totaling \$500 or more; and
4. The name, address, and telephone number of each recipient of any





transactions, and check registers), limited partnership documents, client lists, title document, and other papers of the Corporate Defendants;

Documents listed in Exhibit C, all of which are the property of the members of the

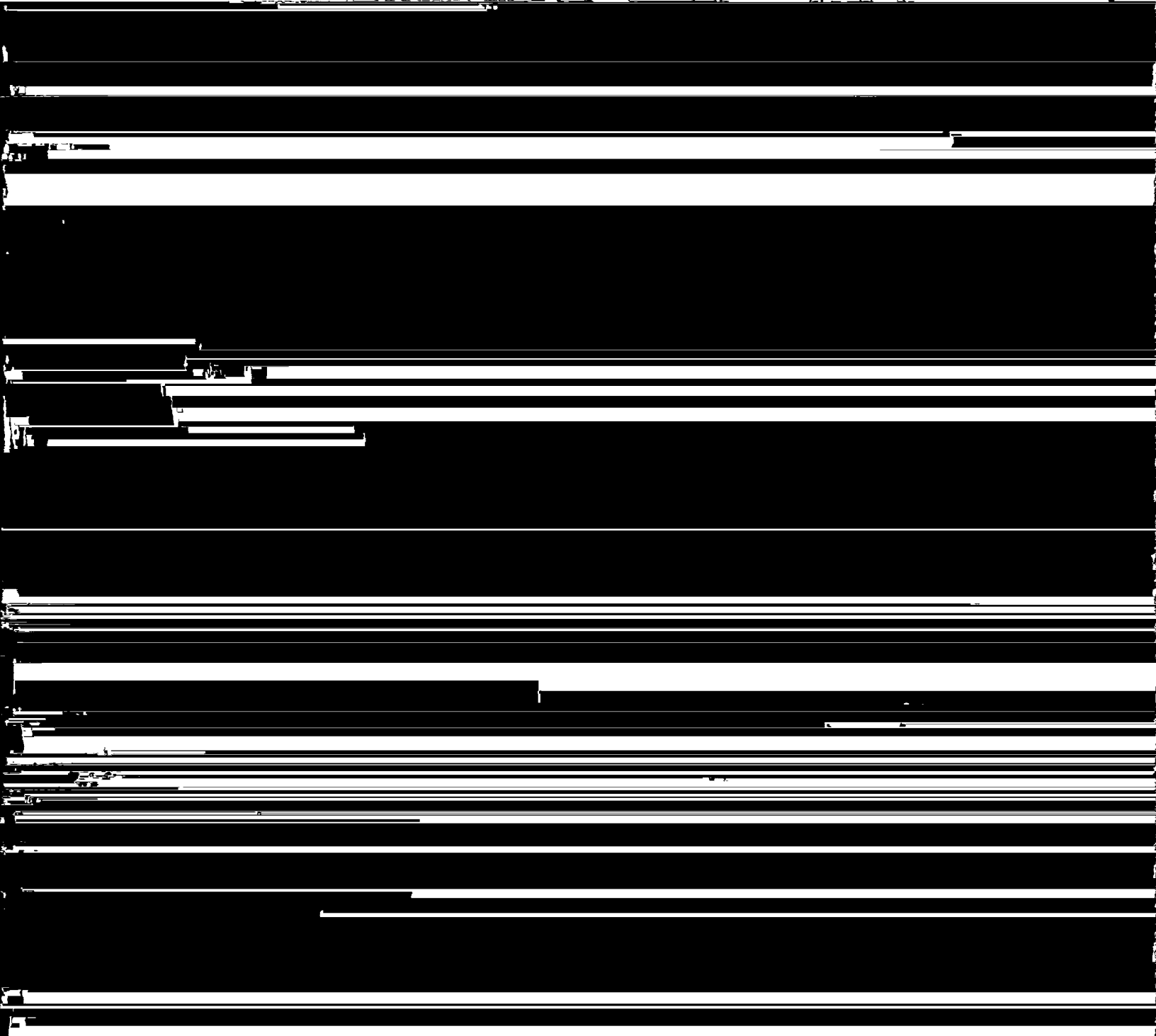


account number; and

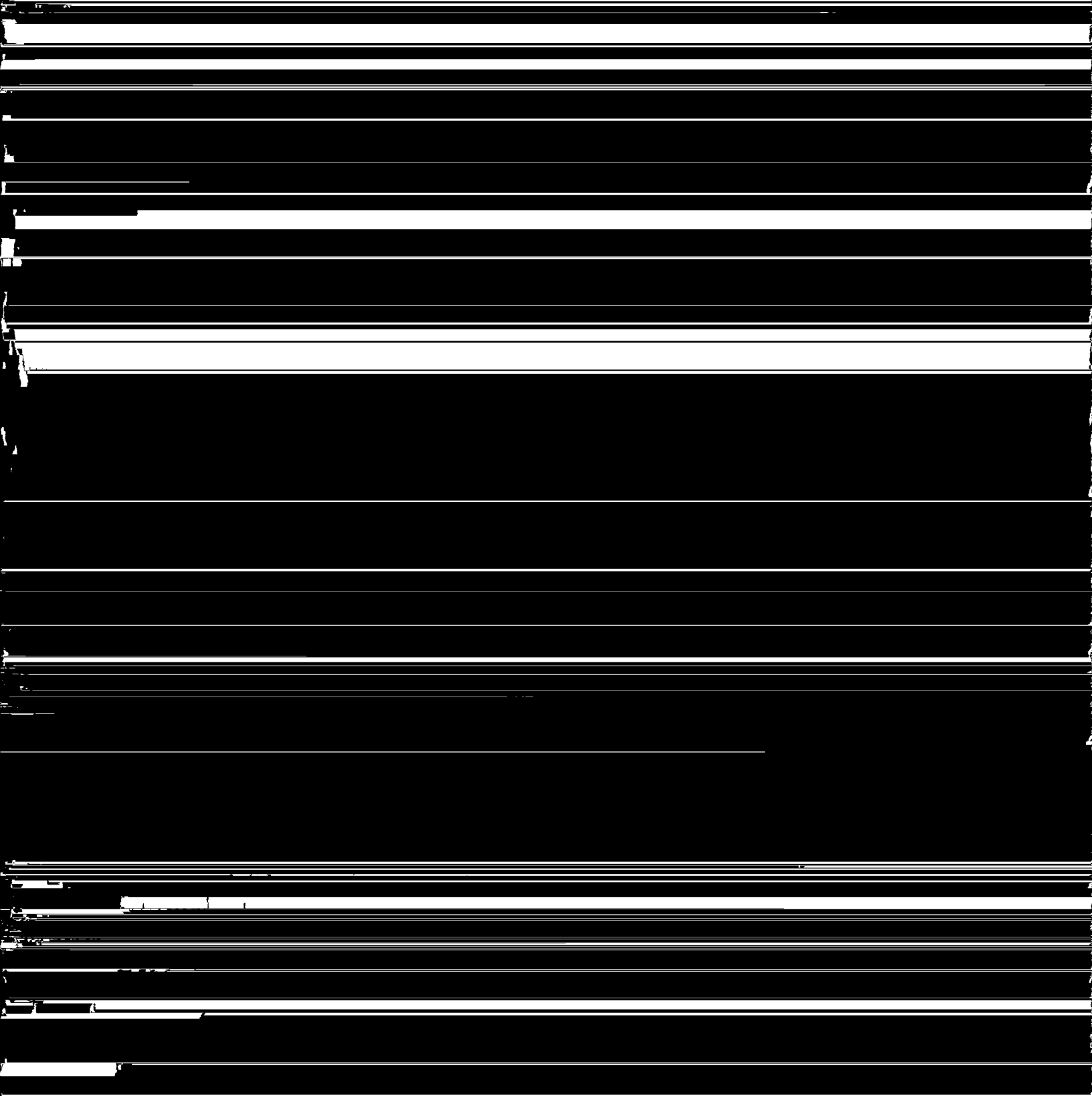
- C. Hold and retain all such repatriated assets and documents, and prevent any transfer, disposition or dissipation whatsoever of any such assets or funds.

**COMPENSATION OF RECEIVER**

**XIII.**

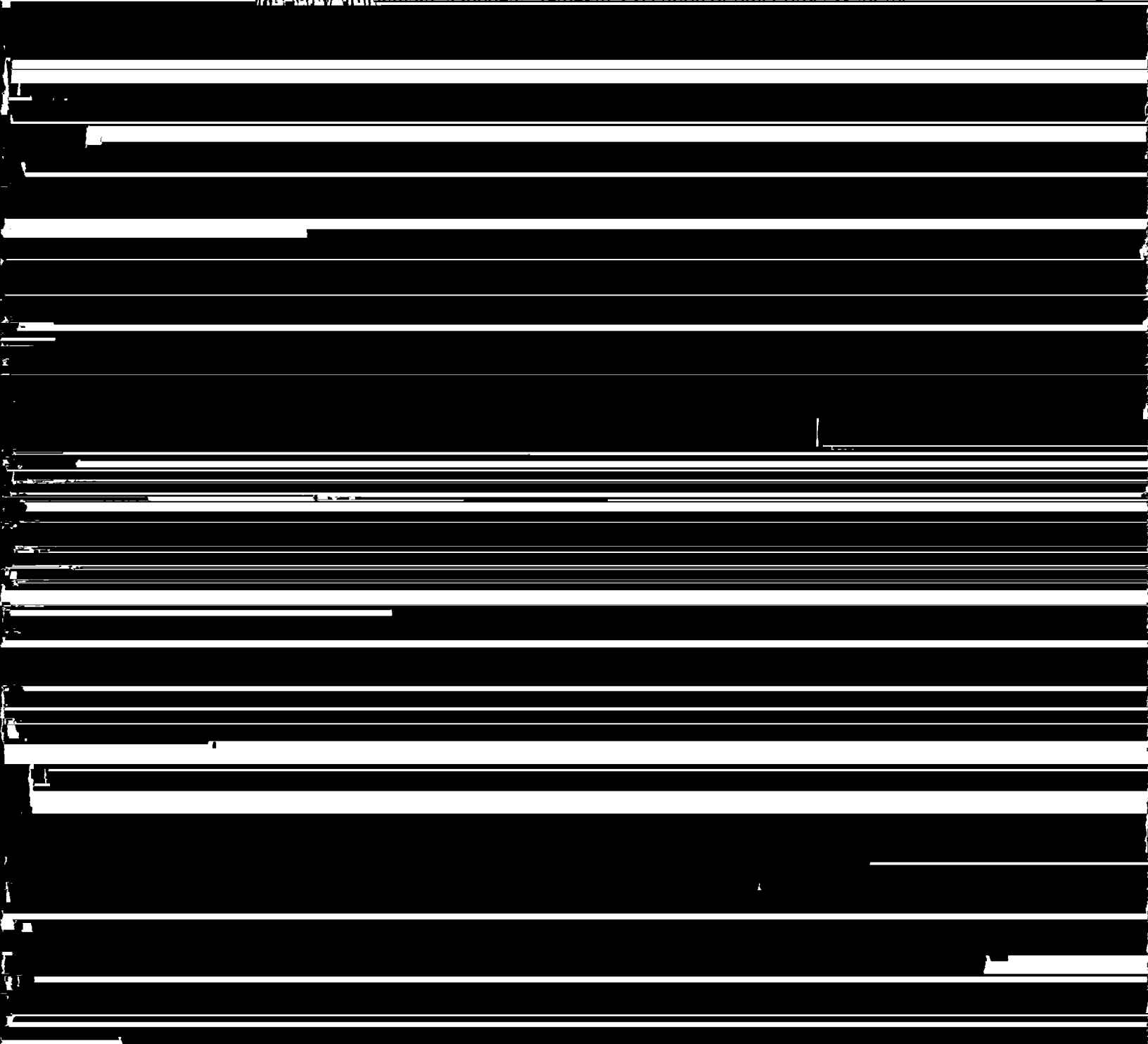


... .. The Division shall make application on the



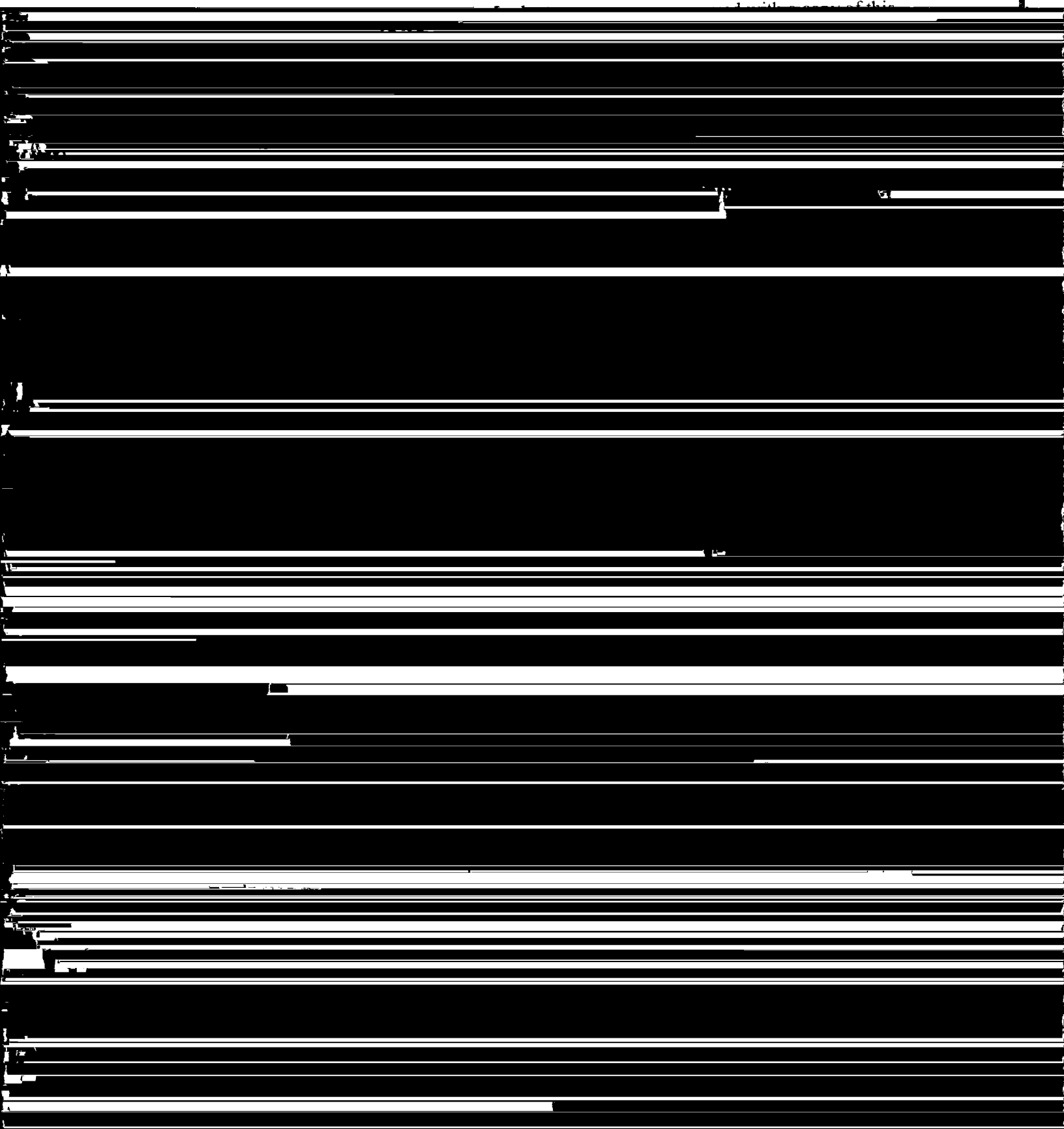
Defendants' interests in property, including, without limitation, the establishment, granting, or perfection of any security interest, whether such acts are part of a judicial proceeding or otherwise;

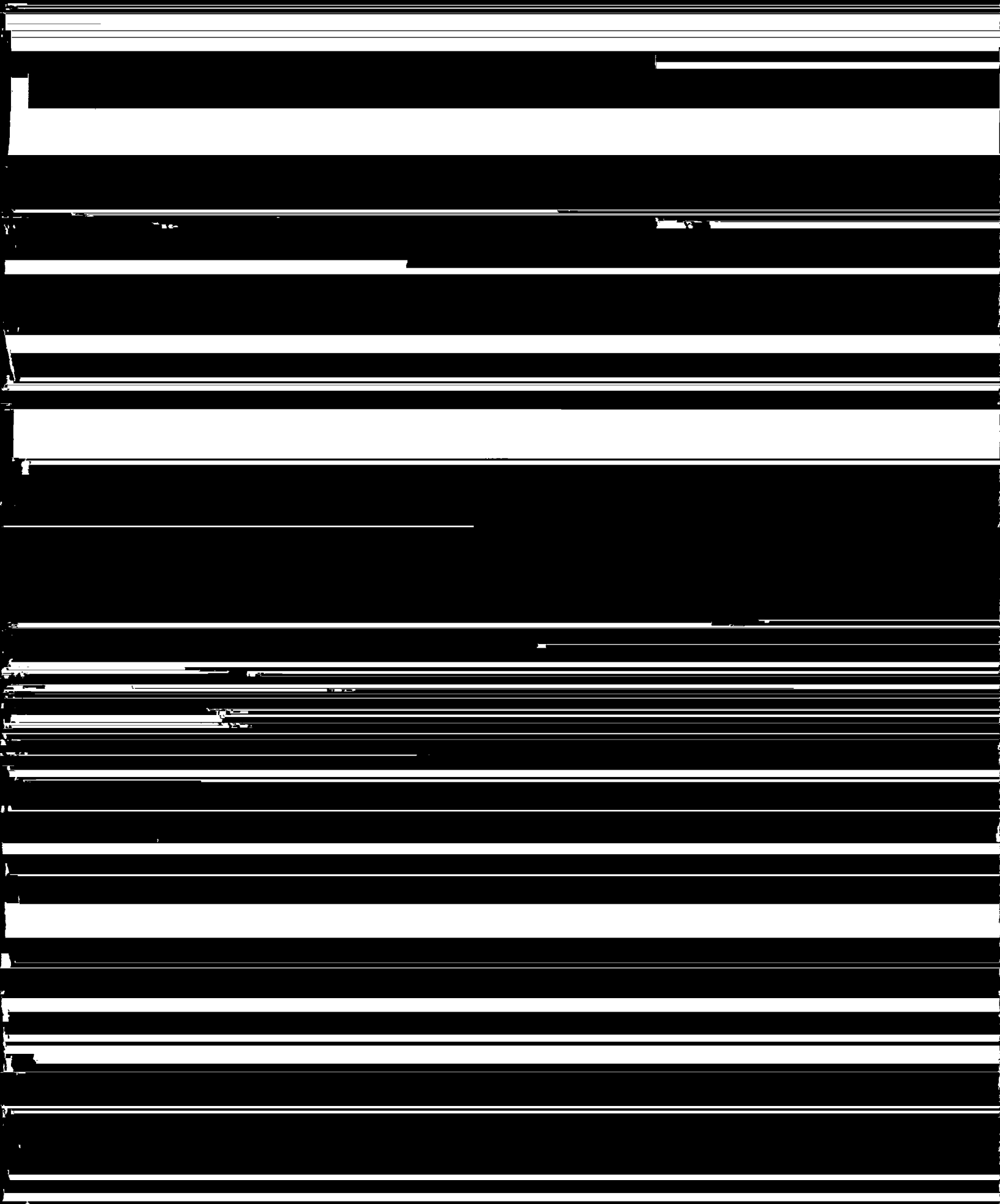
- D. Using self-help or executing or issuing, or causing the execution or issuance of any attachment, subpoena, replevin, execution or other process for the



**RECORD KEEPING**

XV.

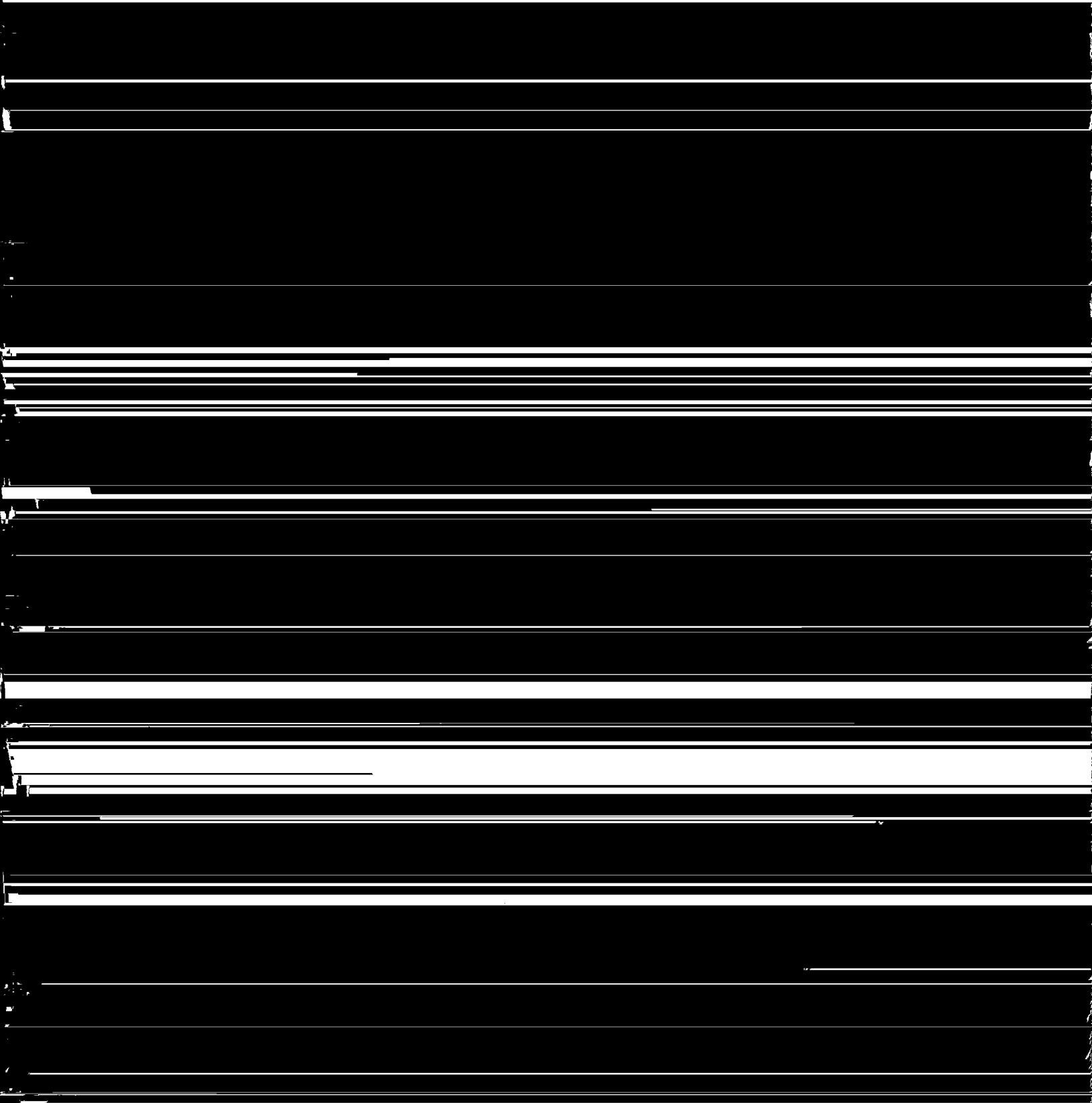


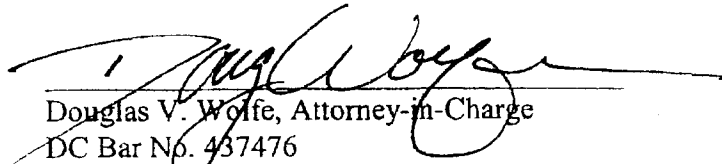


**RETENTION OF JURISDICTION**

**XIX.**

~~IT IS HEREBY ORDERED~~ that this Court shall retain jurisdiction of this matter for





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Tel: (202) 326-2458; email: mdavis@ftc.gov

Attorneys for Plaintiff

THE FEDERAL TRADE COMMISSION

