

1 Lemuel W. Dowdy
Victor F. DeFrancis
2 Federal Trade Commission
600 Pennsylvania Avenue, NW
3 Washington, DC 20580

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1 or providing, or arranging for the formulation or provision of,
2 any telephone sales script or any other written marketing
3 material, including, but not limited to, the text of any Internet
4 website, email or other electronic communication; (c) providing
5 names of, or assisting in the generation of, potential customers;
6 (d) performing marketing services of any kind; (e) acting as an
7 officer or director of a business entity; or (f) supplying an
8 international driving permit, identification document, false
9 identification document, identification template, or related
10 material or information, whether denoted as a real or novelty
11 item.

12 **ORDER**

13 **I. BAN ON CERTAIN ACTIVITIES**

14 IT IS THEREFORE ORDERED that Abraham, whether acting
15 directly or through any person or entity, is permanently
16 restrained and enjoined from (A) marketing, advertising,
17 promoting, offering for sale, distributing, or selling any
18 international driving permit, or any other identification
19 document, false identification document, identification template
20 or related material or information, whether denoted as a real or
21 novelty item; and (B) assisting others who Abraham knows or
22 consciously avoids knowing are engaged in the marketing,
23 advertising, promotion, offering for sale, distributing, or
24 selling of any international driving permit, or any other
25 identification document, false identification document,
26 identification template or related material or information,
27 whether denoted as a real or novelty item. Nothing in this Order
28 shall be read as an exception to this Paragraph.

1 ways a person can use a government-issued photo identification
2 document;

3 E. Misrepresenting or assisting others in misrepresenting,
4 directly or by implication, that any international driving permit
5 or other identification document has been issued by or under the
6 authority of the United States Government, a State, political
7 subdivision of a State, a foreign government, political
8 subdivision of a foreign government, an international
9 governmental or international quasi governmental organization;

10 F. Misrepresenting or assisting others in misrepresenting,
11 directly or by implication, any information relating to any
12 holder of any international driving permit or other
13 identification document, including, but not limited to, the
14 identity, name, address, nationality, citizenship, or vital
15 statistic of the holder;

16 G. Misrepresenting or assisting others in misrepresenting,
17 directly or by implication, any other fact material to a
18 consumer's decision to purchase any international driving permit
19 or any other identification document, false identification
20 document, identification template or related material or
21 information, whether denoted as a real or novelty item; and

22 H. Misrepresenting or assisting others in misrepresenting,
23 directly or by implication, any material fact regarding any item,
24 product, good, or service sold or offered for sale.

25 III. CONSUMER LISTS

26 IT IS FURTHER ORDERED that Abraham and his officers, agents,
27 servants, employees, and attorneys, and all persons or entities
28 in active concert or participation with him who receive actual

1 notice of this Order by personal service or otherwise, are
2 permanently restrained and enjoined from hereafter selling,
3 renting, leasing, transferring, or otherwise disclosing the name,
4 address, telephone number, credit card number, bank account
5 number, e-mail address, or other identifying information of any
6 person who paid any money to Abraham for any international
7 driving permit, identification document, or false identification
8 document, at any time prior to entry of this Order; *provided,*
9 *however,* that Abraham may disclose such identifying information
10 (i) with the express written consent of the person whose
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1 remaining funds for such other equitable relief (including
2 consumer information remedies) as it determines to be reasonably
3 related to Abraham's practices alleged in the Complaint. Any
4 funds not used for such equitable relief shall be deposited to
5 the U.S. Treasury as equitable disgorgement. Abraham shall have
6 no right to challenge the FTC's choice of remedies or the manner
7 of distribution under this Paragraph IV;

8 C. Abraham further agrees that the facts as alleged in the
9 Complaint shall be taken as true in the event of any subsequent
10 litigation to collect amounts due pursuant to this Order,
11 including but not limited to a nondischargeability complaint in
12 any bankruptcy proceeding;

13 D. The judgment entered pursuant to this Paragraph IV is
14 equitable monetary relief, solely remedial in nature, and not a
15 fine, penalty, punitive assessment or forfeiture;

16 E. Abraham acknowledges and agrees that any money paid
17 pursuant to this Order is irrevocably paid to the FTC for
18 purposes of settlement between the FTC and Abraham, and Abraham
19 relinquishes all rights, title, and interest to such money; and

20 F. Abraham is hereby required, in accordance with 31
21 U.S.C. § 7701, to furnish to the FTC his Social Security number
22 and/or tax identification number, which shall be used for
23 purposes of collecting and reporting on any delinquent amount
24 arising out of this Order.

25 V. ASSET FREEZE

26 IT IS FURTHER ORDERED that, upon entry of the judgment, the
27 freeze of Abraham's assets shall be dissolved. Any Commercial
28 Mail Receiving Agency retaining and forwarding to the FTC mail

1 addressed to Abraham may resume forwarding mail directly to
2 Abraham.

3 **VI. RIGHT TO REOPEN**

4 IT IS FURTHER ORDERED that, within five business days after
5 entry of this Order, Abraham shall submit to the FTC a truthful
6 sworn statement that shall acknowledge receipt of this Order and
7 shall reaffirm and attest to the truthfulness, accuracy and
8 completeness of the financial statements submitted by Defendant
9 Abraham (Jan. 16, 2003, Individual Statement, and Jan. 16, 2003,
10 Business Statement) to the FTC, and the deposition testimony he
11 gave on March 11, 2003. The FTC's agreement to this Order is
12 expressly premised on the truthfulness, accuracy and completeness
13 of those financial statements and said deposition testimony. If,
14 upon motion by Jan. 16, h he

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1 advertisements, or other marketing materials.

2 **VIII. COMPLIANCE MONITORING**

3 IT IS FURTHER ORDERED that, for the purpose of monitoring
4 and investigating compliance with any provision of this Order:

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1 representative, agent, or employee who has agreed to such an
2 interview, relating in any way to any conduct subject to this
3 Order. The person interviewed may have counsel present.

4 **IX. COMPLIANCE REPORTING BY DEFENDANT**

5 IT IS FURTHER ORDERED that, in order that compliance with
6 the provisions of this Order may be monitored:

7 A. For a period of five (5) years from the date of entry
8 of this Order,

9 1. Abraham shall notify the FTC of the following:

10 a. Any changes in Abraham's residence, mailing
11 addresses, and telephone numbers, within ten (10) days of the
12 date of such change;

13 b. Any changes in Abraham's employment status
14 (including self-employment) within ten (10) days of the date of
15 such change. Such notice shall include the name and address of
16 each business that Abraham is affiliated with, employed by, or
17 hired by as an independent contractor or consultant; a statement
18 of the nature of the business; and a statement of Abraham's
19 duties and responsibilities in connection with the business;

20 c. Any changes in Abraham's name or use of any
21 aliases or fictitious names; and

22 B. One hundred eighty (180) days after the date of entry
23 of this Order, Abraham shall provide a written report to the FTC,
24 sworn to under penalty of perjury, setting forth in detail the
25 manner and form in which he has complied and is complying with
26 this Order. This report shall include, but not be limited to:

27 1. Any changes required to be reported pursuant to
28 subparagraph (A) above; and

1 jurisdiction of this matter for purposes of construction,
2 modification and enforcement of this Order.

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4 **SO STIPULATED:**

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6 _____
7 YAD ABRAHAM, also known as Tim Thorn and
8 Timothy Thorn, individually and doing
9 business as Sharpthorn Internet Solutions

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10 _____
11 RAYMOND E. McKOWN
12 LEMUEL W. DOWDY
13 VICTOR F. DeFRANCIS
14 Federal Trade Commission
15 Attorneys for Plaintiff

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14 **IT IS SO ORDERED**, this _____ day of _____, 2003.

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UNITED STATES DISTRICT JUDGE

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