

~~COPY FOR JUDGE~~

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 03-23291-CV-Altonaga/Bandstra

FEDERAL TRADE COMMISSION

[REDACTED]

Relief to resolve all matters in dispute between them in this case.

The FTC and Defendants have consented to entry of this Order without trial or adjudication of any issue of law or fact herein. **NOW, THEREFORE**, Defendants and the FTC having requested the Court to enter this Order, it is hereby ordered, adjudged, and decreed:

FINDINGS

action.

DEFINITIONS

1. "Asset" or "Assets" means any legal or equitable interest in, right to, or claim to, any real and/or personal property including without limitation chattels, goods, instruments

equipment, fixtures, general intangibles, leaseholds, mail or other deliveries, inventory, checks, notes, accounts, credits, contracts, receivables, shares of stock, and all cash, wherever located.

2. "Assisting others" means (1) any family member of the donor or donee, or

[REDACTED]

11. "Person" means a natural person, an organization or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.

12. "Work at home opportunity" means any program, plan, product, or service that represents that it enables a participant or purchaser to earn money while working at home.

PLAN ON SALE OF WORK AT HOME OPPORTUNITIES

achieved in the past;

D. That Defendants will pay consumers for each item consumers mail;

E. The nature of any business venture offered or sold; and

investment;

F. The nature of any business venture offered or sold; and

upon the Court's execution of this Order.

C. Upon payment provided in this Paragraph, the remainder of the judgment shall be suspended subject to

D. The Commission's agreement to this Final Order is expressly premised upon the truthfulness, accuracy and completeness of Defendants' sworn financial statements and other supporting financial documents submitted to the Commission on January 19, 2004, March 18, 2004, and April 28, 2004, which include material information upon which the Commission relied in negotiating and

possess, which will be used for reporting and compliance purposes.

G. Defendants agree that the facts as alleged in the Complaint filed in this action shall be taken as true solely for the purpose of a nondischargeability complaint in such a

proceeding

H. Proceedings instituted under this Paragraph are in addition to, and not in lieu of, any other civil or criminal remedies that may be provided by law, including any other proceedings the Commission may initiate to enforce this Final Order.

V. COMMISSION'S USE OF MONETARY JUDGMENT

IT IS FURTHER ORDERED that all funds paid pursuant to Paragraph IV of this Final Order shall be deposited into a fund to be established by the Commission.

IT IS FURTHER ORDERED that Defendants, their agents, servants, and employees,

and those persons in active concert with them, shall be and they are hereby

Individual Defendant is the majority owner of the business or directly or indirectly manages or controls the business) and their agents, employees, officers, corporations, successors, and assigns, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, are hereby restrained and enjoined from failing to create and retain the following records:

A. Accounting records that reflect the cost of goods or services sold, revenues generated, and the disbursement of such revenues;

B. Personnel records accurately reflecting: the name, address, and telephone number of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable.

Customer files containing the names, addresses, telephone numbers, dollar

amounts paid, quantity of items or services purchased, and description of items or services purchased, to the extent such information is obtained in the ordinary course of business;

D. Complaints and refund requests (whether received directly, indirectly or through

Order may be monitored:

A. For a period of three (3) years from the date of entry of this Order,

1. Each Individual Defendant shall notify the FTC of the following:

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

b. Any changes in employment status (including any

the Individual Defendant, and any change in the ownership of the

Individual Defendant in any business (including any

that would result in the emergence of a successor corporation; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order; the filing of a bankruptcy petition; or a change in the corporate name or address, at least thirty (30) days prior to such change, *provided* that, with respect to any proposed change in the corporation about which any Defendant learns less than thirty (30) days prior to the date such action is to take place, Defendant shall notify the Commission as soon as is practicable after obtaining such knowledge.

B. One hundred eighty (180) days after the date of entry of this Order, each Defendant shall provide a written report to the FTC, sworn to under penalty of perjury under the

~~A copy of each acknowledgment of receipt of this Order obtained.~~

pursuant to Paragraph VIII;

- b. Any other changes required to be reported under subparagraph A of this Paragraph _____

C. For the purposes of this Order, Defendants shall, unless otherwise directed by the Commission's authorized representatives, mail all written notifications to the Commission to:

Associate Director for Marketing Practices
Federal Trade Commission

2. posing as consumers and suppliers to: Defendants, Defendants' employees, or any other entity managed or controlled in whole or in part by Defendants without the necessity of identification or prior notice; and

Defendant controls, directly or indirectly, or in which the Individual Defendant has a majority ownership interest, the Individual Defendant must deliver a copy of

Each Individual Defendant must also deliver copies of this Order to all employees, agents, and representatives of that business who engage in conduct related to the subject matter of the Order. For current personnel, delivery shall be within (5)

days of service of this Order upon the Individual Defendant. For new personnel,

XV. COMPLETE SETTLEMENT

The parties hereby consent to entry of the foregoing Final Order which shall constitute a final judgment and order in this matter. The parties further stipulate and agree that the entry of

the foregoing Final Order shall constitute a full, complete, and final settlement of this action.

SO ORDERED, this 14 day of December, 2004.

Cecilia M. Altonaga

CECILIA ALTONAGA / TED BANDSTRA