

RECEIVED  
NC

FEDERAL DISTRICT COURT

Rule" (the "TSR" or the "Rule"), 16 C.F.R. Part 310. After being duly served with the Complaint and summons, Defendant Robert Thompson has failed to appear or defend, and has failed to file an answer to the Complaint within the time provided by the Federal Rules of Civil Procedure. On

July 12, 2004, the Clerk entered a default against Defendant Thompson. Subsequently, Defendant Rebecca Phillips and Telephone Protection Agency, Inc., settled this action, as did Defendant Alex McKaughn. The stipulated judgment with Defendant Rebecca Phillips and Telephone Protection Agency, Inc., was signed by the Court and entered on September 29, 2004, and the Stipulated Judgement with Defendant Alex McKaughn was signed by the Court, and entered on August 2, 2005. Plaintiff has now moved for a Default Judgment against the sole remaining

which information can be obtained and translated, if necessary, into reasonably usable form through detection devices. A draft or non-identical copy is a separate document within the meaning of the term.

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

5. "Telemarketing" means any plan, program, or campaign (whether or not covered by the Telemarketing Sales Rule, 16 C.F.R. Part 310) that is conducted to induce the purchase of

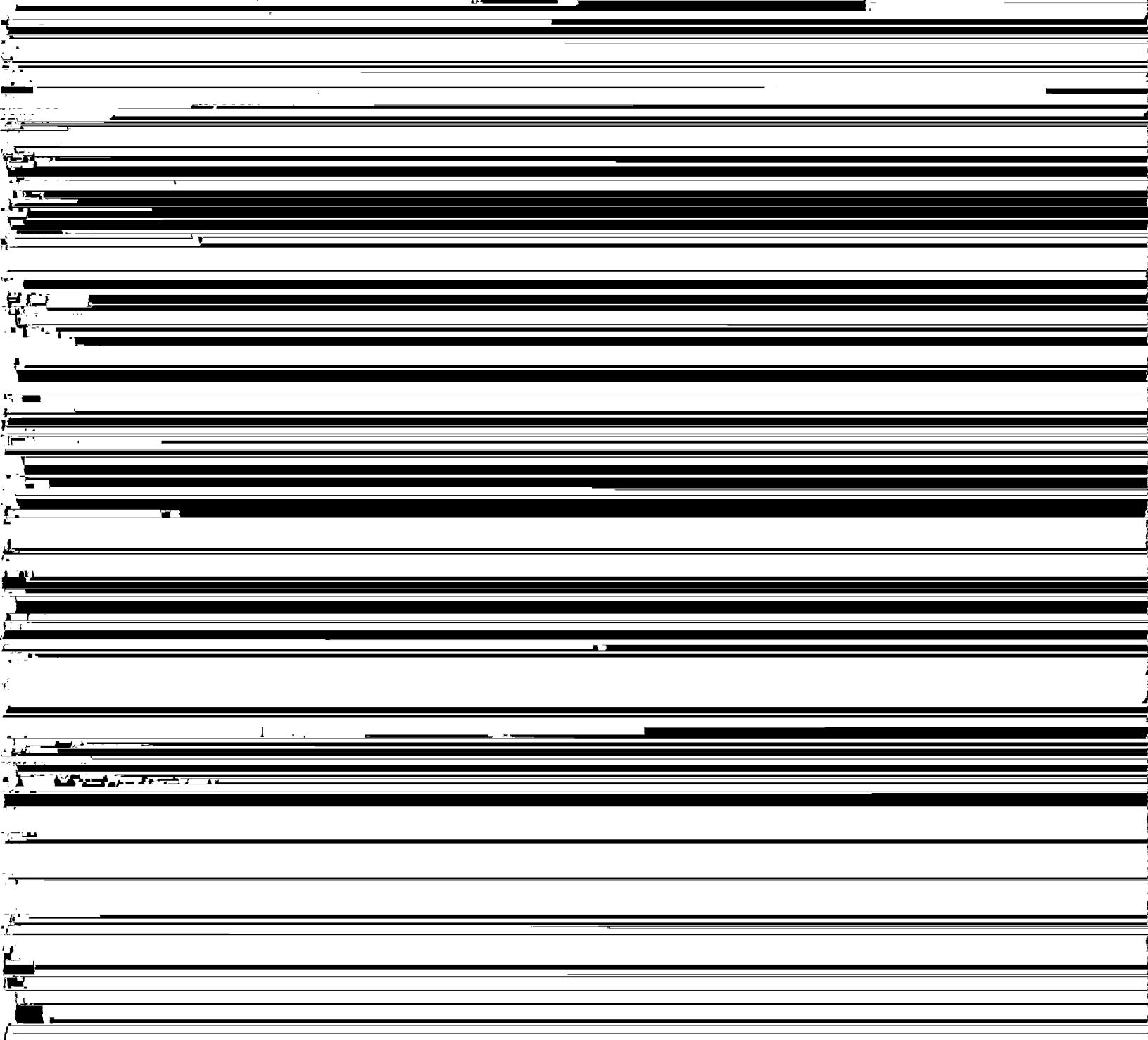
device, are hereby incorporated by reference into this document.

[REDACTED]

E. A consumer will receive an EZ Hang Up Device, TeleZapper or other device, program or software designed, marketed or represented to reduce or stop telemarketing calls or unsolicited commercial email from reaching the consumer.

**III. PROHIBITION AGAINST UNAUTHORIZED BILLING**

**IT IS FURTHER ORDERED** that, in connection with the advertising, promotion, offering for sale or sale of goods or services by any means whatsoever. Defendant and each of his



#### IV. MONETARY JUDGMENT

IT IS FURTHER ORDERED that a default judgment in the amount of \$6,700.00 be

hereby entered against Defendant Robert Thompson.

the judgment by wire transfer or certified check to the Clerk of the Court.

Number or Social Security Number) which shall be used for purposes of collecting and reporting

D. Defendant Robert Thompson is further required to provide the Commission with clear, legible and full-size photocopies of all valid driver's licenses that he possesses.

**V. TRANSFER OF CUSTOMER LISTS**

**IT IS FURTHER ORDERED** that Defendant and his successors, assigns, officers, agents, servants, employees, and those persons in active concert or participation with them who receive actual notice of this Order by personal service, facsimile, or otherwise, whether acting ~~directly or through any corporation, subsidiary, division, or other device, or by any means~~

restrained and enjoined from selling, renting, leasing, transferring or otherwise disclosing the name, address, telephone number, credit card number, bank account number, e-mail address, or other identifying information obtained by the Defendant at any time prior to entry of this Order in



directors and managers of that business. Defendant Robert Thompson must also deliver copies of

this Order to all employees, agents and representatives of the Company.

related to the subject matter of the Order. For current personnel, delivery shall be within five (5)

days of service of this Order upon Defendant. For new personnel, delivery shall occur prior to their assumption of their responsibilities;

         R. Defendant Robert Thompson as employee or non-party agent. F.

date of such change. Such notice shall include the name and address of each

business that he is affiliated with, employed by, creates or forms, or performs

services for; a statement of the nature of the business; and a statement of his duties and responsibilities in connection with the business or employment; and

c. Any changes in his name or use of any aliases or fictitious names; and

2. Defendant Robert Thompson shall notify the Commission of any changes in the corporate structure of any business entity that he directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this Order, including but not limited to a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor entity; 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 corporate name or address of least thirty (30)

1. His then-current residence address, mailing addresses, and telephone numbers;
2. His then-current employment and business addresses and telephone numbers, a description of the business activities of each such employer or business, and the title and responsibilities he has, for each such employer or business;
3. Any other changes required to be reported under Paragraph VIII.A;
4. A copy of each acknowledgment of receipt of this Order obtained pursuant to Paragraph VII.C; and
5. Any other changes required to be reported under Paragraph VIII.A;

C. For the purposes of this Order, Defendant 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  
600 Pennsylvania Ave. N.W. - Rm. H-238  
Washington, DC 20580

Re: FTC v. Telephone Protection Agency, et. al.,  
Civil Action No. 5:04cv49; and

D. For purposes of the compliance reporting required by this Order, 1 XXXX

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, see hereby:

- 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

## X. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that for the purpose of monitoring and investigating

compliance with any provision of this Order:

1. [REDACTED]

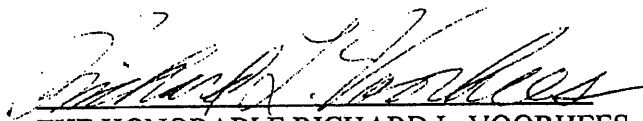
obtain any documentary material, tangible things, testimony, or information relevant to unfair or deceptive acts or practices in or affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

**XI. RETENTION OF JURISDICTION**

**IT IS FURTHER ORDERED** that this Court shall retain jurisdiction of this matter for

~~investigation, modification and enforcement of this Order~~

SO ORDERED this 29<sup>th</sup> day of August, 2005.

  
THE HONORABLE RICHARD L. VOORHEES  
UNITED STATES DISTRICT JUDGE

PRESENTED BY:

Russell Deitch Date August 17, 2005

Russell Deitch  
Craig Tregillus  
*Attorneys for Plaintiff*  
Federal Trade Commission  
600 Pennsylvania Ave. N.W. - Rm. 238  
Washington, D.C. 20580



**BACKGROUND INFORMATION**

**Item 1. Information About You**

Your Full Name \_\_\_\_\_ Social Security No. \_\_\_\_\_

\_\_\_\_\_ Driver License No. \_\_\_\_\_

Rent or Own? \_\_\_\_\_ Telephone No. \_\_\_\_\_ Facsimile No. \_\_\_\_\_

E-Mail Address \_\_\_\_\_ Internet Home Page \_\_\_\_\_

Previous Addresses for past five years:

Address \_\_\_\_\_ Rent or Own? \_\_\_\_\_ From/Until \_\_\_\_\_

Address \_\_\_\_\_ Rent or Own? \_\_\_\_\_ From/Until \_\_\_\_\_

Identify any other name(s) and/or social security number(s) you have used, and the time period(s) during which they were used \_\_\_\_\_

**Item 2. Information About Your Spouse or Live-In Companion**

Spouse/Companion's Name \_\_\_\_\_ Social Security No. \_\_\_\_\_

Place of Birth \_\_\_\_\_ Date of Birth \_\_\_\_\_

Identify any other name(s) and/or social security number(s) your spouse/companion has used and the time period(s) \_\_\_\_\_



Name & Address of Nearest Living Relative or Friend \_\_\_\_\_  
\_\_\_\_\_  
Telephone No. \_\_\_\_\_

**Item 5. Information About Dependents Who Live With You**

▶Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Relationship \_\_\_\_\_ Social Security No. \_\_\_\_\_  
▶Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Relationship \_\_\_\_\_ Social Security No. \_\_\_\_\_  
▶Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Relationship \_\_\_\_\_ Social Security No. \_\_\_\_\_

▶Name & Address \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Relationship \_\_\_\_\_ Social Security No. \_\_\_\_\_  
▶Name Address \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Relationship \_\_\_\_\_ Social Security No. \_\_\_\_\_  
▶Name & Address \_\_\_\_\_

Income Received: This year-to-date: \$ \_\_\_\_\_ : \$ \_\_\_\_\_

20\_\_\_\_ : \$ \_\_\_\_\_ : \$ \_\_\_\_\_

\_\_\_\_\_ : \$ \_\_\_\_\_ : \$ \_\_\_\_\_

►Company Name & Address \_\_\_\_\_

Dates Employed: From (Month/Year) \_\_\_\_\_ To (Month/Year) \_\_\_\_\_

Positions Held with Beginning and Ending Dates \_\_\_\_\_

Income Received: This year-to-date: \$ \_\_\_\_\_ : \$ \_\_\_\_\_

20\_\_\_\_ : \$ \_\_\_\_\_ : \$ \_\_\_\_\_

\_\_\_\_\_ : \$ \_\_\_\_\_ : \$ \_\_\_\_\_

►Company Name & Address \_\_\_\_\_

Income Received: This year-to-date: \$ \_\_\_\_\_ : \$ \_\_\_\_\_

\_\_\_\_\_ : \$ \_\_\_\_\_

lawsuits that resulted in final judgments or settlements in Items 16 and 25).

Opposing Party's Name & Address \_\_\_\_\_

Court's Name & Address \_\_\_\_\_

Docket No. \_\_\_\_\_ Relief Requested \_\_\_\_\_ Nature of Lawsuit \_\_\_\_\_

\_\_\_\_\_ Status \_\_\_\_\_

**Item 10. Safe Deposit Boxes**

List all safe deposit boxes, located within the United States or elsewhere, held by you, your spouse, or any of your dependents for the benefit of you, your spouse, or any of your dependents. *On a separate page.*

*describe the contents of each box.*

<u>Owner's Name</u>	<u>Name &amp; Address of Depository Institution</u>	<u>Box No.</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Item 11. Business Interests**

List all businesses for which you, your spouse, or your dependents are an officer or director.

►Business' Name & Address \_\_\_\_\_

Business Format (e.g., corporation) \_\_\_\_\_ Description of Business \_\_\_\_\_

\_\_\_\_\_ Position(s) Held, and By Whom \_\_\_\_\_

►Business' Name & Address \_\_\_\_\_

Business Format (e.g., corporation) \_\_\_\_\_ Description of Business \_\_\_\_\_

**FINANCIAL INFORMATION: ASSETS AND LIABILITIES**

**REMINDER: "Assets" and "Liabilities" include ALL assets and liabilities, located within the United States or elsewhere, whether held individually or jointly.**

**Item 12. Cash, Bank, and Money Market Accounts**

List cash and all bank and money market accounts, including but not limited to, checking accounts, savings accounts, and certificates of deposit, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse,

Cash Held For Your Benefit \$

List all publicly traded securities, including but not limited to, stocks, stock options, registered and bearer bonds, state and  
local government bonds, mutual funds, or held by you, your spouse, or your dependents, or held by others for the benefit of

Name on Security \_\_\_\_\_ Current Fair Market Value \$ \_\_\_\_\_ Loan(s) Against Security \$ \_\_\_\_\_

Broker House, Address \_\_\_\_\_ Broker Account No. \_\_\_\_\_

• Issuer \_\_\_\_\_ Type of Security \_\_\_\_\_ No. of Units Owned \_\_\_\_\_

Name on Security \_\_\_\_\_ Current Fair Market Value \$ \_\_\_\_\_ Loan(s) Against Security \$ \_\_\_\_\_

List all other amounts owed to you, your spouse, or your dependents.

Debtor's Name, Address, & Telephone No. \_\_\_\_\_

Original Amount Owed \$ \_\_\_\_\_ Current Amount Owed \$ \_\_\_\_\_ Monthly Payment \$ \_\_\_\_\_

**Item 18. Life Insurance Policies**

List all life insurance policies held by you, your spouse, or your dependents.

Insurance Company's Name, Address, & Telephone No. \_\_\_\_\_

Insured \_\_\_\_\_ Beneficiary \_\_\_\_\_ Face Value \$ \_\_\_\_\_

Insurance Company's Name, Address, & Telephone No. \_\_\_\_\_

Insured \_\_\_\_\_ Beneficiary \_\_\_\_\_ Face Value \$ \_\_\_\_\_

Policy No. \_\_\_\_\_ Loans Against Policy \$ \_\_\_\_\_ Surrender Value \$ \_\_\_\_\_

**Item 19. Deferred Income Arrangements**

[REDACTED]

Registered Owner's Name \_\_\_\_\_ Registration State & No. \_\_\_\_\_

Address of Vehicle's Location \_\_\_\_\_

Purchase Price \$ \_\_\_\_\_ Current Value \$ \_\_\_\_\_ Account/Loan No. \_\_\_\_\_

Lender's Name and Address \_\_\_\_\_

**Item 22. Real Property**

\_\_\_\_\_ held by others for the benefit of you, your spouse, or \_\_\_\_\_



Name of Credit Card (e.g. Visa)	Account No.	Name(s) on	Current	Minimum
---------------------------------	-------------	------------	---------	---------

			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$

**Item 24. Taxes Payable**

**Item 26. Other Loans and Liabilities**

List all other loans or liabilities in your, your spouse's, or your dependents' names.

▶Name & Address of Lender/Creditor \_\_\_\_\_

Nature of Liability \_\_\_\_\_ Name(s) on Liability \_\_\_\_\_

Date of Liability \_\_\_\_\_ Amount Borrowed \$ \_\_\_\_\_ Current Balance \$ \_\_\_\_\_

Payment Amount \$ \_\_\_\_\_ Frequency of Payment \_\_\_\_\_

▶Name & Address of Lender/Creditor \_\_\_\_\_

Date of Liability \_\_\_\_\_ Amount Borrowed \$ \_\_\_\_\_ Current Balance \$ \_\_\_\_\_

Payment Amount \$ \_\_\_\_\_ Frequency of Payment \_\_\_\_\_

**Item 27. Tax Returns**

List all funds or other assets that are being held in trust or escrow by any person or entity for you, your spouse, or your dependents. Also list all funds or other assets that are being held in trust or escrow by you, your spouse, or your dependents for any person or entity. Provide copies of all executed trust documents.

[REDACTED]

<u>Trustee or Escrow Agent's Name &amp; Address</u>	<u>Date Established</u>	<u>Grantor</u>	<u>Beneficiaries</u>	<u>Present Market Value of Assets</u>
				\$ _____
				\$ _____
				\$ _____
				\$ _____
				\$ _____

**Item 30. Transfers of Assets**

List each person to whom you have transferred, in the aggregate, more than \$2,500 in funds or other assets during the previous three years by loan, gift, sale, or other transfer. For each such person, state the total amount transferred during that period.

<u>Name</u>	<u>Relationship</u>	<u>Property</u>	<u>Aggregate Transfer</u>	<u>Type of Transfer</u>
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Item 31. Combined Balance Sheet for You, Your Spouse, and Your Dependents**

**ASSETS**

**LIABILITIES**

Cash on Hand

Credit Cards

Motor Vehicle Loans

**Item 32.**

**Combined Average Monthly Income and Expenses for You, Your Spouse, and Your Dependents for the Last 6 Months**

Report the combined average monthly income and expenses for you, your spouse, and your dependents for the last 6 months. Do

ATTACHMENTS

**Item 33. Documents Attached to this Financial Statement**

List all documents that are being submitted with this financial statement.

Item No. Document  
Relates To

Description of Document

<u>Item No. Document</u> <u>Relates To</u>	<u>Description of Document</u>

I am submitting this financial statement with the understanding that it may affect action by the Federal Trade Commission or a federal court. I have used my best efforts to obtain the information requested in this statement. The responses I have provided to the items above are true and contain all the requested facts and information of which I have

