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2. Failing to disclose, in a clear and conspicuous manner, before a customer
pays for any goods or services, all material restrictions, limitations, or
3 conditions to receive those goods or services, in violation of Section
4 3 10.3(a)(l)(ii) of the TSR, 16 C.F.R. 8 3 10.3(a)(l)(ii);
5 3. Initiating or causing others to initiate outbound telephone calls to persons'
6 telephone numbers on the National Do Not Call Registry, in violation of
7 Section 3 10.4(b)(l)(iii)(B) of the TSR, 16 C.F.R. § 3 10.4(b)(l)(iii)(B);
8 and
9 4. Initiating or causing others to initiate outbound telephone calls to
10 telephone numbers within a given area code without first paying the
required annual fee for access to the telephone numbers within those area
codes that are included in the National Do Not Call Registry, in violation
of Section 3 10.8 of the TSR, 16 C.F.R. 5 3 10.8.

11.
ASSET FREEZE
IT IS

1 broker-dealer, commercial mail receiving agency, escrow agent, title company, commodity
2 trading company, precious metal dealer, or other financial institution or depository of any kind. 3 The assets affected by this section shall include both existing assets and assets acquired after

4 11 issuance of this Order, and the Defendant shall hold and account for these assets and all

5 payments received by him, including, but not limited to, borrowed funds or property and gifts. 6 111.
7 DUTIES OF THIRD PARTIES
8 IT IS FURTHER ORDERED that any entity, specifically including each of the entities

9 11 named in Section II above, that has had custodyor control of any of the Defendant's accounts or

10 other assets at any time since January 1,2000, and that is provided with a copy of this Order, or 11 otherwise has actual or constructive knowledge of this Order, shall:
12 A. Hold and retain control of all of the assets or other property the entity holds or
13 controls on behalf of, for the benefit or use of, or in any account in the name of, the Defendant, in 14 whole or in part; and prohibit the withdrawal, removal, assignment, transfer, pledge,
15 hypothecation, encumbrance, disbursement, dissipation, conversion, sale, liquidation, or other 16 disposal of, any such property, except as directed by further order of this Court, or by written

11 agreement of Plaintiff and the parties claiming an interest in such account or asset;

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18 B. Deny Defendant access to any safe deposit boxes, commercial mail boxes or
19 storage facilities that are either titled in the name, individually or jointly, of Defendant, or

2o I1 otherwise subject to his access; and
21 C. Within five (5) business days of the date of notice of this Order, provide to

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3. If the account or other asset has been closed or removed, or more than
$1,000 withdrawn or transferred from it within the last ninety (90) days,

11 the date of the closure or removal of funds, the total amount removed or
11 transferred, and the name and account number of the person or entity to
11 whom such account, funds, or other asset was remitted; and
The identification of any safe deposit box, commercial mail box, or
storage facility that is either titled in the name, individually or jointly, of
Defendant, or is otherwise subject to his access or control.
D. The assets and accounts affected by this Section shall include both existing assets
and assets acquired after the effective date of

v.

MAINTENANCE OF RECORDS

IT IS

X.
SERVICE OF ANSWERING AFFIDAVITS, PLEADINGS AND MEMORANDA
IT IS FURTHER ORDERED that, if Defendant files any answering affidavits,
pleadings, and legal memoranda prior to the hearing on Plaintiffs request for a preliminary injunction, Defendant shall serve such answering affidavits, pleadings, and legal memoranda on counsel for Plaintiff not less than four (4) business days prior to that hearing. Defendant shall serve copies of all such materials on Plaintiff by personal service, overnight delivery,

XIII.
EXPIRATION

IT IS FURTHER ORDERED that the Temporary Restraining Order granted herein
:xpires ten (10) days after entry unless, within that time, the Order, for good cause shown, is
zxtended for an additional period not to exceed ten (10) days, or unless it is extended with the
:onsent of the parties.
XIV.

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RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for
311 purposes.

Dated this fl day of &%& ,2005. -

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