

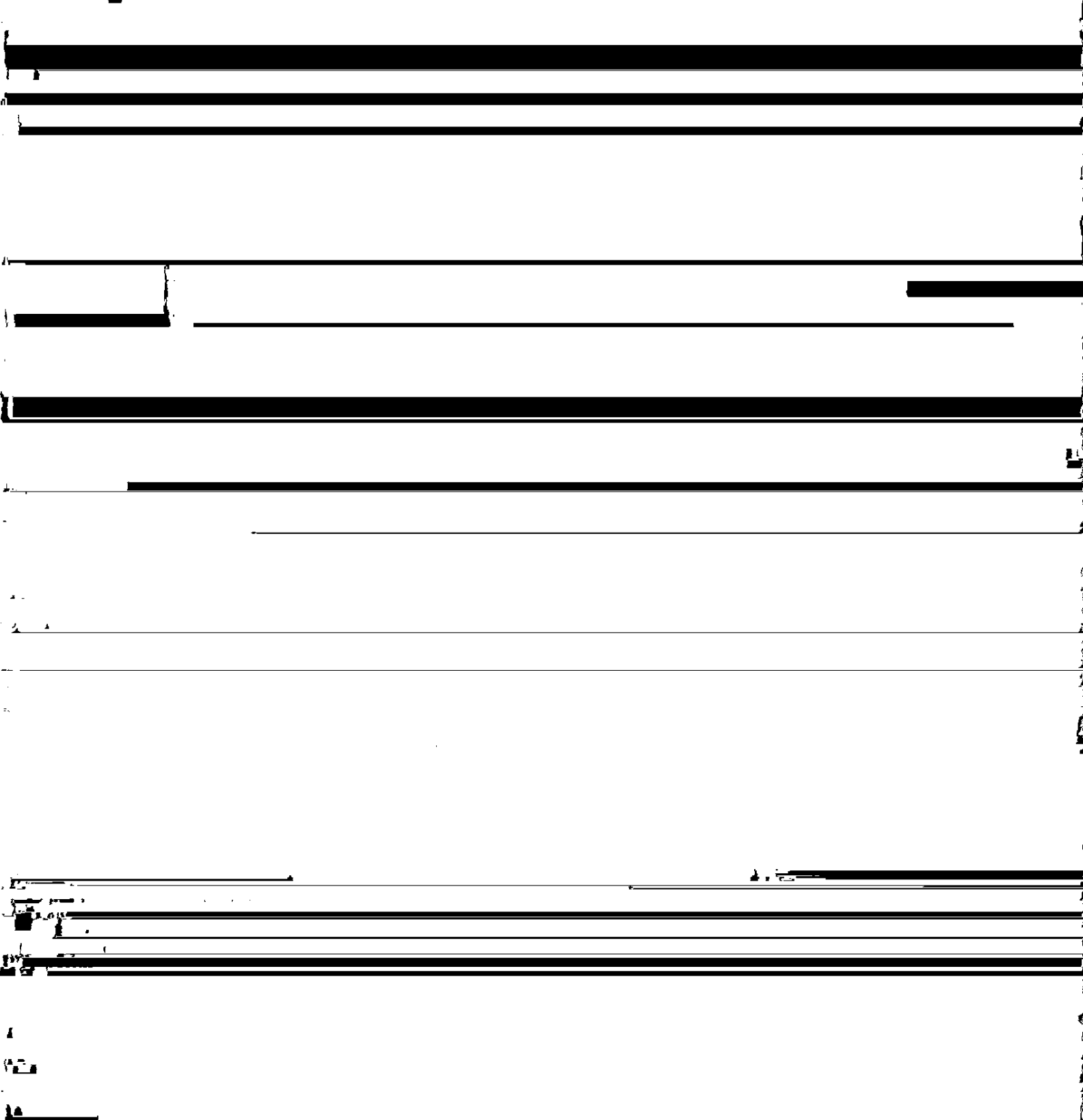


SCANNED

1 4. Defendant Berry represents to the Court and the FTC the following
2 about his current financial obligations:

3 a. Defendant Berry has several debts which are secured by his
4 residential real property located in Laguna Hills, California, and which are now
5 past due. These debts include three months' payments due on his primary

6 ~~(810-210-00)~~ and payments due on his second and third mortgages



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1 his circumstances, as set forth above, the parties hereby stipulate as follows:

2 a. Defendant Berry may be released from the custody of the
3 United States Marshal. Defendant Berry understands that this release is intended
4 for him to expedite his compliance with the terms of the Contempt Order.
5 Defendant Berry understands that he may be subject to further contempt
6 proceedings and additional sanctions if he fails to comply with the Contempt Order
7 and this Stipulation and Order.

8 b. Subject to the Court's approval, Plaintiff FTC agrees to toll the
9 \$2,500 daily monetary sanctions as of November 21, 2005, the date Defendant
10 Berry began to provide the documentation requested by the FTC. As of November
11 20, 2005, the daily monetary sanctions total \$275,000 (\$2,500 per day from August
12 3, 2005 through November 20, 2005).

13 c. Defendant Berry agrees to testify under oath at a deposition to
14 be conducted by the FTC at 10877 Wilshire Blvd., Suite 700, Los Angeles, CA
15 90024 within sixty days of his release from the U.S. Marshal's custody concerning
16 his assets, disposition of assets, and business transactions (including but not limited
17 to the disposition of the proceeds from the sale of Defendant Berry's property
18 located on Eva Street in Laguna Hills) for the time period May 12, 2004 to the date
19 of the deposition. Defendant Berry agrees that the deposition will not be limited by
20 Rule 30(d)(2) of the Federal Rules of Civil Procedure and may last more than one
21 day of seven hours.

22 d. Defendant Berry may cash the \$182,177.07 cashier's check.

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1 | first, second, and third mortgage loans on his residential real property located in

SEARCHED
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 || forth in the Contempt Order.

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[REDACTED]

1 U.S. Marshal's custody, execute and deliver to the FTC a promissary note in the

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CERTIFICATE OF SERVICE

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I, Eave Chen Bernoux, certify as follows:

VEG