

SCANNED

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2 DAVID P. FRANKEL
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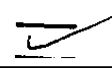
10 Federal Trade Commission
11 600 Pennsylvania Ave., N.W., Rm, NJ-3212
Washington, D.C. 20580
Tel: (202) 326-2812, 2174, 2070, 3087, 2095, 3627, 3289, 3497
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COPY

FILED
CLERK, U.S. DISTRICT COURT
OCT 19 2005
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

10 KENNETH H. ABBE (Local Counsel)
11 California Bar # 172416

Priority
Send



...and the relief sought. A. Glenn Brewell, IOI Management Co. GR

[REDACTED]

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5. Each party shall bear its own costs and attorneys' fees.

6. Entry of this Order is in the public interest.

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analyses, research, studies, or other evidence based on the expertise
of professionals in the relevant area, that has been conducted and

ANNEX

... qualified to do so using

1 unless at the time the representation is made, Defendant possesses and relies upon
2 competent and reliable scientific evidence that substantiates the representation.
3 *Provided, however,* that for any representation made as an expert endorser,
4 Defendant must possess and rely upon competent and reliable scientific evidence,
5 if the representation is in the form of an examination

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and Drug Administration, or under any new drug application
approved by the Food and Drug Administration; and

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be deposited to the United States Treasury as disgorgement.
Defendant shall have no right to challenge the Commission's
choice of remedies under this Paragraph. Defendant shall have

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Right to Reopen

VII.

IT IS FURTHER ORDERED that:

A. The Commission's agreement to this Order is expressly premised upon Defendant's financial condition as represented by Defendant Kugler in submissions made to the Commission, to wit:

1. the Financial Statement of Individual Defendant with separate typed responses and attached documents, signed and dated October 11, 2005;

This Financial Statement of Individual Defendant and attached

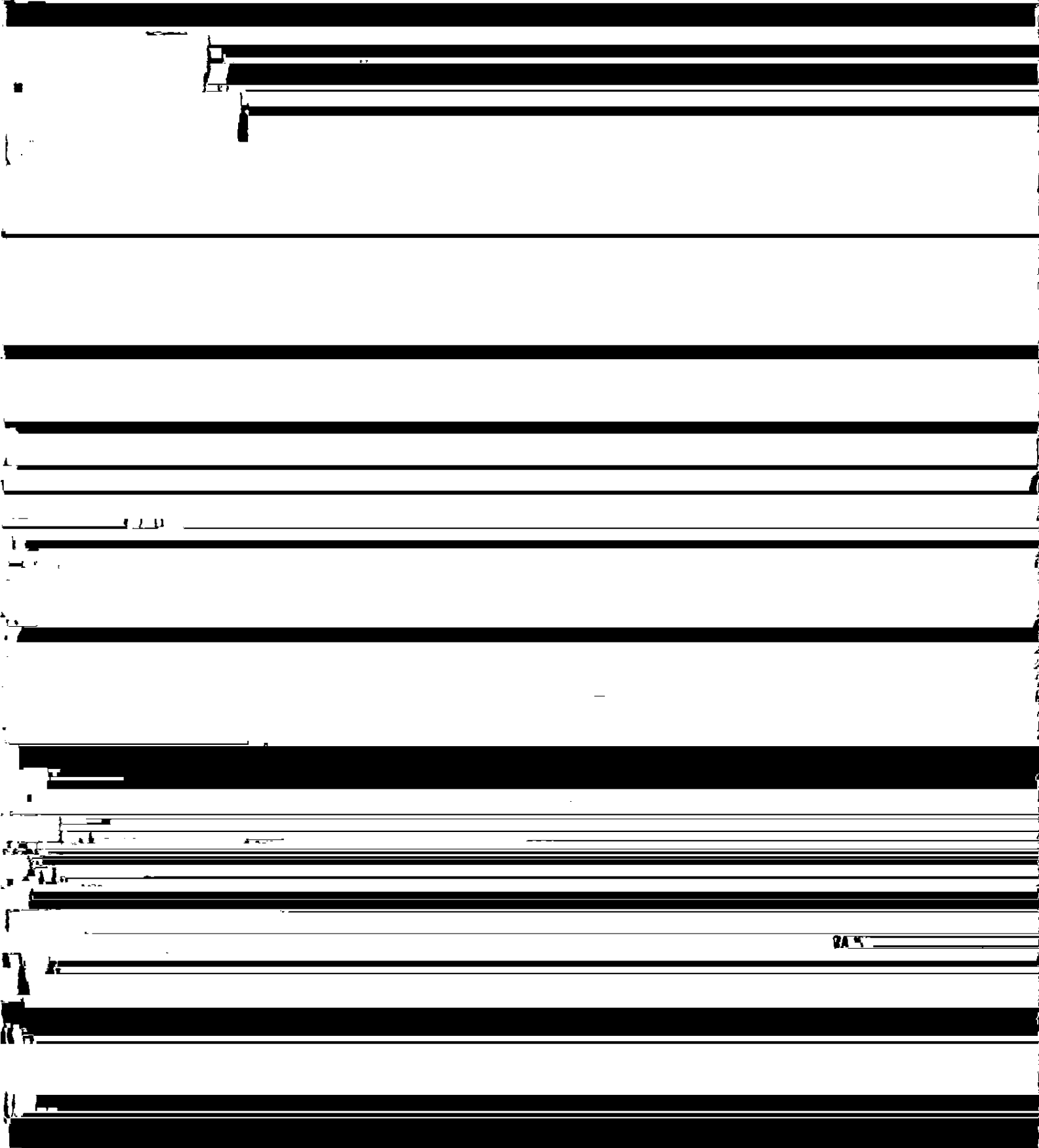
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may initiate to enforce this Final Order. For purposes of this Paragraph, and any subsequent proceedings to enforce payment,

... dischargeability complaint filed in

ANNEX



1 reasonably and in good faith with the Commission as provided for in this
2 Paragraph, the Court shall enter judgment against the Defendant to the
3 Commission, in favor of the Commission, in the amount of Five Hundred

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(including self-employment) or in Defendant's ownership of any business entity engaged in the sale of a covered product, within ten (10) days of such change. Such notice shall include the name and address of each such business engaged in the sale of a covered product

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penalty of perjury, setting forth in detail the manner and form in which he has complied and is complying with this Order. This report shall include, but not be limited to:

1. The then-current residence addresses, mailing addresses, and telephone numbers of Defendant Kugler;
2. The then-current employment and business addresses and telephone numbers of Defendant Kugler, a description of the

and the nature of his employment or business, and the

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Federal Trade Commission

600 Pennsylvania Avenue, N.W., Rm. NJ3212

Washington, D.C. 20580

Re: FTC v. Braswell et al., No. CV 03-3700-DT (PJWx)

D. For purposes of the compliance reporting required by this Paragraph,
the Commission is authorized to communicate in writing directly with

Defendant at Kessler with associate Defendant's counsel of record

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

C. Defendant Kugler shall permit representatives of the Commission to interview any employer, consultant, independent contractor, representative, agent, or employee who has agreed to such an interview, relating in any way to any conduct subject to this Order.

The person interviewed may have counsel present.

Provided, however, that nothing in this Order shall limit the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to obtain any documentary material, tangible things,

1 The [redacted] of [redacted] product is connection with

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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of acknowledgments of receipt of this Order and all reports submitted
to the FTC pursuant to this Order.

CONFIDENTIAL

[REDACTED]

1 SO STIPULATED:

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3 *Rosemary Rosso*

4 DAVID P. FRANKEL
5 ROSEMARY ROSSO
6 MAMIE KRESSES
THEODORE H. HOPPOCK
CHRISTINE LIFF

Hans Kugler
HANS KUGLER, P.D.

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