WILLIAM BLUMENTHAL
General Counsel

GUY G. WARD

DAVID A. 0'TOOLE - Federal Trade Commission
55 West Monroe Street, Suite 1825
Chicago, Illinois 60603
PH. (312) 960-5634 MAY - 22007 I:
FAX (312) 960-5600
sward@ftc.sov
dotoole@ftc.aov

John D. Jacobs, Cal. Bar No. 134154
Federal Trade Commission
10877 Wilshire Boulevard, Suite 700

Los Angeles, California 90024 :;F;ity PH. (310) 824-4343 Enter - FAX (310) 824-4380 Closed - iiacobs@ftc.aov JS-5lJS-6 - JS-2/JS-3 - Attorneys for Plaintiff Scan Only - FEDERAL TRADE COMMISSION

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
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a c*;,:- I WESTERN DIVISION
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,.,~." 1 I FEDE~L:TRADE COMMISSION,) NO. CV07-01791 TJH (SHx)

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zt taij I) LLC, TANGENT GROUP, LLC, c-.-I ?-
i' ii) AND ANDREW HOLMAN
Defendants. 1
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Plaintiff, the Federal Trade Commission ("Commission" or

"FTC"), has filed a Complaint for Permanent Injunction and Other

Equitable Relief ("Complaint") against Defendants Mystery Shop

Link, LLC, Tangent Group, LLC; Robin Larry Murphy, Andrew Holman,

Kenneth Johnson, Harp Marketing Services, Inc., Aiden Reddin, and

Marc Gurney for deceptive acts and practices in connection with

the advertising and telemarketing of "mystery shopping" employment

opportunities. The Complaint alleges that these

n-) PRELIMINARY INJUNCTION i

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consumers in the form of monetary restitution will occur from ;he 1
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sale, transfer, assignment, or other disposition or concealment byl!; 1.!.

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&:I Defendants of their assets or records unless Defendants are c:;:
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restrained and enjoined by order of this Court. tl'
5. Weighing the equities and considering the Commission's
likelihood of success in its causes of action, entry of this preliminary injunction is in the public interest.
6. The parties have agreed to the entry of this stipulated
Order without adjudication of any issue of fact or law and without Defendants admitting liability for any of the matters alleged in the Complaint.
7. No security is required of any agency of the United
States for the issuance of a preliminary injunction. See Fed. R.
Civ. P. 65(c).
ORDER
DEFINITIONS

For purposes of this Order, the following definitions shall
apply:
1. "Plaintiff," "Commission," or 667 Tc 1.82 0 Td�(667 Tc 1.82 0of)Tj�1.77 0 T

receiving identifying and financial information from consumers,
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and communicating with consumers on behalf of the seller or 1.1. ",*

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telemarketer. '.,.

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6. 'Consumer" means any individual, group, unincorporated I./',

association, limited or general partnership, corporation, or other business entity.

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product or service that is represented to enable a participant br
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purchaser to earn money through any employment. 1

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i I. PROHIBITED BUSINESS ACTIVITIES d
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IT IS ORDERED that Defendants Mystery Shop Link, LLC, ang gent' Group, LLC, and Andrew Holman, and their successors and assigns, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, or other device, in connection with the advertising, promotion, offering, or sale of any employment opportunity, or any other product, program, good or service, are hereby restrained and enjoined from:
A. Misrepresenting, expressly or by implication:
1. that Defendants are otion 73 Tc 4.769 0 Td�(i5meors)Tj�6.51 or0 Tc 1.767 r�(notice)Tj�-0.0ho 1j�6 of

satisfy to obtain a refund; , D. Failing to clearly disclose to any consumer all material!
conditions of obtaining a refund if, and at the time, the possibility of obtaining a refund is mentioned to the consumer;
E. Misrepresenting, expressly or by implication, or failing
to disclose, any fact material to a consumer's decision to purchase or use any product, program, good, or service;
F. Accepting payment or other consideration from any
consumer, or on behalf of any consumer, in connection with the advertising, promotion, offering, or sale of any employment opportunity; and
G. Assisting others who violate any provision of Paragraphs
A through F of this Section.

11. MAINTAIN RECORDS

IT IS FURTHER ORDERED that Defendants Mystery Shop Link, LLC, Tangent Group, LLC, and Andrew Holman, and their officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, affiliates, shareholders, successors, assigns, and all other persons or entities in concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them, are hereby restrained and enjoined from:
A. Failing to create and maintain books, records, accounts,
bank statements, current accountants' reports, general ledgers, general journals, cash receipt ledgers, source documents, documents indicating title to real or personal property, and any Page 7 of 13

other data which in reasonable detail fairly, accurately, and completely reflect the incomes, disbursements, transactions and !: uses of Defendants' Assets; d

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B. Destroying, erasing, mutilating, concealing, altering, i
transferring, or otherwise disposing of in any manner, directly or indirectly, any scripts, advertisements, verification tapes, books, records, tapes, disks, contracts, accounting data, handwritten notes, checks (fronts and backs), correspondence, forms, manuals, electronically stored data, banking records, consumer or debtor lists or files, mailing lists, telemarketer lists, invoices, telephone records, receipt books, postal receipts, ledgers, payroll records, or other Documents of any kind, including information stored in computer-maintained form (such as electronic mail), in their possession, custody, or control.
111. FINANCIAL STATEMENTS

IT IS FURTHER ORDERED that, no later than ten (10) calendar
days after entry of this Order, unless they have already done so, Defendants Mystery Shop Link, LLC, Tangent Group, LLC, and Andrew Holman, shall provide to counsel for the Commission:
A. A completed financial statement accurate as of the date
of service of this Order upon such Defendant, in the forms previously provided to Defendants, along with the required attachments; and
B. A completed statement, verified under oath, of all
payments, transfers, or assignments of funds, assets, or property worth $5,000.00 or more since January 1, 2005. Such statement shall include: (1) the amount paid, transferred or assigned; (2) Page 8 of 13

the name, address, and telephone number of 0 0 13.2 0 T0 0 142 0 Td�eachd

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limitation, those acquired by loan or gift.
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Provided, however, that Defendants Mystery Shop Link, LLC, -.,

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Tangent Group, LLC, and Andrew Holman, shall, upon request by the ci':

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FTC on a monthly basis, produce copies of all documents reflecting LiI such transfers or expenditures for reasonable, actual, and I necessary business operations and business and personal expenses, I
including, but not limited to, books and records of accounts, a11
I financial and accounting records, balance sheets, income

statements, and bank records (including monthly statements, I
canceled checks, records of wire transfers, and check registers). V. PROHIBITIONS REGARDING CONSUMER INFORMATION

IT IS FURTHER ORDERED that Defendants Mystery Shop Link, LLC, Tangent Group, LLC, and Andrew Holman, their successors and assigns, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, or other device, are hereby restrained and enjoined from:
A. Selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, Social Security number, account number, e-mail address, or other identifying information of any person about whom any Defendant obtained such information in connection with the activities alleged in the
I Complaint; and
B. Benefitting from or using the name, address, telephone number, Social Security number, account number, e-mail address, or other identifying information of any person about whom any
Page 10 of 13

regulation, or court order.

VI. CREATION OF OTHER BUSINESSES

IT IS E'URTHER ORDERED that Defendants Mystery Shop Link, LLC, Tangent Group, LLC, and Andrew Holman, are hereby restrained and enjoined, until further order of this Court, from creating, operating, or controlling any business entity, whether

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1 separate and severable from one another. If any provision is

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stayed or determined to be invalid, the remaining provisions shall

remain in full force and effect.

4 XI. RETENTION OF JURISDICTION

5 IT IS FURTHER ORDERED that this Court shall retain

6 jurisdiction of this matter for all purposes.

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8 IT IS SO ORDERED.

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10 Dated: 5/~/.7-
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SIGNED AND STIPULATED BY:
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14 &--, &. &,AD 15 Guy G. Ward

David A. Of Toole
16 Federal Trade Commission
55 E. Monroe St., Suite 1860
17 Chicago, IL 60603
(312) 960-5634
18 Attorneys for Plaintiff
Federal Trade Commission
19

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21 Laurence D. Strick
Stolar & Associates P.L.C.
22 433 North Camden Drive, Suite 600 Beverly Hills, CA 902

Apr-26-01 10:26am ro-TAR & A T E , A PROF LA- COP

CERTIFICATE OF SERVICE i;'i

I, Guy G. Ward, hereby certify that I caused to be served L!.I >~.,

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true and correct copies of the attached [Proposed] Stipulated S:..