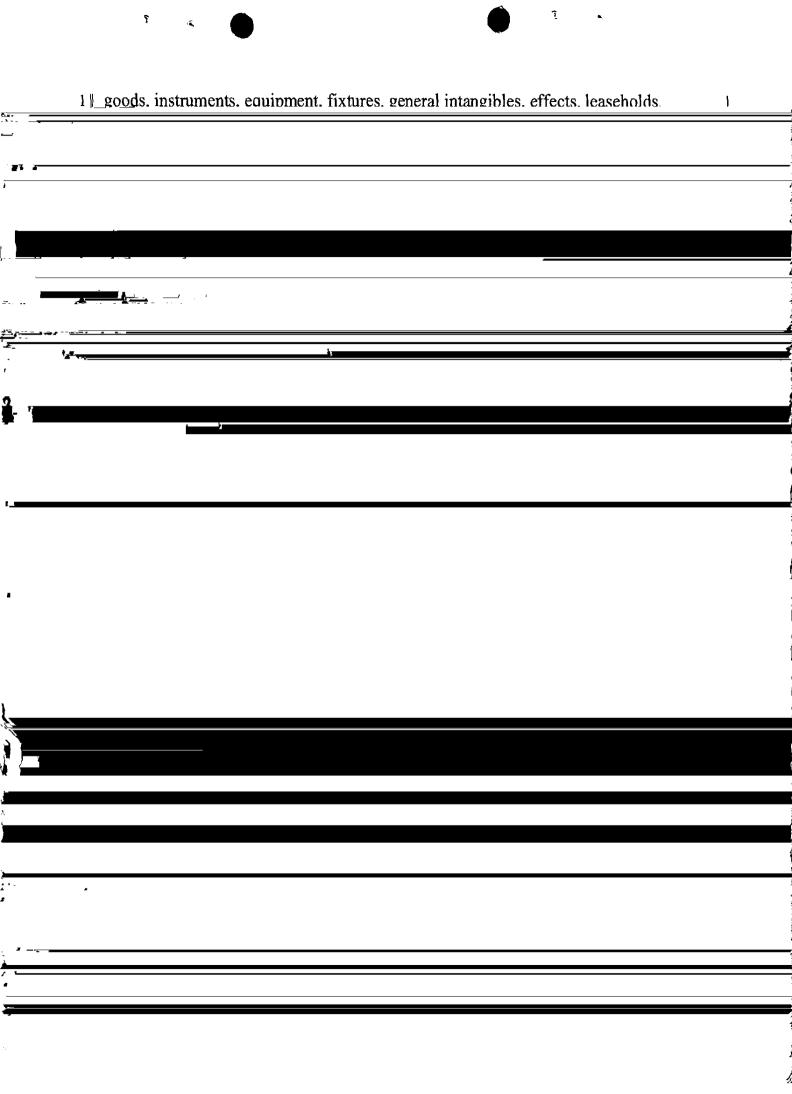


15 U.S.C. §§ 53(b) and 57b, and Section 7(a) of the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 ("CAN-SPAM Act"),

Defendants have entered into this Order freely and without coercion. They further acknowledge that they have read the provisions of this Order and are prepared to abide by them.

Defendants do not admit any of the allegations set forth in the Complaint



- 8. "Domain name" is defined in 15 U.S.C. § 7702(4), and means any alphanumeric designation which is registered with or assigned by any domain name registrar, domain name registry, or other domain name registration authority as part of an electronic address on the Internet.
  - "Findarsement" is defined as stated in 16 C F R 8 255 0/h)

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- C. Misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research;
- D. Making any representation about the health benefits, performance, efficacy, or safety of any such product or service unless the representation is true and not misleading, and unless, at the time it is made, Defendants possess and rely upon competent and reliable scientific evidence that substantiates the representation; and
- E. Misrepresenting that the order pages on Web sites marketing any such product are secured using SSL encryption technology and/or that credit card numbers and other personal information entered by consumers on the order pages cannot be seen by others when transmitted.

## II. DISCLOSURE OF CUSTOMER LISTS

IT IS FURTHER ORDERED that Defendants and their officers, agents, servants, employees, and all other persons or entities in active concert or participation with them who receive actual notice of this Order by personal service, facsimile or otherwise, are hereby permanently restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, credit card number, bank account number, email address, or other identifying information of any person who paid any money to any Defendant at any time prior to entry of this Order, in connection with the manufacturing, labeling, marketing, advertising, promotion, offering for sale, sale, or distribution of any HGH-related product or other covered product or service. *Provided, however*, that Defendants may disclose such identifying information to a law enforcement agency or as required by any law, regulation, or court order.

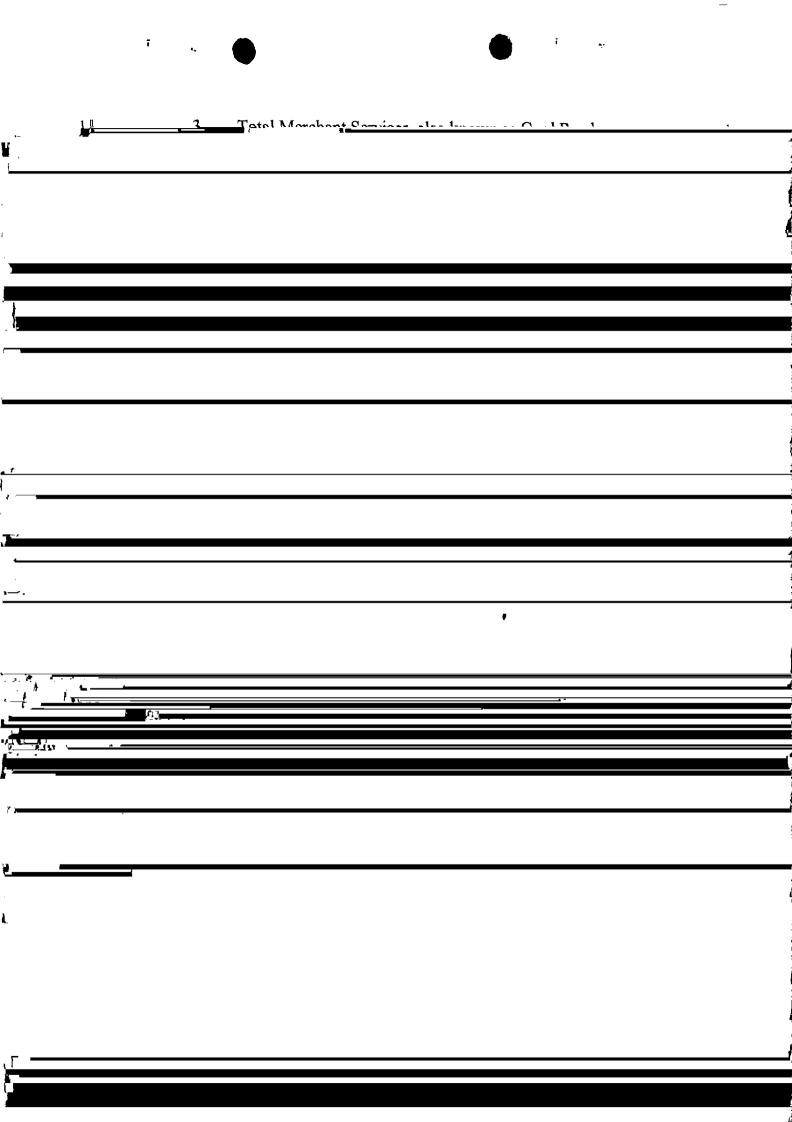
III. MONITORING BY DEFENDANTS FOR COMPLIANCE 

once Defendants know or should know that such person is or has been engaged in such conduct after having been warned of a previous instance of non-compliance.

5. Terminate any employee, agent, or affiliate who knowingly engages in any conduct prohibited by this Order; provided nothing herein shall limit the right of Defendants to take disciplinary action against any of Defendants' employees, agents or affiliates, including, but not limited to, termination for other than knowing violations of conduct prohibited by this Order.

## IV. MONETARY RELIEF

IT IS FILD THED OPDERED that indoment for agrammer reduces is entered



Defendants shall be notified as to how the funds are disbursed but shall have no right to challenge the FTC's choice of remedies under this Section. 2 C. The FTC and Defendants acknowledge and agree as follows: 3 1. No portion of this judgment for equitable monetary relief shall be deemed a fine, penalty, punitive assessment, or forfeiture; 5 The facts as alleged in the Complaint filed in this action shall 2. 6 be taken as true for purposes of any subsequent proceedings to 7 enforce payments required by this Section, including, but not 8 limited to, a non-dischargeability complaint filed in a 9 bankruptcy proceeding; and 10 3. In accordance with 31 U.S.C. § 7701, Defendants shall, unless 11 have done as almoster formish the ETO their tare

contain material information upon which Plaintiff relied in negotiating and agreeing to the terms of this Order. 2 If, upon motion by Plaintiff, this Court finds that any Defendant B. 3 failed to disclose any material asset, or materially misrepresented the value of any 4 asset, or made any other material misrepresentation in or omission from the 5 Financial Statements, the Court shall terminate the suspension of the monetary

## IX. RECORDKEEPING

IT IS FURTHER ORDERED that, for a period of eight (8) years from the date of entry of this Order, Defendants and their officers, agents, servants, employees, and all other persons or entities in active concert or participation with them who receive actual notice of this Order by personal service, facsimile or otherwise, are hereby restrained and enjoined from failing to create and retain the following records, in connection with any business that any Defendant manages or controls, directly or indirectly, or in which any Defendant holds a majority ownership interest, if the business is engaged in, or assists others engaged in, the manufacturing, labeling, marketing, advertising, promotion, offering for sale, sale, or distribution of any HGH-related product or other covered product or service:

- 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, for each person employed in any capacity by such business, including as an independent contractor, the person's name, address, telephone number, job title or position, date upon which the person commenced work and date and reconstituting for the person's termination if

documents obtained, created, or generated, or which in any way relate to the requirements, provisions or terms of this Order, copies of signed and dated 2 acknowledgments of receipt of this Order required by Section VIII of this Order, 3 and all reports submitted to the FTC pursuant to this Order. Y COMPLIANCE REPORTING RV DEFENDANTS

ownership interest in, that may affect compliance obligations 11 arising under this Order, including but not limited to a 2 dissolution, assignment, sale, merger, or other action that 3 would result in the emergence of a successor entity; the

For each Defendant: 2. 1 A copy of each acknowledgment of receipt of this Order, 2 a. obtained pursuant to Section VIII; 3 Any other changes required to be reported under b. Paragraph A of this Section; 5 

31, 33, 34, 36, and 45;

Posing as consumers to Defendants, Defendants' employees, or

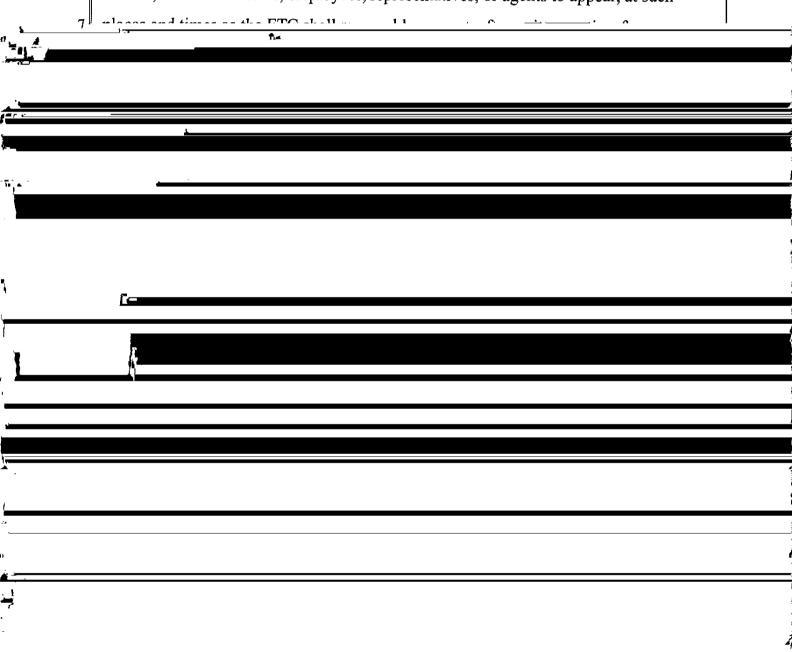
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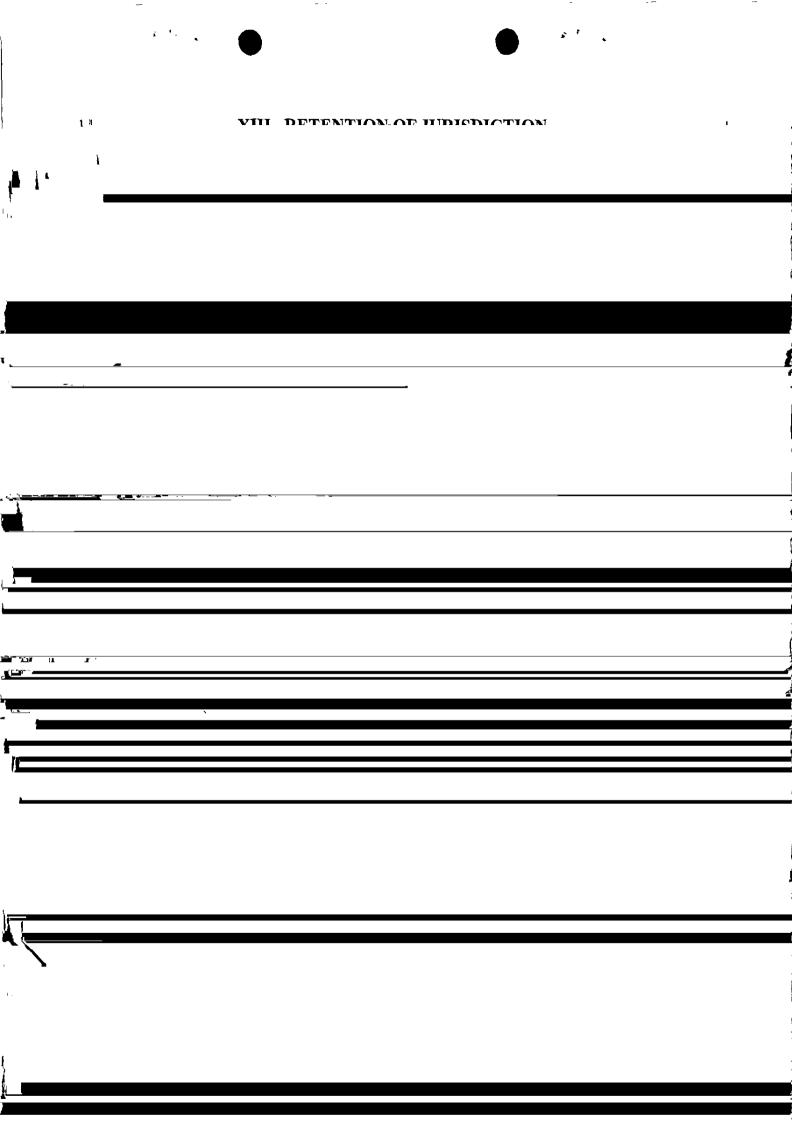
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XII. COOPERATION WITH FTC COUNSEL

IT IS FURTHER ORDERED that Defendants shall, in connection with this action or any subsequent investigations related to or associated with the transactions or the occurrences that are the subject of the FTC's Complaint, cooperate in good faith with the FTC and appear, or, in the case of NHP or NSMG, cause its officers, employees, representatives, or agents to appear, at such





**CERTIFICATE OF SERVICE** 1 I hereby certify that I caused the foregoing document to be served on all 2 { {}