

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Centurion Financial Benefits LLC, *et al.*,

Defendants.

Civil Action No. 05 C 5442

Judge Moran

Magistrate Denlow

~~PROPOSED~~

~~FINAL JUDGMENT AND ORDER FOR PERMANENT INJUNCTION~~

~~AGAINST ROBERT J. HOUTTIN~~

Consistent to Fed. R. Civ. P. 54. Having considered the memorandum and exhibits filed in support



Complaint.

8. The factual allegations in the Commission's First Amended Complaint are taken as true against Defendant Robert Houttuin. Those allegations and the evidence supporting them establish that Defendant Robert Houttuin violated Section 5(a) of the FTC Act, 15 U.S.C. § 45(a) and Sections 310.3(a)(2)(iii) and 310.4(a)(4) of the Telemarketing Sales Rule, 16 C.F.R. Part 310.

9. Defendant Robert Houttuin is likely to continue to engage in the acts and practices alleged in the First Amended Complaint unless he is permanently enjoined from such acts and practices.

2. "Asset" or "assets" means any legal or equitable interest in, right to, or claim to,

~~and includes all property, including but not limited to, chattels, real estate,~~

equipment, fixtures, general intangibles, effects, leaseholds, mail or other deliveries, inventory, checks, notes, accounts, credits, receivables (as those terms are defined in the Uniform

~~Commercial Code) and all other law, but not~~

consumers may establish or obtain any extension of credit or credit device, including, but not

limited to, credit cards, loans, or financing, or as a method to consolidate or liquidate debts.

6 "Customer" means any person who has paid, or may be required to pay, for goods

ORDER

I.

PROHIBITED BUSINESS ACTIVITIES

promoting, offering for sale, or sale of any product, program, or service, Defendant Robert Houttuin, and his officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, affiliates, successors, and assigns, and all other

persons or entities in active concert or participation with him who receive actual notice of this

§ 310.3(a)(2), by misrepresenting, directly or by implication, any material aspect of the

of a sales offer, 16 C.F.R. § 310.3(a)(2)(iii);

2. Violating Section 310.4(a)(4) of the Telemarketing Sales Rule, 16 C.F.R. § 310.4(a)(4), by requesting or receiving payment of any fee or consideration in advance of obtaining or arranging an extension of credit when they have guaranteed or represented a high likelihood of success in obtaining or arranging an extension of credit.

C. Assisting others who violate any provision of Subsections A and B of this Section.

related to the Defendant's practices alleged in the First Amended Complaint. Defendant shall have no right to challenge the Commission's choice of remedies under this Section; and

The judgment entered pursuant to Subsection A of this Section shall be

the entire and final judgment of the Commission and shall be enforceable as such.

forfeiture.

asset of, on behalf of, or for the benefit of, Defendant Robert Houttuin, or has held, controlled, or

maintained such bank account or asset of _____ for the benefit of Defendant Robert Houttuin.

_____ shall turn over such account or asset to the Commission, within ten (10) business days of

them who receive actual notice of this Order by personal service or otherwise, whether acting

~~§ 87(2)(b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z)~~

information to a law enforcement agency either voluntarily or as required by any law, regulation

or court order.

to such an interview, relating in any way to any conduct subject to this Order. The person interviewed may have counsel present.

Defendant ~~has been~~ that ~~of~~ ~~the~~ ~~FTC~~ ~~Act~~ ~~15~~ ~~U.S.C.~~ ~~§~~ ~~45~~ ~~(a)~~ ~~(1)~~ ~~to~~

compulsory process pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 40, 57b-1 to

obtain any documentary material, tangible things, testimony, or information relevant to unfair or deceptive acts or practices in or affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

VII.

COMPLIANCE REPORTING BY DEFENDANT

IT IS FURTHER ORDERED that, in order that compliance with the provisions of 15 U.S.C. § 45(a)(1) be

fictitious names; and

2. Defendant shall notify the Court of any change in the defendant's

structure of any business entities that the Defendant discontinue. [REDACTED]

own or his interest in that may affect compliance with these orders under this Order. [REDACTED]

4. A copy of each acknowledgment of receipt of this Order obtained by Defendant pursuant to Section X of this Order;

For the purposes of this Order, Defendant shall, unless otherwise directed by the [redacted] [redacted] [redacted]

Commission's authorized representatives, mail all written notifications to the Commission to:

Receipts Director for Enforcement [redacted]

Federal Trade Commission

[redacted]

regarding transactions in which each employee or independent contractor is involved;

business to which this Section applies and

C. Failing to take corrective action with respect to any sales person whom Defendant

the subject matter of this Order. Defendant must deliver a copy of this Order to all principals and

managers of such business before engaging in such conduct.

C. Defendant must secure a signed and dated statement acknowledging receipt of the Order and the Permanent Injunction, within thirty (30) days of delivery, from all persons receiving a copy of the Order pursuant to this Section.

XI.

ACKNOWLEDGMENT OF RECEIPT OF ORDER BY DEFENDANT

IT IS FURTHER ORDERED that Defendant, within five (5) business days of receipt of