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

_____)	
FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	Civil Action No. 05 C 5442
v.)	Judge James B. Moran
)	
Centurion Financial Benefits LLC, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

~~PROPOSED~~
FINAL JUDGMENT AND ORDER FOR PERMANENT INJUNCTION
AGAINST TONY ANDREOPOULOS

Plaintiff, the Federal Trade Commission (“FTC” or “the Commission”), commenced this action by filing its Complaint, followed by a First Amended Complaint, for injunctive and other equitable relief pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 53(b) and 57b, the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§ 6101, *et seq.*, charging that the defendants engaged in deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the FTC’s Trade Regulation Rule entitled “Telemarketing Sales Rule,” 16 C.F.R. Part 310.

On Sept, 19, 2007, the Court granted the FTC’s Motion for Motion for Partial Summary Judgment Against Tony Anderopoulos and entered an order finding him liable for Counts I through III of the FTC’s First Amended Complaint.

The Commission now seeks the entry of a final judgment against Tony Andreopoulos

pursuant to Fed. R. Civ. P. 54. Having considered the memorandum and exhibits filed in support of the Commission's motion and the entire record in this matter, and now being fully advised in the premises, the Court **ORDERES, ADJUDGES, AND DECREES** as follows:

FINDINGS

1. This is an action by the Commission instituted under Sections 13(b) and 19 of the FTC Act, 15 U.S.C. §§ 53(b) and 57b, the Telemarketing Act, 15 U.S.C. §§ 6101, *et seq.*, and the FTC's Telemarketing Sales Rule, 16 C.F.R. Part 310. Pursuant to these statutes and regulations, the Commission has the authority to seek the relief contained herein.

2. The Commission's First Amended Complaint states a claim upon which relief

8. The factual allegations pertaining to Counts I, II, and III of the Commission's First

and the evidence supporting them establish that Defendant Tony Andreopoulos 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 Tony Andreopoulos is liable to plaintiff respondents in the amount

equipment, fixtures, general intangibles, effects, leaseholds, mail or other deliveries, inventory,

Commercial Code), and all cash, wherever located.

3. "Assisting others" means providing any of the following goods or services to any person or entity engaged in telemarketing: (a) preparing, printing, or transmitting invoices; (b) recording or verifying sales solicitations; (c) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints, obtaining or receiving

~~and financial information from or through, and communicating with consumers on~~

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 or services offered for sale or sold by Defendant.

7. "Defendant" means [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PROHIBITED BUSINESS ACTIVITIES

~~IT IS HEREBY ORDERED that [redacted] shall be prohibited from [redacted]~~

~~representatives for sale, or sale of any product, program, or service. Defendant Trust~~

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

monetary relief is solely remedial in nature and is not a fine, penalty, punitive assessment, or forfeiture.

III.

ASSET FREEZE

monetary judgment required by Section II of this Order, the assets of Defendant Tony

Tony Andreopoulos, shall turn over such account or asset to the Commission, within ten (10) business days of receiving notice of this Order by any means, including, but not limited to, via facsimile.

V.

CUSTOMER LISTS

IT IS FURTHER ORDERED that Defendant, and his officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries,

~~and all other persons, entities, or organizations~~

directly or through any trust, corporation, subsidiary, division, or other device, may provide such information to a law enforcement agency either voluntarily, or as required by any law, regulation,

or court order.

VI.

COMPLIANCE MONITORING

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, 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 this Order may be monitored:

- A. For a period of five (5) years from the date of entry of this Order,
 1. Defendant shall notify the Commission of the following:
 - a. Any changes in his residence, mailing addresses, and telephone numbers, within ten (10) days of the date of such change;
 - b. Any changes in his employment status (including self-employment), and any change in the ownership of the Defendant in any business entity, within ten (10) days of the date of such change. Such notice shall include the name and address of each business that the Defendant is affiliated with, employed by, creates or forms, or performs services for; a statement of the nature of the business; and a statement of the Defendant's duties and responsibilities in connection with the business or employment; and
 - c. Any changes in the Defendant's name or use of any aliases or fictitious names; and

2. Defendant shall notify the Commission of any changes in corporate structure of any business entity that the Defendant directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this Order, including, but not limited to, a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor entity; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order; the filing of a bankruptcy petition; or a change in the corporate name or address, at least thirty (30) days prior to such change, *provided* that, with respect to any proposed change in the corporation about which the Defendant learns less than thirty (30) days prior to the date such action is to take place, Defendant shall notify the Commission as soon as is practicable after obtaining such knowledge.

B. One hundred eighty (180) days after the date of entry of this Order, Defendant shall provide a written report to the FTC, sworn to under penalty of perjury under the laws of the United States, setting forth in detail the manner and form in which he has complied and is

Defendant pursuant to Section X of this Order;

C. For the purposes of this Order, Defendant shall, unless otherwise directed by the Commission's authorized representatives, mail all written notifications to the Commission to:

Associate Director for Enforcement
Federal Trade Commission
601 New Jersey Avenue N.W.
Washington, D.C. 20580

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D. Enforcement of the provisions of this Order by the Commission

[REDACTED]

k.

B. Failing promptly to investigate fully any consumer complaint received by any business to which this Section applies; and

C. Failing to investigate fully any complaint received by any business to which this Section applies.

[REDACTED]

determines is not complying with this Order, which may include training, disciplining, and/or terminating such sales person.

D. Complaint and refund requests (whether received directly, indirectly or through

any third party) and

[REDACTED]

[REDACTED]

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

[REDACTED]