

NOW, THEREFORE, the Commission and Defendant Catrenea Marchewka, having requested the Court to enter this Stipulated Order, and the Court, having considered the Stipulated Order reached among the parties and for other cause appearing, it is **ORDERED, ADJUDGED, AND DECREED** as follows:

FINDINGS

1. This is an action by the Commission instituted under Sections 13(a) and 13(b) 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

may be granted against Defendant Catrenea Marchewka. 15 U.S.C. §§ 13(a) and 13(b)

7. The parties shall each bear their own costs and attorneys' fees incurred in this action and have waived all claims under the Equal Access to Justice Act, 28 U.S.C. § 2412, and all rights to seek judicial review, or otherwise to challenge the validity of this Stipulated Order.

8. This Order is in addition to and not in lieu of any other civil or criminal remedies that may be provided by law.

9. Entry of this Stipulated Order is in the public interest.

DEFINITIONS

For purposes of this Order, the following definitions shall apply:

1. "Defendant" means the Defendant Catrenea Marchewka.
2. "Asset" or "assets" means any legal or equitable interest in, right to, or claim to, any real and personal property, including, but not limited to, chattels, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, mail or other deliveries, inventory,

rights, and remedies, and/or for these terms are defined in the Uniform

consumers; (f) providing, mailing or shipping, or arranging for the provision, mailing, or shipping, of fulfillment products or services; (g) providing or arranging for the provision of telemarketing services; (h) providing or facilitating the means of obtaining payment from

_____ facilitating access to the credit card or bank account information.

_____ collecting customer (i) downloading, providing, or arranging for the provision of names of potential

goods or services.

9. "Person" means a natural person, organization, or other legal entity, including, but not limited to, a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.

10. "Telemarketing" means a plan, program, or campaign (whether or not covered by the Telemarketing Sales Rule, 16 C.F.R. Part 310) which is conducted to induce the purchase of

~~goods or services or a charitable contribution~~ by use of one or more telephones

I.

PROHIBITED BUSINESS ACTIVITIES

IT IS FURTHER ORDERED that, in connection with the advertising, marketing,

2. Concerning the Defendant's ability to provide consumers with any credit-related product, program, or service; and

3. Concerning any fact material to a consumer's decision to purchase any

product, program or service;

Rule, 16 C.F.R. Part 310, *et seq.*, as currently promulgated or as it may hereafter be amended,

including, but not limited to:

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

II.

MONETARY RELIEF

IT IS FURTHER ORDERED that:

A. Judgment in the amount of \$9,894,514 (USD) is hereby entered in favor of the Commission against Defendant Catreena Marchewka, jointly and severally, as equitable monetary restitution for consumer injury relief; *provided, however*, that this judgment shall be ~~governed until further Order of the Court pursuant to Section III of this Order (Right to~~

Reopen), and provided further that this judgment shall be subject to the conditions set forth in Section V.

B. All funds paid pursuant to Section II and/or Section III shall be deposited into a fund administered by the Commission or its agent to be used for equitable relief, including, but not limited to, consumer redress and any attendant expenses for the administration of such equitable relief. Defendant Catreena Marchewka shall cooperate fully to assist the Commission

C. The judgment entered pursuant to Paragraph A of this Section for equitable monetary relief is solely remedial in nature and is not a fine, penalty, punitive assessment, or foreclosure;

~~Defendant's failure to make payment under this Section~~

interest, computed pursuant to 28 U.S.C. § 1961(a), shall accrue from the date of default to the date of payment, and shall immediately become due and payable;

E. For purposes of any subsequent proceedings to enforce payments required by this Section, including but not limited to a non-dischargeability complaint filed in a bankruptcy

proceeding, Defendant Catrecna Marchewka waives any right to contest any allegations in Plaintiff's First Amended Complaint; and

If, upon motion of the Commission, the Court finds that Defendant **Catreena Marchewka** failed to submit the sworn statement required by this Section, or that Defendant **failed to disclose** any material asset, materially misrepresented the value of any asset, or made any **other material** misrepresentation in or omission from the financial statement, the Court shall enter **judgment** against her, in favor of the Commission, in the amount of \$9,894,514 (USD) (the approximate

Marchewka was actively involved in the alleged activities set forth in Plaintiff's **First Amended** Complaint), and the entire amount of the judgment shall become immediately **due and payable**, less any amount already paid.

transferring, or otherwise disclosing the name, address, telephone number, social security number, credit card number, bank account number, e-mail address, or other identifying information of any person who paid any money to or received any credit-related product, program, or service from Defendant, or whose identifying information was obtained for the purpose of soliciting them to pay money to or receive services from Defendant at any time prior to the date this Order is entered, in connection with the sale or rendition of the products, programs, or services referenced in the First Amended Complaint.

Provided, however, that Defendant Catreena Marchewka, and her 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 them who receive actual notice of this Order by personal service or

interviews, conferences, pretrial discovery, review of documents, and for such other matters as may be reasonably requested by the FTC. If requested in writing by the FTC, Defendant Catreena Marchewka shall appear, or cause her officers, employees, representatives, or agents to appear, and provide truthful testimony in any trial, deposition, or other proceeding related to or associated with the transactions or the occurrences that are the subject of the First Amended Complaint, without the service of a subpoena.

VI.

COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring and investigating compliance with any provision of this Order:

A. Within ten (10) days of receipt of written notice from a representative of the Commission, Defendant Catreena Marchewka shall submit additional written reports, sworn to under penalty of perjury; produce documents for inspection and copying; appear for deposition; and/or provide entry during normal business hours to any business location in Defendant's possession or direct or indirect control to inspect the business operation;

B. In addition, the Commission is authorized to monitor compliance with this Order by all other lawful means, including, but not limited to, the following:

1. obtaining discovery from any person, without further leave of court, using the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, and 45; and

2. posing as consumers and suppliers to: Defendant Catreena Marchewka,

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

Defendant Catherine Marchbanks 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

employer or business, and the title and responsibilities of Defendant Catreena Marchewka, for each such employer or business; and

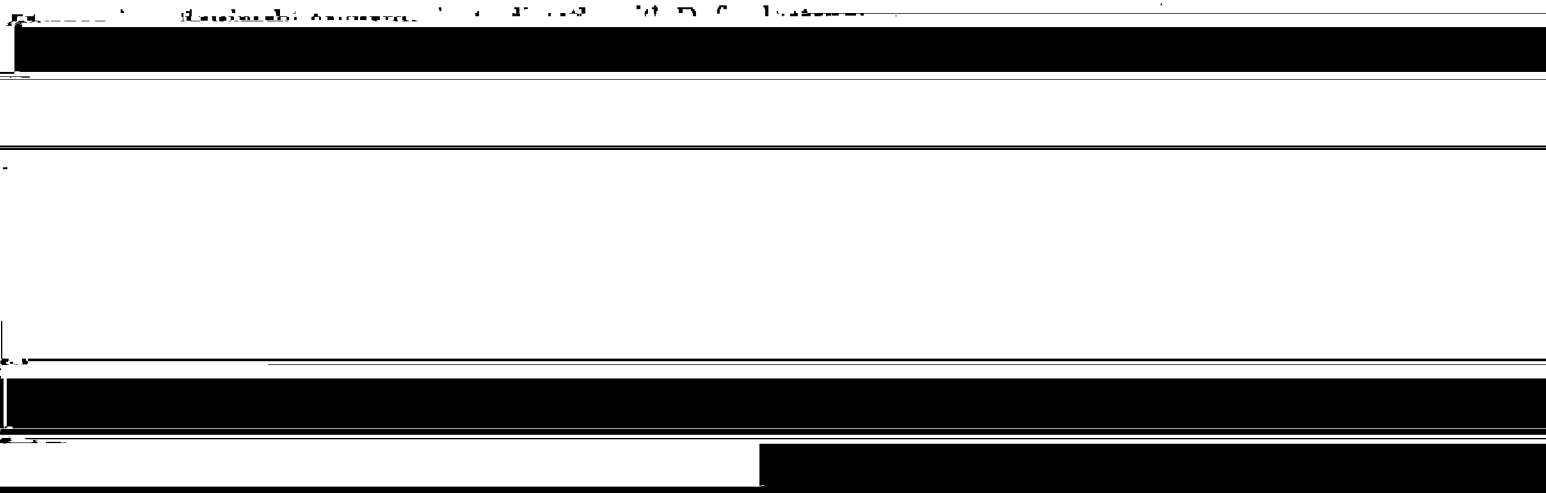
3. Any other changes required to be reported under subsection A of this Section.

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

C. For the purposes of this Order, Defendant Catreena Marchewka 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
Re: FTC v. Centurion Financial Benefits LLC, et al., Civil Action No. 05C 5442.

D. For purposes of the compliance reporting required by this Order, the Commission



VIII.

MONITORING COMPLIANCE OF SALES PERSONNEL

...in connection with

comply with Section I of this Stipulated Order. Such steps shall include adequate monitoring of sales presentations or other calls with customers, and shall also include, at a minimum, the following: (1) listening to the oral representations made by persons engaged in sales or other customer service functions; (2) establishing a procedure for receiving and responding to consumer complaints; and (3) ascertaining the number and nature of consumer complaints regarding transactions in which each employee or independent contractor is involved:

|| [REDACTED]

generated, and the disbursement of such revenues;

D. Personnel records separately reflecting: the name, address, and telephone number

of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable;

C. Customer files containing the names, addresses, telephone numbers, dollar amounts paid, quantity of items or services purchased, and description of items or services

Marchewka has a majority ownership interest, Defendant Catreena Marchewka must deliver a copy of this Order to all principals, officers, directors, and managers of that business. Defendant Catreena Marchewka must also deliver copies of this Order to all employees, agents, and representatives of that business who engage in conduct related to the subject matter of the Order. For current personnel, delivery shall be within five (5) days of service of this Order upon Defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities.

B. Defendant Catreena Marchewka as employee or non-control person: For any business where Defendant Catreena Marchewka is not a controlling person of a business but otherwise engages in conduct related to the subject matter of this Order, Defendant Catreena Marchewka must deliver a copy of this Order to all principals and managers of such business

before engaging in such conduct.

C. Defendant Catreena Marchewka must secure a signed and dated statement

XII.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that the Court shall retain jurisdiction of this matter. 

purposes of construction, modification and enforcement of this Order.

The Commission and Defendant Catrena Marbeyka hereby stipulate and agree to 