

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Civil Action No. 07-cv-00558-RPM

FEDERAL TRADE COMMISSION,

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

JAN 31 2008

have agreed to entry of this Stipulated Permanent Injunction and Other Equitable Relief ("Order") by this Court without trial or adjudication of any issue of fact or law, and without the Resolve Defendants admitting liability for any of the matters alleged in the Complaint.

This Order settles only the FTC's claims against the Resolve Defendants, and shall not act as a bar to any claim by the FTC nor preclude the FTC from seeking any remedy against any other persons, corporations, or entities, including persons who may be subject to portions of this Order as persons acting in active concert or participation with the Resolve Defendants.

NOW, THEREFORE, the Plaintiff and the Defendant have agreed that

[REDACTED]

review or otherwise challenge or contest the validity of this Order, all rights that may arise under

~~the Equal Access to Justice Act, 28 U.S.C. § 5042, 5 U.S.C. §§ 104.101, 110.914~~

847, 863-64 (1996), and any claim they may have against the FTC and its employees,
representatives, or agents;

7. The Resolved Defendants acknowledge that they have read the provisions of this Order

photographs, audio and video recordings, computer records, and other data compilations from

[REDACTED]

reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.

3. "Person" means a natural person, an organization or other legal entity, including a

d. if any communication is presented solely through oral, written, visual or audio means, the message shall be made through the same means; and

e. regardless of the medium used to disseminate it, the message shall be in understandable language and syntax. Nothing contrary to, inconsistent with, or in mitigation of the message shall be used in any communication.

6. "Enrolling" means the submission of payment by consumers to the Resolve Defendants or their successors, assigns, officers, agents, servants, employees, and attorneys, or any person ~~acting in active concert or participation with the Resolve Defendants for the purposes of~~

procuring Debt Reduction Services. For the purposes of this Order, "payment" means payment by any means including checks, money orders or authorizations for electronic withdrawals from consumers' bank accounts.

ORDER

I. PROHIBITED BUSINESS ACTIVITIES

IT IS, THEREFORE, ORDERED that, in connection with the advertising, promoting, offering for sale, or sale of any Debt Reduction Program, each Resolve Defendant, and their successors, assigns, officers, agents, servants, employees, and attorneys, and any person acting in active concert or participation with such Resolve Defendant who receives actual notice of this Order by personal service or otherwise, are enjoined from:

[REDACTED]

[REDACTED]

[REDACTED]

of the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

III. EQUITABLE MONETARY RELIEF

IT IS FURTHER ORDERED that:

A. The Resolve Defendants have agreed to pay the Commission the sum of One

Million Dollars (\$1,000,000) for equitable monetary relief. The Commission

V. COMPLIANCE MONITORING

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

A. Within twenty (20) days of receipt of written notice from a representative of the Commission, each Resolve Defendant 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 direct or indirect control of either Resolve Defendant 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;

2. posing as consumers and suppliers to either Resolve Defendant to

Provided, however, that nothing in this Order shall limit the Commission's jurisdiction.

[REDACTED]

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2. Resolve Defendants shall notify the Commission of any changes in

3. Any other changes required to be reported under subparagraph A of this Section; and

4. A copy of each acknowledgment of receipt of this Order, obtained pursuant to Section VIII.

C. For purposes of this Order, each Resolve 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
Bureau of Consumer Protection
600 Pennsylvania Ave., N.W.
Washington, DC 20580
Re: *FTC v. Debt-Set, et al.*, Civil Action No. 07-CV-00558.

D. For purposes of the compliance monitoring and reporting required by this Order, the Commission is authorized to communicate directly with each Resolve Defendant.

VII. RECORD KEEPING

IT IS HEREBY ORDERED that

[REDACTED]

B. Personnel records accurately 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 dates of employment;

[REDACTED]

upon Defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities.

B. For any business that is engaged in the promotion or sale of Debt Reduction Programs or Services that Tucker controls, directly or indirectly, or in which Tucker has a majority ownership interest, she must deliver a copy of this Order to all principals, officers, directors, and managers of that business. Tucker must also deliver copies of this Order to all employees, agents, and representatives of that business who engage in conduct related to the

are permanently restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, credit card number, bank account number, e-mail 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 sale of Debt Reduction Programs. Provided, however, that the Resolve Defendants may disclose such identifying information to a law enforcement agency or as required by any law, regulation, or court order.

XI. RETENTION OF JURISDICTION

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

SO STIPULATED:

FOR THE FEDERAL TRADE COMMISSION

[REDACTED]