

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 06-80180 - CIV-RYSKAMP/VITUNAC

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**NATIONWIDE CONNECTIONS, INC.,
ACCESS ONE COMMUNICATIONS, INC.,
NETWORK ONE SERVICES, INC.,
WILLOUGHBY FARR,**

DEFENDANTS.

This matter comes before the Court on stipulation of Plaintiff Federal Trade Commission ("FTC" or "Commission") and Defendant Yaret Garcia ("Defendant" or "Garcia").

On February 27, 2006, the Commission filed a Complaint for Injunctive and Other

3. The activities of Defendant are in or affecting commerce, as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

4. The First Amended Complaint alleges claims upon which, if true, relief may be granted against Defendant under Sections 5(a)(1) and 13(b) of the FTC Act, 15 U.S.C. §§ 45(a)(1) and 53(b).

5. The Commission and Defendant stipulate and agree to this Final Order to settle

the claims asserted in the First Amended Complaint in the above

DEFINITIONS

For the purpose of this Final Order, the following definitions shall apply:

1. **“Amended Preliminary Injunction”** means the amended preliminary injunction

FILED 2008: 11: 11: 04: 11: 05: 2008

6. **“Line Subscriber”** means a person that has arranged with a local exchange

or another entity to obtain local telephone service provided through an assigned telephone

EQUITABLE MONETARY RELIEF

IV.

IT IS FURTHER ORDERED that:

A. Judgment is hereby entered in favor of the Commission and against Defendant in the amount of thirty-four million, five hundred forty-seven thousand, one hundred forty dollars

(\$34,547,140.00) (with Money Judgment) Defendant shall be liable to pay to the Commission

With Defendant's Post-Judgment Interest on \$3,064,600.

present to Defendant V(B) of the Kaid Order

[REDACTED]

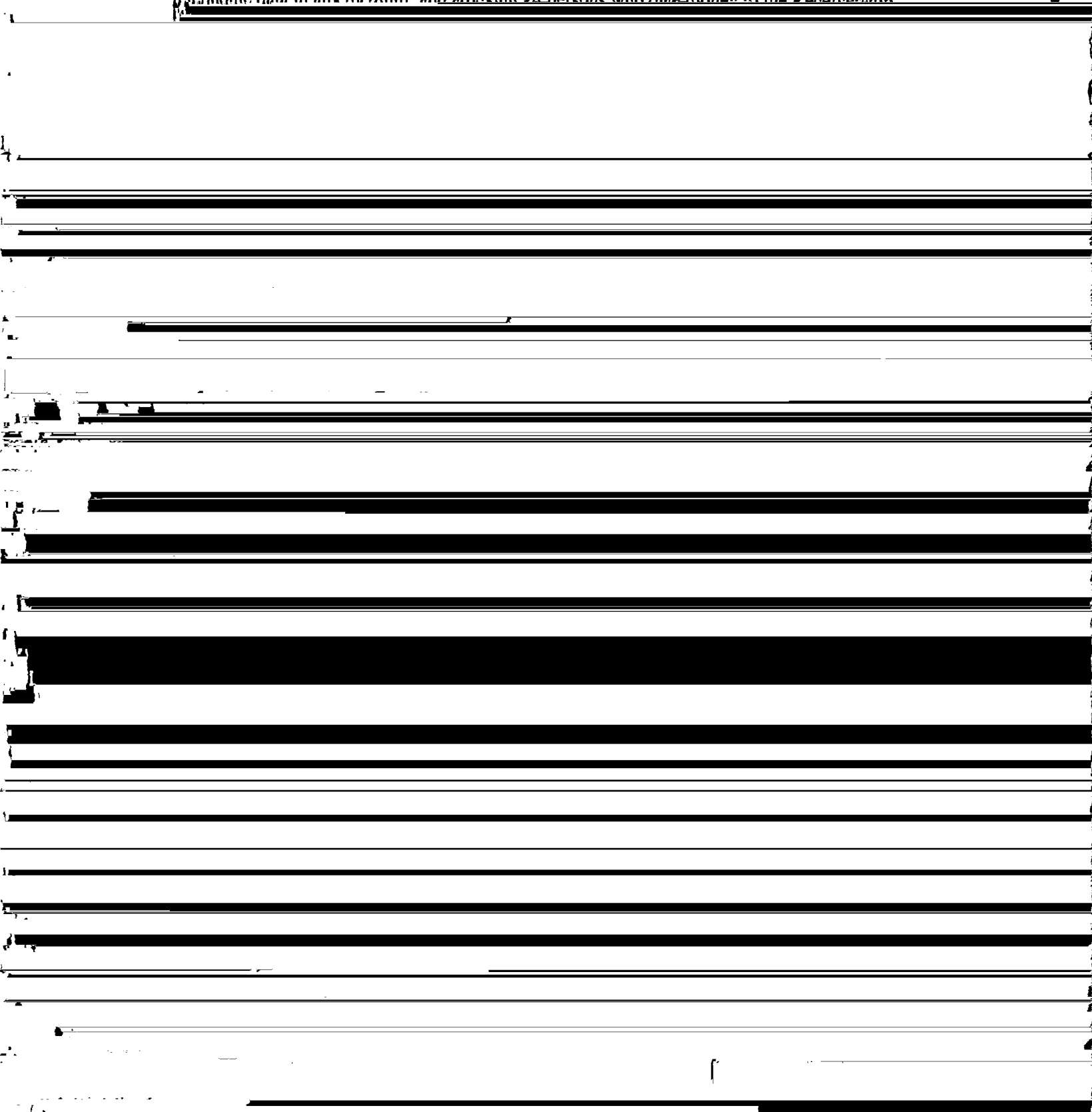
[REDACTED]

LIFTING OF ASSET FREEZE

VI.

IT IS HEREBY ORDERED THAT THE ASSET FREEZE ORDERED BY THE COURT IN CASE NO. 06-10001, ENTERED ON 04/11/2008, IS LIFTED AS TO THE ASSETS OF THE DEBTOR, [REDACTED], AND THE ASSETS OF THE DEBTOR, [REDACTED], ARE TO BE RELEASED FROM THE ASSET FREEZE ORDERED BY THE COURT IN CASE NO. 06-10001, ENTERED ON 04/11/2008.

and discharge the responsibilities of the Receiver under the Amended Preliminary Injunction and this Final Order; providing any password required to access any computer, electronic file, or telephonic data in any medium; and advising all persons who owe money to the Receiver in



receivership; (2) harasses or interferes with the Receiver in any way; (3) interferes in any manner with the exclusive jurisdiction of this Court over the assets or documents of the Receivership Defendants; or (4) constitutes a refusal to cooperate with the Receiver or the Receiver's duly authorized agents in the exercise of their duties or authority under any order of this Court.

COMPLIANCE MONITORING

IX.

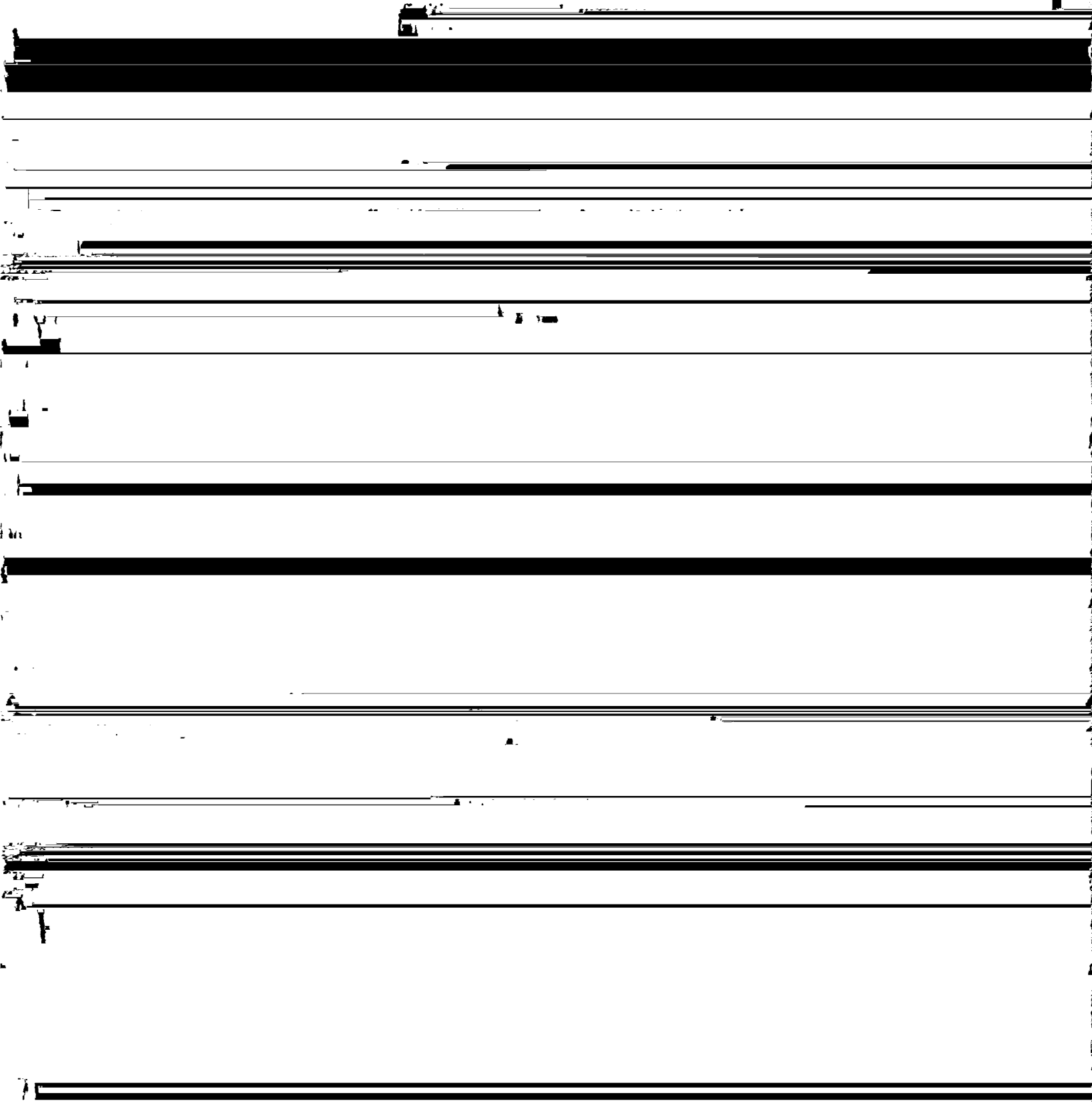
IT IS FURTHER ORDERED that for the purpose of monitoring and enforcement:

[REDACTED]

[REDACTED]

and a statement of Defendant's duties and responsibilities in connection with the business or employment; and

c. Any changes in Defendant's name or use of any aliases or



[REDACTED]

restrained and enjoined, in connection with any business where charges associated with the business's products or services appear on a Line Subscriber's telephone bill, from failing to create and retain the following records:

- 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: the name, address, and telephone number of each person employed in any capacity through business, including as an independent

DISTRIBUTION OF FINAL ORDER BY DEFENDANT

XII.

IT IS FURTHER ORDERED that, for a period of five (5) years from the date of entry of this Final Order, Defendant shall deliver copies of the Final Order as directed below:

A. For any business that Defendant controls, directly or indirectly, or in which Defendant has a majority ownership interest, Defendant must deliver a copy of this Final Order to all principals, officers, directors, and managers of that business. Defendant must also deliver

copies of this Final Order to all employees, agents, and representatives of Defendant.

STIPULATED AND AGREED AS FOLLOWS:

FOR THE PLAINTIFF:

DATED: *March 31 2008*

FOR THE DEFENDANT:

DATED: *2/7/08*

[REDACTED]

Annex

[REDACTED]

Appendix B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 06-80180 - CIV-RYSKAMP/VITUNAC

FEDERAL TRADE COMMISSION,

Plaintiff.

This matter comes before the Court on stipulation of Plaintiff Federal Trade Commission

("FTC" or "Commission") and Defendant Credit Card ("CC")

On February 27, 2006, the Commission filed a Complaint for Injunctive and Other Equitable Relief, including rescission, restitution, redress, and disgorgement, pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and moved for an ~~ex parte Temporary Restraining Order ("TRO") pursuant to Rule 65 of the Federal Rules of~~

3. The activities of Defendant are in or affecting commerce, as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

granted against Defendant under Sections 5(a)(1) and 13(b) of the FTC Act, 15 U.S.C. §§ 45(a)(1) and 53(b).

Defendant is ordered to comply with this Final Order to settle

DEFINITIONS

For the purpose of this Final Order, the following definitions shall apply:

1. **"Amended Preliminary Injunction"** means the amended preliminary injunction order [D.E. 223] issued by this Court on September 25, 2006, in combination with any subsequent order modifying the same.

2. **"Assets"** means any legal or equitable interest in right to or claim to any real or

personal property of Defendant, or held for the benefit of Defendant, wherever located, including, but not limited to, "goods," "instruments," "equipment," "fixtures," "general intangibles," "inventory," "checks," "notes" (as these terms are defined in the Uniform Commercial Code), chattels, leaseholds, contracts, notes, other deliveries, shares of stock, lists

4/11/2008

... or other entities to obtain local telephone numbers...

PROHIBITED BUSINESS ACTIVITIES

I.

IT IS THEREFORE ORDERED that Defendant and his Representatives are hereby permanently restrained and enjoined from directly or indirectly misrepresenting, expressly or by implication, in writing or orally, that a consumer is obligated to pay any charge that has not been expressly authorized.

II.

IT IS FURTHER ORDERED that Defendant and his Representatives are hereby

permanently restrained and enjoined from billing or submitting any charge for billing on a line

EQUITABLE MONETARY RELIEF

V.

IT IS FURTHER ORDERED that:

A. Judgment is hereby entered in favor of the Commission in the amount of

the amount of seventy-five thousand dollars (\$75,000.00). Defendant shall relinquish all right,
title and interest in those Assets in Appendix A attached to this Order.

partially impracticable or funds remain after redress is completed, the Commission may apply any remaining funds for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Defendant's practices alleged in the First Amended Complaint. Any funds not used for such equitable relief shall be deposited to the United States Treasury as disgorgement. Defendant shall have no right to challenge the Commission's choice of remedies under this Paragraph.

other proceeding related to or associated with the transactions or the occurrences that are the subject of the First Amended Complaint, without service of a subpoena.

COOPERATION WITH THE RECEIVER

IX.

IT IS FURTHER ORDERED that Defendant shall fully cooperate with and assist the

Defendant held in any name other than the name of the Receivership Defendant, or by any

the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, and 45;

2. posing as consumers and suppliers to Defendant, or his employees, or any other entity managed or controlled in whole or in part by Defendant, without the necessity of identification or prior notice; and

b. Any changes in employment status (including self-employment) of Defendant and any change in the ownership by 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 Defendant is associated with.

performs services for; a statement of the nature of the business;

and a statement of Defendant's duties and responsibilities in

B. One hundred eighty (180) days after the date of entry of this Final Order,

Defendant shall provide a written report to the FTC, sworn to under penalty of perjury,

forth in detail the manner and form in which he has complied and is complying with this Order.

RECORD KEEPING PROVISIONS

of this Final Order, in connection with any business that Defendant directly or indirectly manages, controls, or has a majority ownership interest in, Defendant and his agents, employees,

F. All records and documents necessary to demonstrate full compliance with each provision of this Final Order, including but not limited to, copies of acknowledgments of receipt of this Final Order, required by Paragraph XIII, and all reports submitted to the FTC pursuant to Paragraphs X and XI.

DISTRIBUTION OF FINAL ORDER BY DEFENDANT

XIII.

IT IS FURTHER ORDERED that, for a period of five (5) years from the date of entry

of this Final Order, Defendant shall deliver copies of the Final Order to the following:

A. For any business that Defendant controls, directly or indirectly, or in which

Defendant has a financial interest, Defendant shall deliver copies of the Final Order to the following:

ACKNOWLEDGMENT OF RECEIPT OF FINAL ORDER BY DEFENDANT

XIV.

IT IS FURTHER ORDERED that Defendant, within five (5) days of receipt of this Final Order as entered by the Court, must submit to the Commission a truthful sworn statement

[REDACTED]

STIPULATED AND AGREED AS FOLLOWS:

FOR THE PLAINTIFF:


March 24, 2008

FOR THE DEFENDANT:

7/8/2008



Laura M. Kim (A5500999)



Mark D. Johnson, PA (708205)

Appendix A

Interest held by or titled in the name of or on behalf of Defendant in the following
Assets:

Asset	Owned by
Bank of America account XXXXXXXX0463	Qadir Kaid and Yaret Garcia
Bank of America account XXXXXXXX9201	Qadir Kaid and Yaret Garcia

Final Judgment as to Qadir Kaid