

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION**

**Commissioners:**            **William E. Kovacic, Chairman  
Pamela Jones Harbour  
Jon Leibowitz  
J. Thomas Rosch**

|  |   |                           |
|--|---|---------------------------|
| _____                                    | ) |                           |
| <i>In the Matter of</i>                  | ) |                           |
|  | ) |                           |
| <b>PREMIER CAPITAL LENDING, INC.,</b>    | ) | <b>DOCKET NO. C- 4241</b> |
| <b>a corporation,</b>                    | ) |                           |
|  | ) | <b>DECISION AND ORDER</b> |
| <b>and</b>                               | ) |                           |
|  | ) |                           |
| <b>DEBRA STILES,</b>                     | ) |                           |
| <b>individually and as an officer of</b> | ) |                           |
| <b>the corporation.</b>                  | ) |                           |
| _____                                    | ) |                           |

**DECISION AND ORDER**

The Federal Trade Commission, having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft Complaint, which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge the respondents with violation of the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 et seq. and the Federal Trade Commission Act, 15 U.S.C. § 45 et seq.; and

The respondents and counsel for the Commission, having thereafter executed an Agreement Containing Consent Order (“Consent Agreement”), including an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft Complaint, a statement that the signing of the Agreement is for settlement purposes only and does not constitute an admission by the respondents that the law has been violated as alleged in such Complaint, or that any of the facts as alleged in such Complaint, other than jurisdictional facts, are true, and waivers and other provisions as required by the Commission’s Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said A

days for the receipt and consideration of public comment, now in further conformity with the procedure prescribed in Section 2.34 of its Rules, the Commission hereby issues its Complaint, makes the following jurisdictional findings, and enters the following Order:

1. Respondent Premier Capital Lending, Inc. (“PCL”) is a Texas Corporation with its principal place of business at 901 W. Bardin Road, Suite 200, Arlington, Texas 76017.
2. Respondent Debra Stiles (“Stiles”) is a co-owner of PCL, Secretary of the company, and Manager of its headquarters office in Arlington, Texas. Individually or in concert with others, she formulates, directs, or controls the policies, acts, or practices of respondent PCL. Her principal place of business is the same as PCL’s.

### **ORDER**

### **DEFINITIONS**

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

1. “Personally identifiable information” or “PII” means information that identifies an individual, such as a name, address, telephone number, e-mail address, or other information that can be used to identify an individual.

I.

**IT IS ORDERED** that respondents, and their officers, agents, representatives, and employees, shall not directly or through any corporation, subsidiary, division, website, or other device, in connection with the advertising, marketing, promotion, offering for sale, or sale of any product or service, in or affecting commerce, misrepresent in any manner, expressly or by implication, the extent to which respondents maintain and protect the privacy, confidentiality, or security of any personal information collected from or about consumers.

II.

**IT IS FURTHER ORDERED** that respondents, and their officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, website, or other device, no later than the date of service of this order, shall establish and implement, and thereafter maintain, a comprehensive information security program that is reasonably designed to protect the security, confidentiality, and integrity of consumers' personal information. Such program, the content and implementation of which must be fully documented in writing, shall contain administrative, technical, and physical safeguards appropriate to respondent PCL's size and complexity, the nature and scope of its activities, and the sensitivity of the personal information collected from or about consumers, including:

- A. the designation of an employee or employees to coordinate and be accountable for the information security program;
- B. the identification of material internal and external risks to the security, confidentiality, and integrity of personal information that could result in the unauthorized disclosure, misuse, loss, alteration, destruction, or other compromise of such information, and assessment of the sufficiency of any safeguards in place to control these risks. At a minimum, this risk assessment should include consideration of risks in each area of relevant operation, including, but not limited to, (1) employee training and management, (2) information systems, including network and software design, information processing, storage, transmission, and disposal, and (3) prevention, detection, and response to attacks, intrusions, or other systems failure;
- C. the design and implementation of reasonable safeguards to control the risks identified through risk assessment, and regular testing or monitoring of the effectiveness of the safeguards' key controls, systems, and procedures;
- D. the development and use of retr



reporting period to which the Assessment applies by: a person qualified as aby



