

MHN

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

FEDERAL TRADE COMMISSION,)

Plaintiff,)

v.)

INTEGRATION MEDIA INC., a)
corporation, d/b/a GOAM MEDIA,)
and)

STEPHANE LACHAPPE, individually)
_____)

Civ. No. 09 CV 3160

Judge Bucklo

Magistrate Judge Ashman

and as an owner, officer, or director of the)
corporate defendant,)

Defendants.)
_____)

PROPOSED PRELIMINARY INJUNCTION ORDER
WITH ASSET FREEZE AND OTHER EQUITABLE RELIEF

Plaintiff Federal Trade Commission (FTC) vs. Defendant Stephane Lachappe

FINDINGS

1. This Court has jurisdiction over the subject matter of this case and has jurisdiction over all parties hereto;
2. Venue, process, and service of process are proper;
3. There is good cause to believe that Defendants have engaged in, and are likely to

including, but not limited to, misrepresenting that consumers have a preexisting business

8. Weighing the equities and considering the Plaintiff's likelihood of ultimate

9. No security is required of any agency of the United States for the issuance of a preliminary injunction. *See* Fed. R. Civ. P. 65(c).

formulating or providing, or arranging for the formulation or provision of, any sales script or other marketing material; (9) providing names of, or assisting in the generation of, potential customers; (10) performing or providing marketing or billing services of any kind; or (11)

5. **“Commercial Mail Receiving Agency” (“CMRA”)** means any commercial mail

receiving and/or forwarding service, commercial mail, and/or forwarding service

10. **“Material”** means likely to affect a person’s choice of, or conduct regarding, goods or services.

11. “D...”

including, but not limited to:

A. That consumers have a preexisting business relationship with Defendants;

The Federal Trade Commission ("FTC") has filed a lawsuit against Integration Media Inc., which does business as GoAm Media, and uses mailing addresses at 2520 SW 22nd St #2 354 Miami Florida 33145 and 1001 Central Ave Suite 170 610 Miami Florida 33136

[REDACTED]

by or subject to access by or belonging to any other corporation, partnership, trust, or

[REDACTED]

F. Transferring any funds or other assets subject to this Order for attorney's fees or

subject to Section III above;

2. In any account maintained in the name of, or for the benefit of, or subject to withdrawal by any Defendant or other party subject to Section III above; and

3. That are subject to access or use by, or under the signatory power of, any Defendant or other party subject to Section III above;

B. Deny Defendants access to any safe deposit boxes or storage facilities that are either:

1. Titled in the name, individually or jointly, of any Defendant, or other party subject to Section III above; or
2. Subject to access by any Defendant or other party subject to Section III above;

C. Provide the Commission, within five (5) days of the date of service of this Order, a sworn statement setting forth:

1. The identification number of each account or asset titled in the name, individually or jointly, of any Defendant, or held on behalf of, or for the benefit of, any Defendant or other party subject to Section III above, including all trust accounts

4. If the account, safe deposit box, storage facility, or other asset has been closed or removed, the date closed or removed and the balance on said date; and

D. Within five (5) days of a request from the FTC, provide to the FTC copies of all records or other documents pertaining to such account or asset, including, but not limited to, originals or copies of account applications, account statements, signature cards, checks, drafts

pursuant to Subsection A above and are held by or for any Defendant or are under any Defendant's direct or indirect control, jointly, severally, or individually, including the names and addresses of any foreign or domestic financial institution or other entity holding the assets, along with the account numbers and balances;

C. Hold and retain all repatriated documents and assets and prevent any transfer, disposition, or dissipation whatsoever of any such documents or assets;

Provided, however, Defendants may transfer any repatriated documents to the Commission as required by this Order; and

D. Within three (3) business days following entry of this Order, unless Defendants have already done so in compliance with the TRD entered by the Court on May 28, 2009.

Section of this Order; and

B. Notifying any trustee, protector or other agent of any foreign trust or other related entities of either the existence of this Order, or of the fact that repatriation is required pursuant to a Court Order, until such time as assets have been fully repatriated pursuant to the preceding Section of this Order.

VII.

DUTIES OF THIRD PARTIES TO WITHHOLD DEFENDANTS' MAIL

IT IS FURTHER ORDERED that:

A. The Postmaster at any Post Office where any Defendant maintains a Post Office Box ("P.O. Box") or any Commercial Mail Receiving Agency ("CMRA") where any Defendant maintains an account and/or mail receiving box, including, but not limited to, Mail Boxes, Etc.

counsel for the Commission a complete list of all P.O. Boxes and CMRA accounts and/or mail receiving boxes used by any Defendant from January 1, 2007, through the date of entry of this Order. Defendants shall notify counsel for the Commission of any P.O. Box, CMRA account and/or mail receiving box created by any Defendant after the date of entry of this Order, within three (3) business days of its creation. Such notice shall include the name of the Post Office and/or the CMRA; a copy of PS Form 1093, PS Form 1583, and/or the CMRA agreement or application; the account number; the P.O. Box number, CMRA account number or mail receiving box number; the address of the Post Office and/or CMRA; the name and telephone number of a contact person at the Post Office and/or CMRA; and all business names used by said Defendant receiving mail at that P.O. Box and/or CMRA mail receiving box.

VIII.

DUTIES OF THIRD PARTIES PROCESSING PAYMENTS FOR DEFENDANTS

IT IS FURTHER ORDERED that, any automated clearing house, network transaction processor, business entity, or person providing any services or assistance in processing

Defendants' customer payments, including, but not limited to, payments made by credit or debit

card, bank account debit, and/or check, and which is served with a copy of this Order, or otherwise has actual knowledge of this Order, is hereby restrained and enjoined from providing any assistance in the processing of any payments by consumers to any of the Defendants.

IX.

SUSPENSION OF COLLECTION ON ACCOUNTS

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

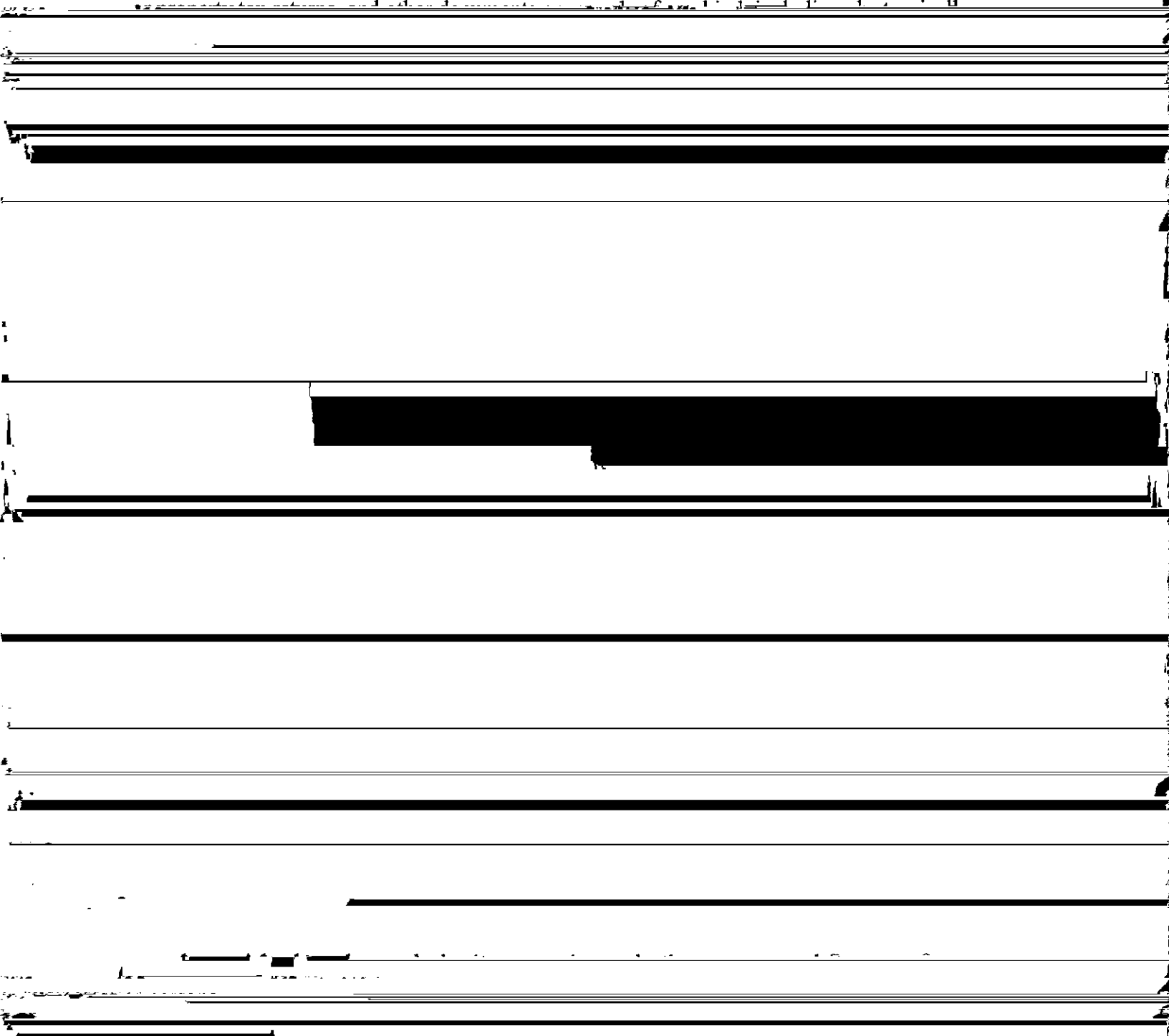
[REDACTED]

[REDACTED]

[REDACTED]

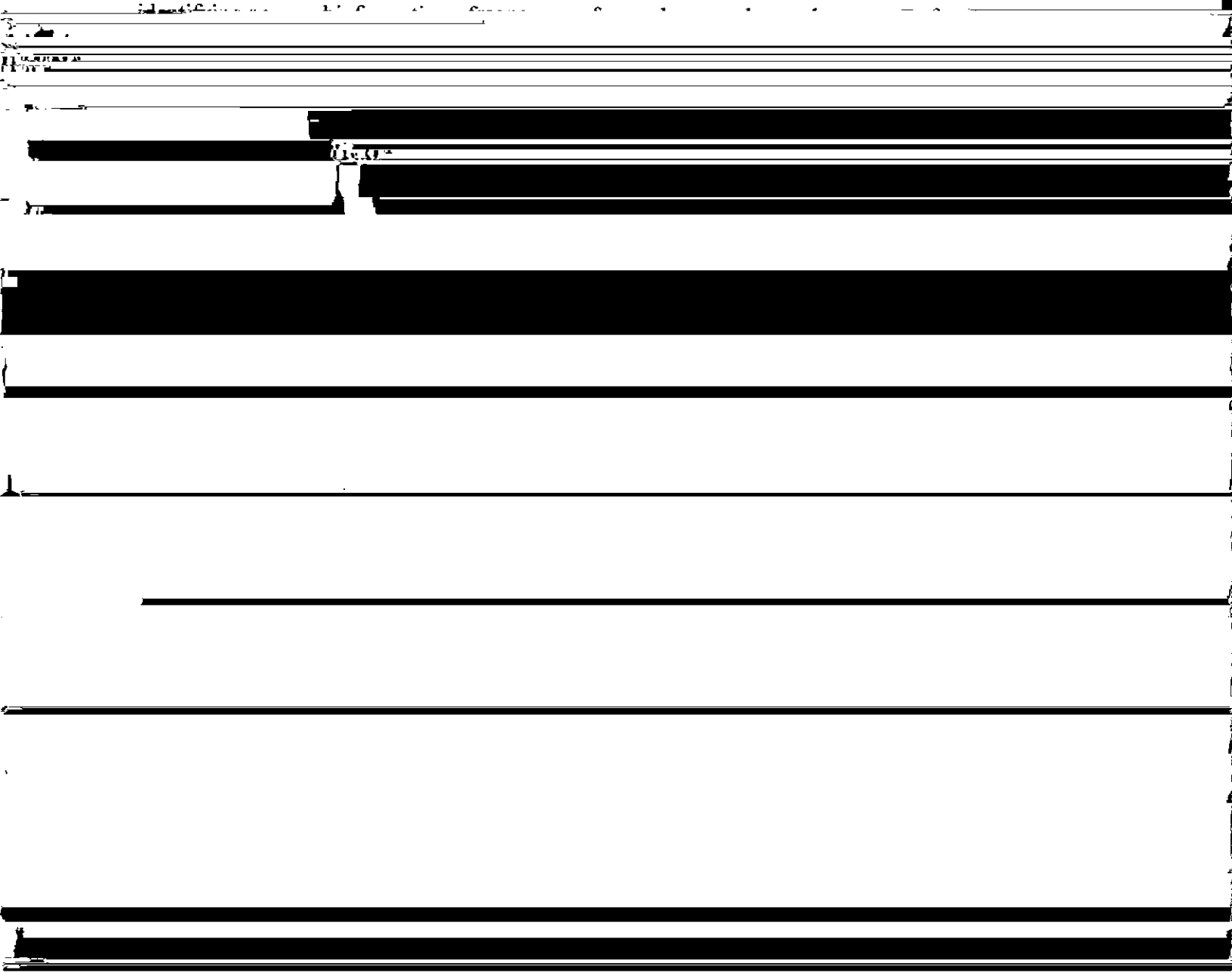
[REDACTED]

brochures, sales material, training material, sales presentations, documents evidencing or referring to Defendants' products or services, data, computer tapes, disks, or other computerized records, books, written or printed records, handwritten notes, telephone logs, "verification" or "compliance" tapes or other audio or video tape recordings, receipt books, invoices, postal receipts, ledgers, personal and business canceled checks (fronts and backs) and check registers, bank statements, appointment books, copies of federal, state or local business or personal income



A. Selling, renting, leasing, transferring, or otherwise disclosing the name, address, birth date, telephone number, e-mail address, Social Security number, credit card number, bank account number, or other financial or identifying personal information of any person from whom or about whom any Defendant obtained such information in connection with activities alleged in the FTC's Complaint; and

B. Benefitting from or using the name, address, birth date, telephone number, e-mail address, Social Security number, credit card number, bank account number, or other financial or



IT IS FURTHER ORDERED that copies of this Order may be served by facsimile

[REDACTED]

or subsidiaries; the location of any premises where Defendants, directly or through any third party, conduct business operations; the Defendants' whereabouts; and/or the applicability of any

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

XVII.

SERVICE UPON PLAINTIFF

IT IS FURTHER ORDERED that any correspondence, papers, and pleadings related to this Order shall be served upon Plaintiff by overnight mail, electronic mail, courier delivery, or facsimile to:

Guy G. Ward
Federal Trade Commission
55 West Monroe Street, Suite 1825
Chicago, Illinois 60603
(312) 960-5612 [Telephone]
(312) 960-5600 [Facsimile]
gward@ftc.gov [E-mail]

XVIII.

RETENTION OF JURISDICTION

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

SO ORDERED, this 23 day of June, 2009.

Elaine L. Burke

Elaine L. Burke, U.S. District Judge

United States District Judge
Northern District of Illinois

ATTACHMENT A

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

_____)	
FEDERAL TRADE COMMISSION,)	
)	Civ. No. 09 CV 3160
Plaintiff,)	
)	Judge Bucklo
v.)	
)	Magistrate Judge Ashman
INTEGRATION MEDIA INC., a)	
corporation, d/b/a GOAM MEDIA,)	
<i>et al.</i> ,)	
)	
Defendants.)	
_____)	

CONSENT TO RELEASE OF FINANCIAL INFORMATION

I, _____, of _____
(city or province and country), do hereby direct any person, bank, savings and loan association,
credit union, depository institution, finance company, commercial lending company, payment
processor, payment processing entity, common carrier, customs broker, commercial mail
receiving agency, mail holding and/or forwarding company, brokerage house, escrow agent,
money market or mutual fund, title company, commodity trading company, or trustee, that holds,
controls or maintains custody of assets, wherever located, that are owned or controlled by me, or
any of the above Defendants, in whole or in part, or at which I, or any of the above Defendants,
have an account of any kind upon which I am authorized to draw, and its officers, employees and
agents, to disclose all information and deliver copies of all documents of every nature in its
possession or control which relate to the said accounts to any attorney of the Federal Trade

Commission and to give evidence relevant thereto in the above captioned matter. ETC.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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