

Plaintiff, the Federal Trade Commission (“Commission” or “FTC”), filed its Complaint for

FINDINGS

1. This Court has jurisdiction over this matter.
2. The Complaint charges that Defendants participated in deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45; TILA, 15 U.S.C. §§ 1601-1666j, and its implementing Regulation Z, 12 C.F.R. Part 1026; and EFTA, 15 U.S.C. §§ 1693-1693r and its implementing Regulation E, 12 C.F.R. Part 1010(u)(7)(j)-3(. P)-4(a)599 reTj -0.03 T5 20.47 61Td [(1692(n vi)2(he)4)

- B. **“Debt”** means any obligation or alleged obligation to pay money arising out of a transaction, whether or not such obligation has been reduced to judgment.
- C. **“Consumer credit”** means credit offered or extended to a natural person primarily for personal, family, or household purposes.
- D. **“Retail sale”** means the sale of goods or products to natural persons.
- E. **“Settling Corporate Defendants”** means CWB Services, LLC; Orion Services, LLC; Sandpoint Capital, LLC; Sandpoint, LLC; Basseterre Capital, LLC (Nevis); Basseterre Capital, LLC (Delaware); Namakan Capital, LLC (Nevis); and Namakan Capital, LLC (Delaware), and their successors, assigns, affiliates, or subsidiaries, and each of them by whatever names each might be known.
- F. **“Settling Defendants”** means Timothy A. Coppinger and the Settling Corporate Defendants, individually, collectively, or in any combination.
- G. **“Settling Individual Defendant”** means Timothy A. Coppinger.

ORDER

BAN ON LENDING

- I. **IT IS THEREFORE ORDERED** that Settling Defendants, whether directly or through an intermediary, are permanently restrained and enjoined from, or assisting others engaged in:
- A. Providing any consumer, arranging for any consumer, or assisting any consumer in receiving, any loan or other extension of consumer credit;
- B. Advertising, marketing, promoting, or offering any loan or other extension of consumer credit;

PROHIBITION ON UNAUTHORIZED CHARGES

III. IT IS FURTHER ORDERED that Settling Defendants and Settling Defendants' officers,

agency, Settling Corporate Defendants shall promptly notify any such consumer reporting agencies that the information reported regarding the debt is inaccurate and the tradeline should be promptly deleted.

Coppinger with the account numbers XXX1150 and
XXX9148;

- b. An account at Missouri Bank in the name of Jane M.
Coppinger Irrev. Life Ins. Trust with the account number
XXX6258;
- c. An account at Missouri Bank in the name of Timothy
Coppinger Trust with the account number XXX6266;
- d. An account at Missouri Bank in the name of DWTC
Enterprises LLC with the account number XXX2774;
- e. An account at Missouri Bank in the name of C2 Supply LLC
with the account number XXX4270; and
- f. An account at Wells Fargo Bank in the name of Running
Girls LLC with the account number XXXXXX5980.

C. Settling Defendants shall cooperate fully with the Receiver and shall execute any instrument or document presented by the Receiver, and do whatever else the Receiver deems necessary or desirable to effect the transfers required by Section VI.B. Upon such transfers, the property shall be assets of the receivership estate.

D. Upon the completion of all transfers described in Section VI.B above, the remainder of the judgment is suspended as to Individual Defendant Coppinger, subject to the Subsections below.

E. The Commission's agreement to the suspension of part of the judgment is expressly premised upon the truthfulness, accuracy, and completeness of Settling Defendants' sworn

financial statements and related documents (collectively, “financial representations”) submitted to the Commission, namely:

1. the Financial Statement of Individual Defendant Timothy A. Coppinger, signed on November 1, 2014, including the attachments; and
2. the Financial Statements of Settling Corporate Defendants signed by Timothy A. Coppinger on September 22, 2014, including the attachments.

11. The suspension of the judgment will be lifted, upon motion by the Commission, if the Court finds that any Settling Defendant failed to disclose any material asset, materially misstated the value of any asset, or made any other material misstatement or omission in the

G. If the suspension of the judgment is lifted, the judgment becomes immediately due as to Settling Individual Defendants if, n(e)4(pubpe)4(s)-1 mon b. C. than 22, ion b i ion bte Deon(y)20(due)4

after the date of entry of this Order, and may not seek the return of any assets.

C. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the Commission in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.

D. The facts alleged in the Complaint establish all elements necessary to sustain an action by the Commission pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.

E. Settling Defendants acknowledge that their Taxpayer Identification Numbers (Social Security Numbers or Employer Identification Numbers), which Settling Defendants previously submitted to the Commission, may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. §7701.

F. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designee to be used for equitable relief, including

G. The asset freeze is hereby modified to permit the transfers

COOPERATION

IX. IT IS FURTHER ORDERED that Settling Defendants must fully cooperate with representatives of the Commission in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Settling Defendants shall also continue to cooperate with the Receiver and his representatives until termination of the Receivership. Settling Defendants must provide truthful and complete information, evidence, and testimony. Individual Defendant Coppinger must appear for interviews, discovery, hearings, trials, and any other proceedings that a Commission representative may reasonably request upon 5 days written notice, or other reasonable notice, at such places and times as a Commission representative may designate, without the service of a subpoena.

ORDER ACKNOWLEDGMENTS

X. IT IS FURTHER ORDERED that Settling Defendants obtain acknowledgments of receipt of this Order:

A. Each Settling Defendant, within 7 days of entry of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.

B. For 15 years after entry of this Order, Individual Defendant Coppinger, for any business that he, individually or collectively with any other Settling Defendants, is the majority owner or controls directly or indirectly must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees, agents, payment processors, and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery must occur within 7 days of entry of this Order for current

2. Additionally, Individual Defendant Coppinger must: (a) identify all telephone numbers and all physical, postal, email and Internet addresses, including all residences; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For 15 years after entry of this Order, each Settling Defendant must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:

1. Each Settling Defendant must report any change in: any entity that Individual Defendant Coppinger has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
2. Additionally, Individual Defendant Coppinger must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;

C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission; and

E. a copy of each unique advertisement or other marketing material.

COMPLIANCE MONITORING

XIII. IT IS FURTHER ORDERED that, for the purpose of monitoring Settling Defendants' compliance with this Order, including the financial representations upon which part of the judgment was suspended and any failure to transfer any assets as required by this Order:

A. Within 14 days of receipt of a written request from a representative of the Commission, each Settling Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce documents for inspection and copying. The Commission is also authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the Commission is authorized to communicate directly with each Settling Defendant. Settling Defendants must permit representatives of the Commission to interview any employee or other person affiliated with any Settling Defendant who has agreed to such an interview. The person interviewed may have counsel present.

C. The Commission may use all other lawful means, including posing, through its

representatives as consumers, suppliers, or other individuals or entities, to Settling Defendants or any individual or entity affiliated with Settling Defendants, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Individual Defendant Coppinger, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

RECEIVERSHIP

XIV. IT IS FURTHER ORDERED that, upon entry of this Order, the Order Entering Stipulated Preliminary Injunction With An Asset Freeze, Appointment of a Receiver, and Other Equitable Relief, as amended [Docket Entries 34, 149] ("Preliminary Injunction") shall expire except as to the provisions regarding the duties and authority of the court-appointed receiver set forth in Sections XI through XV of the Preliminary Injunction. The court-appointed receiver must complete all duties and the Preliminary Injunction shall expire within 180 days after the date of entry of this Order, but any party or the court-appointed receiver may request that the Court extend that receiver's term for good cause. All assets recovered by the court-appointed receiver after the date of entry of this Order on behalf of any Receivership Defendant, as defined in the Preliminary Injunction, shall be transferred to the Commission within 60 days to be used in accordance with Section VII of this Order. The asset freeze set forth in Section VI of the Preliminary Injunction shall expire pursuant to Section VII.G of this Order.

RETENTION OF JURISDICTION

XV. IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED this 26th day of August, 2015.

/s/ Dean Whipple
DEAN WHIPPLE
UNITED STATES DISTRICT JUDGE

**SO STIPULATED AND AGREED:
FOR PLAINTIFF:
FEDERAL TRADE COMMISSION**

/s/Matthew J. Wilshire
Rebecca M. Unruh, DC Bar #488731
Matthew J. Wilshire, DC Bar #483702
Lisa A. Rothfarb, MD Bar
Federal Trade Commission
600 Pennsylvania Ave., N.W., Mail Stop CC-10232
Washington, D.C. 20580
Telephone: 202-326-3565 (Unruh)
Fax: 202-326-3768
runruh@ftc.gov, mwilshire@ftc.gov, lrothfarb@ftc.gov

Date: July 1, 2015

/s/ Charles M. Thomas
Charles M. Thomas, MO Bar #28522
Assistant United States Attorney
Charles Evans Whittaker Courthouse
400 East Ninth Street, Room 5510
Kansas City, MO 64106
Telephone: (816) 426-3130
Facsimile: (816) 426-3165
E-mail: charles.thomas@usdoj.gov

Date: July 1, 2015

Attorneys for Plaintiff Federal Trade Commission

