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JONATHAN E. NUECHTERLEIN
General Counsel

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Federal Trade Commission
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Attorney for Plaintiff
Federal Trade Commission

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

BROADWAY GLOBAL MASTER INC.,
a corporation, also d/b/a BGM,

IN-ARABIA SOLUTIONS INC., a
corporation, and

KIRIT PATEL, individua

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ORDER

I.

BAN ON DEBT COLLECTION

IT IS ORDERED that Defendants are permanently restrained and enjoined from participating in debt collection activities, whether directly or through an intermediary.

II.

PROHIBITION AGAINST MISREPRESENTATIONS

IT IS /t.73 -2Hry.

1 B. Defendants are ordered to pay to the Commission Thirty Three Thousand Five
2 Hundred Dollars (\$33,500), which, as Defendants stipulate, their undersigned counsel holds in
3 escrow for no purpose other than payment to the Commission. Such payment must be made
4 within 14 days of entry of this Order by wire transfer in accordance with directions provided by
5 the Commission. Upon such payment, and the asset transfers in the Section titled Turnover of
6 Assets Held by Third Parties, the remainder of the judgment is suspended, subject to the
7 Subsections below.

8 C. The Commission's agreement to the suspension of part of the judgment is
9 expressly premised upon the truthfulness, accuracy, and completeness of Defendants' sworn
10 financial statements and related documents (collectively "financial representations") submitted to
11 the Commission, namely:

- 12 1. the Financial Statement of Individual Defendant Kirit Patel signed on
13 July 24, 2015, including the attachments;
- 14 2. documentation submitted by letter from Defendants' counsel Andrew
15 Steinheimer to Commission counsel Lisa Rosenthal dated May 9, 2012;
- 16 3. the Financial Statement of Corporate Defendant Broadway Global Master,
17 Inc., signed by President Kirit Patel on July 24, 2015, including the
18 attachments; and
- 19 4. the Financial Statement of Corporate Defendant In Arabia Solutions, Inc.,
20 signed by President Kirit Patel on July 24, 2015.

21 D. The suspension of the judgment will be lifted as to any Defendant if, upon motion
22 by the Commission, the Court finds that Defendant failed to disclose any material asset,
23 materially misstated the value of any asset, or made any other material misstatement or omission
24 in the financial representations identified above.

25 E. If the suspension of the judgment is lifted, the judgment becomes immediately
26 due as to that Defendant in the amount specified in Subsection A above (which the parties
27 stipulate only for purposes of this Section represents the consumer injury alleged in the
28 Complaint), less any payment previously made pursuant to this Section plus interest computed

1 from the date of entry of this Order.

2 F. Defendants relinquish dominion and all legal and equitable right, title, and interest
3 in all assets transferred pursuant to this Order and may not seek the return of any assets.

4 G. The facts alleged in the Complaint will be taken as true, without further proof, in
5 any subsequent civil litigation by or on behalf of the Commissi

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1 controls, or maintains custody of any account of any Defendant that is frozen pursuant to the
2 Court's April 26, 2012, *Preliminary Injunction With Asset Freeze and Other Equitable Relief*
3 shall turn over all funds in such account to the Commission within ten (10) business days of
4 receiving notice of this Order by any means, including, but
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1 efficiently administer consumer redress. If a representative of the Commission requests in
2 writing any information related to redress, Defendants must provide it, in the form prescribed by
3 the Commission, within 14 days.

4 B. disclosing, using, or benefitting from customer information, including the name,
5 address, telephone number, email address, social security number, other identifying information,
6 or any data that enables access to a customer's account (including a credit card, bank account, or
7 other financial account), that any Defendant obtained prior to entry of this Order; and

8 C. failing to destroy such customer information in all forms in their possession,
9 custody, or control within 30 days after receipt of written direction to do so from a representative
10 of the Commission.

11 *Provided, however,* that customer information need not be disposed of, and may be
12 disclosed, to the extent requested by a government agency or required by a law, regulation, or
13 court order.

14 VI.

15 ORDER ACKNOWLEDGMENTS

16 IT IS FURTHER ORDERED that Defendants obtain acknowledgments of receipt of this
17 Order:

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

20 B. For 5 years after entry of this Order, the Individual Defendant for any business
21 that he, individually or collectively with any other Defendants, is the majority owner or controls
22 directly or indirectly and each Corporate Defendant, must deliver a copy of this Order to: (1) all
23 principals, officers, directors, and LLC managers and members; (2) all employees, agents, and
24 representatives who participate in conduct related to the subject matter of the Order; and (3) any
25 business entity resulting from any change in structure as set forth in the Section titled
26 Compliance Reporting. Delivery must occur within 7 days of entry of this Order for current
27 personnel. For all others, delivery must occur before they assume their responsibilities.

28 C. From each individual or entity to which a Defendant delivered a copy of this

1 Order, that Defendant must obtain, within 30 days, a signed and dated acknowledgment of
2 receipt of this Order.

3 **VII.**

4 **COMPLIANCE REPORTING**

5 IT IS FURTHER ORDERED

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1 notice, sworn under penalty of perjury, within 14 days of any change in the following:

- 2 1. Each Defendant must report any change in: (a) any designated point of
3 contact; or (b) the structure of any Corporate Defendant or any entity that
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1 Rule 26(c).

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

6 C. The Commission may use all other lawful means, including posing, through its
7 representatives as consumers, suppliers, or other individuals or entities, to Defendant or any
8 individual or entity affiliated with Defendant, without the necessity of identification or prior
9 notice. Nothing in this Order limits the Commission's lawful use of compulsory process,
10 pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

11 D. Upon written request from a representative of the Commission, any consumer
12 reporting agency must furnish consumer reports concerning the Individual Defendant, pursuant
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SO ORDERED, this 9th day of September, 2015

/s/ John A. Mendez
Hon. John A. Mendez
United States District Court Judge
Eastern District of California

SO STIPULATED AND AGREED:

FEDERAL TRADE COMMISSION

/s/
SARAH SCHROEDER, Attorney
Federal Trade Commission
901 Market Street, Suite 570
Phone: (415) 848-5186
Fax: (415) 848-5184
sschroeder@ftc.gov

Date: 9/4/2015

COUNSEL FOR DEFENDANTS:

/s/
ANDREW STEINHEIMER, Esq.
Ellis Law Group, LLC
740 University Avenue, Suite 100
Sacramento, CA 95825
Phone: (916) 283-8820
Fax: (916) 283-8821
ASteinheimer@EllisLawGrp.com

Date: 7/27/2015

DEFENDANTS:

/s/
KIRIT PATEL, individually and as an officer
of BROADWAY GLOBAL MASTER INC.,
and IN-ARABIA SOLUTIONS INC.

Date: 7/24/2015

ATTACHMENT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

BROADWAY GLOBAL MASTER INC.,
a corporation, also d/b/a BGM,

IN-ARABIA SOLUTIONS INC., a
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KIRIT PATEL, individually and as an officer
of BROADWAY GLOBAL MASTER INC.,
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ATTACHMENT A

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State of _____, City of _____

Subscribed and sworn to before me
this _____ day of _____, 2015.

Notary Public
My Commission Expires: