

Plaintiff, the Federal Trade Commission ("Commission"), filed its complaint pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), charging Defendants, Southwest Marketing Concepts, Inc. and Stephen T. Inmon, with violations of Section 5 of the FTC Act, 15 U.S.C. § 45. On April 1, 1997, this Court granted the Commission's Motion for a Temporary Restraining Order with Asset Freeze, Appointment of a Temporary Receiver, and Other Equitable Relief, and ordered Defendants to show cause why a preliminary injunction should not issue against them. Following an evidentiary hearing, the Court granted a preliminary injunction on April 16, 1997.

Defendants and the Commission have agreed to entry of a Final Judgment and Order for Permanent Injunction and Monetary Relief ("Final Judgment") by this Court in order to resolve all matters in dispute in this action. Defendants, while not admitting liability for
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D. Each of the Defendants has waived all rights to seek appellate review or otherwise challenge or contest the validity of this Final Judgment; and

E. Entry of this Final Judgment is in the public interest.

For purposes of this Final Judgment, the following definitions shall apply:

A. "Defendants" means Southwest Marketing Concepts, Inc., and Stephen T. Inmon and

certified or cashier's checks made payable to the Federal Trade Commission, in four equal

position; the date upon which that person commenced work; and the date of that person's termination; and

C. Records containing the names, addresses, telephone numbers, and dollar amounts paid, for all persons to whom the business entity has sold, invoiced, or shipped any products or services, or from whom money or other items of value were received.

that, for a period of five years from the date of entry of this Final Judgment, each of the Defendants shall:

A. Provide a copy of this Final Judgment to, and obtain a signed and dated acknowledgment of receipt of same from, each officer or director and each individual serving in a management capacity for Defendant Southwest Marketing Concepts, Inc. or any business where (1) Defendant Stephen T. Inmon is the majority owner of the business or otherwise directly or indirectly manages or controls the business, and (2) the business activities are within the scope of Paragraph I above;

B. Provide a copy of this Final Judgment to, and obtain a signed and dated acknowledgment of receipt of same from, all personnel involved in responding to customer complaints or inquiries and all sales and collection personnel, whether designated as employees, consultants, independent contractors or otherwise, immediately upon employing or retaining such persons, for Defendant Southwest Marketing Concepts, Inc. or any business where (1) Defendant Stephen T. Inmon is the majority owner of the business or otherwise directly or indirectly manages or controls the business, and (2) the business activities are within the scope of Paragraph I above; provided, however, that in order to be in compliance with this Paragraph, Defendants shall not be required to provide Paragraph II through Paragraph X of this Final Judgment to such personnel; and

C. Maintain, and upon reasonable notice make available to representatives of the Commission, the original signed and dated acknowledgments of the receipt of copies of this Final Judgment, as required in the preceding Sections of this Paragraph.

that for a period of five years from the date of entry of this Final Judgment, for purposes of determining or securing compliance with this Final Judgment, each of the Defendants shall permit representatives of the Commission, within five business days of receipt of written notice from the Commission:

A. Access during normal office hours to any office or facility storing documents of Defendant Southwest Marketing Concepts, Inc. or any business where (1) Defendant Stephen T. Inmon is the majority owner or otherwise directly or indirectly manages or controls the business, and (2) the business activities are within the scope of Paragraph I above. In providing such access, Defendants shall permit representatives of the Commission to inspect and copy all documents relevant to any matter contained in this Final Judgment; and

VII.

IT IS FURTHER ORDERED

