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1 the facts necessary to establish jurisdiction.

2 4. Defendants waive any claim that they may have under the Equal Access to Justice
3 Act, 28 U.S.C. § 2412, concerning the prosecution of this action through the date of this
4 Order, and agree to bear their own costs and attorney fees.

5 5. Defendants and the Commission waive all rights to appeal or otherwise challenge
6 or contest the validity of this Order.

7 **DEFINITIONS**

8 For the purpose of this Order, the following definitions apply:

9 A. **“Defendants”** means the Individual Defendant and the Corporate Defendant,
10 individually, collectively, or in any combination.

11 B. **“Independent Sales Organization”** or **“ISO”** means any Person that enters into
12 an agreement or contract with a Payment Processor to sell or market Payment Processing
13 services to a merchant.

14 C. **“Individual Defendant”** means Chad Gettel (a.k.a. Chad Warner).

15 D. **“Corporate Defendant”** means G2 Consulting, LLC.

16 E. **“Payment Processor”** means any Person providing, directly or indirectly, the
17 means used to charge or debit accounts through the use of any payment mechanism,
18 including, but not limited to, debit, credit, prepaid, or stored value cards. The means used
19 to charge or debit accounts covered by this definition includes, among other things: (a)
20 reviewing and approving merchant applications for payment processing services; (b)
21 providing the means to transmit sales transaction data from merchants to acquiring banks
22 or other financial institutions; (c) clearing, settling, or distributing proceeds of sales
23 transactions from acquiring banks or financial institutions to merchants; and (d)
24 processing chargebacks.

25 F. **“Person”** means any natural person or any entity, corporation, partnership, or
26 association of persons.

27 G. **“Sales Agent”** means a Person that matches, arranges, or refers prospective
28 applicants for merchant accounts to a Payment Processor or ISO.

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VI. ORDER ACKNOWLEDGMENTS

IT IS FURTHER ORDERED that Defendants obtain acknowledgments of

1 Individual Defendant must describe if he knows or should know due to his own
2 involvement); (d) describe in detail whether and how that Defendant is in compliance
3 with each Section of this Order; and (e) provide a copy of each Order Acknowledgment
4 obtained pursuant to this Order, unless previously submitted to the Commission.

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

12 B. For 20 years after entry of this Order, each Defendant must submit a compliance
13 notice, sworn under penalty of perjury, within 14 days of any change in the following:

14 1. Each Defendant must report any change in: (a) any designated point of
15 contact; or (b) the structure of Corporate Defendant or any entity that Defendant has any
16 ownership interest in or controls directly or indirectly that may affect compliance
17 obligations arising under this Order, including: creation, merger, sale, or dissolution of
18 the entity or any subsidiary, parent, or affiliate that engages in any acts or practices
19 subject to this Order.

20 2. Additionally, Individual Defendant must report any change in: (a) name,
21 including aliases or fictitious name, or residence address; or (b) title or role in any
22 business activity, including any business for which such Defendant performs services
23 whether as an employee or otherwise and any entity in which such Defendant has any
24 ownership interest, and identify the name, physical address, and any Internet address of
25 the business or entity.

26 C. Each Defendant must submit to the Commission notice of the filing of any
27 bankruptcy petition, insolvency proceeding, or similar proceeding by or against such
28 Defendant within 14 days of its filing.

1 D. Any submission to the Commission required by this Order to be sworn under
2 penalty of perjury must be true and accurate

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judgment was suspended:

A. Within 14 days of receipt of a written request from a representative of the Commission, each 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),


Honorable G. Murray Snow
United States District Judge