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2                    **IT IS FURTHER ORDERED** that Defendants, Defendants' officers, agents,  
3 employees, and attorneys, and all other Persons in active concert or participation with  
4 them, who receive actual notice of this Order by personal service or otherwise, whether  
5 acting directly or indirectly, in connection with Telemarketing of any product or service,  
6 are temporarily restrained and enjoined from violating any provision of the TSR, 16  
7 C.F.R. Part 310, attached as Attachment A

9                                    **III.     PROHIBITION ON RELEASE OF CUSTOMER INFORMATION**

10                    **IT IS FURTHER ORDERED** that Defendants, Defendants' officers, agents,  
11 employees, and attorneys, and all other Persons in active concert or participation with any  
12 of them, who receive actual notice of this Order, whether acting directly or indirectly, are  
13 hereby temporarily restrained and enjoined from:  
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15                    A.     Selling, renting, leasing, transferring, or otherwise disclosing, the name,  
16 address, birth date, telephone number, email address, credit card number, bank account  
17 number, Social Security number, or other financial or identifying information of any  
18 person that any Defendant obtained in connection with any activity that pertains to the  
19 subject matter of this Order; and  
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21                    B.     Benefitting from or using the name, address, birth date, telephone number,  
22 email address, credit card number, bank account number, Social Security number, or  
23 other financial or identifying information of any person that any Defendant obtained in  
24 connection with any activity that pertains to the subject matter of this Order.  
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26                    Provided, however, that Defendants may disclose such identifying information to  
27 a law enforcement agency, to their attorneys as required for their defense, as required by  
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1 C. Provide Plaintiffs' counsel and the Receiver, within three (3) days of  
2 receiving a copy of this Order, a sworn statement setting forth, for each asset or account  
3 covered by this Section:

- 4 1. The identification number of each such account or asset;
- 5 2. The balance of each such account, or a description of the nature and  
6 value of each such asset as of the close of business on the day on  
7 which this Order is served, and, if the account or other asset has been  
8 closed or removed, the date closed or removed, the total funds  
9 removed in order to close the account, and the name of the Person  
10 whom such account or other asset was remitted; and
- 11 3. The identification of any safe deposit box, commercial mail box, or  
12 storage facility that is either titled in the name, individually or jointly,  
13 of any Defendant, or is otherwise subject to access by any Defendant;  
14 and  
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17 D. Upon the request of Plaintiffs' counsel or the Receiver, promptly provide  
18 Plaintiffs' counsel and the Receiver with copies of all records or other Documents  
19 pertaining to any account covered by this Section or asset, including originals or copies  
20 of account applications, account statements, signature cards, checks, drafts, deposit  
21 tickets, transfers to and from the accounts, including wire transfers and wire transfer  
22 instructions, all other debit and credit instruments or slips, currency transaction reports,  
23 1099 forms, and all logs and records pertaining to safe deposit boxes, commercial mail  
24 boxes, and storage facilities.  
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1 received by the other party or parties no later than 5:00 p.m. PST on the appropriate dates  
2 set forth in this Section.

3 B. An evidentiary hearing on Plaintiffs' request for a preliminary injunction  
4 is not necessary unless Defendants demonstrate that they have, and intend to introduce,  
5 evidence that raises a genuine and material factual issue. The question of whether this  
6 Court should enter a preliminary injunction shall be resolved on the pleadings,  
7 declarations, exhibits, and memoranda filed by, and oral argument of, the parties.  
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9 C. Live testimony shall be heard only on further order of this Court. Any  
10 motion to permit such testimony shall be filed with the Court and served on counsel for  
11 the other parties at least five (5) days prior to the preliminary injunction hearing in this  
12 matter. Such motion shall set forth the name, address, and telephone number of each  
13 proposed witness, a detailed summary or affidavit revealing the substance of each  
14 proposed witness's expected testimony, and an explanation of why the taking of live  
15 testimony would be helpful to this Court. Any papers opposing a timely motion to  
16 present live testimony or to present live testimony in response to another party's timely  
17 motion to present live testimony shall be filed with this Court and served on the other  
18 parties at least three (3) days prior to the order to show cause hearing.  
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21 Provided, however, that service shall be performed by personal or overnight  
22 delivery, facsimile or email, and Documents shall be delivered so that they shall be  
23 received by the other parties no later than 5:00 p.m. MDT on the appropriate dates  
24 provided in this Section.  
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