

successors and assigns.

2. “Individual Defendant” means Joel S. Treuhaft.

C. “Gift Card” means an electronic promise, plastic card, or other payment code or device that is purchased on a prepaid basis in any amount by an individual or an affiliated group of merchants that sells, issues, or redeems the card.

D. “Money Transfer” means the sending of money between a consumer and another location to a recipient, including transfers initiated in person, online, by telephone, using a mobile app, or through other means.

E. “Person” means a natural person, organization, or other legal entity, including a corporation, partnership, proprietorship, association, cooperative, or any other group or combination acting as an entity.

F. “Telemarketing” means any program or campaign that is conducted by telephone to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call.

I. CONDUCT PROHIBITIONS

IT IS THE POLICY OF THE COMPANY THAT DEFENDANT, WHETHER ACTING DIRECTLY OR THROUGH AN INTERMEDIARY, ARE PROHIBITED FROM ENGAGING IN THE FOLLOWING ACTS:

A. Assisting or facilitating Telemarketing, including accepting or facilitating the acceptance of Money Transfers, Cash Reload Mechanisms, Gift Cards, or other payment methods.

mechanisms as payment for goods or services offered or sold through telemarketing. This provision does not apply to the provision of professional legal services.

B. Accepting or facilitating the acceptance of Money Transfers, Cash Pledges, Mechanisms, or Gift Cards as payment for goods or services sold through non-telemarketing, except for payment for professional legal services provided by Joel S. Treuhaff.

C. Serving as a Defendant Joel S. Treuhaff operations of that entity.

II. MONETARY JUDGMENT AND SUSPENSION

IT IS FURTHER ORDERED that:

A. Judgment in the amount of One million Five Hundred Thousand Dollars (\$ 1,500,000) be entered in favor of Plaintiff and against Defendant Treuhaff Corporation.

B. The judgment be suspended subject to the Subtraction of Plaintiff's net worth as of the date of the entry of the judgment, as determined by the Commission, namely:

1. the Financial Statement

III. ADDITIONAL

IT IS FURTHER ORDERED THAT

A. Defendants relinquish dominion and all legal and equitable right, title, and interest in the assets.

B. The facts alleged in the Complaint shall be deemed true for purposes of any subsequent civil litigation by or on behalf of the Commission, including in a proceeding brought by the Commission pursuant to 31 U.S.C. § 523(a)(2)(A) of the FDIC, such as a nondischarge proceeding.

C. The facts alleged in the Complaint shall be deemed true for purposes of an action by the Commission pursuant to Section 523(a)(2)(A) of the FDIC, 31 U.S.C. § 523(a)(2)(A), and this Order.

D. Defendants acknowledge that their Taxpayer Identification Number, Social Security Number, and other identifying information shall be used for purposes of the Commission may be used for collection of any amount arising out of this Order, in accordance with 31 U.S.C. § 7701.

E. All money paid to the Commission pursuant to this Order shall be placed into a fund administered by the Commission or its designee to be used for purposes including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission determines that the use of the fund is wholly or partially impracticable or money remains available for the

Commission may apply any remaining money for such purposes (including consumer information remedies) as the Commission determines to be reasonable in light of the practices alleged. The Commission may also require the Defendants to deposit to the U.S. Treasury as disgorgement. Defendants have no right to challenge any actions the Commission or its representatives may take pursuant to this Subsection.

IV. CUSTOMER INFORMATION PROTECTION

IT IS FURTHER ORDERED that Defendants, the Corporate Defendants, agents, employees, and attorneys shall provide the Commission with access to all customer information received from direct

A. Failing to provide information to enable the Commission to efficiently administer consumer protection. Defendants shall provide this information to the Commission. If a representative of the Commission requests in writing information related to review, Defendants must provide it, in the form prescribed by the Commission, within 14 days.

B. Disclosing, using, or benefitting from customer information. Defendants shall not disclose, use, or benefit from customer information, including a credit card, bank account, or other financial account, that any Defendant obtained prior to entry of this Order in connection with providing substantial assistance and support to telemarketers; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within 30 days after receipt of written direction to do so from a

representative of the Commission

Provided, however, that customer information need not be disclosed on, and may be disclosed, to the extent requested by a government agency as required by law, regulation or court order.

V. COOPERATION

IT IS FURTHER ORDERED that Defendants must fully cooperate with representatives of the Commission in this case and in any investigation related to or associated with the transactions of the Commission. Such Defendants must identify and submit to the Commission all records, documents, and information in their possession, custody, or control. Individual Defendant Treuhaft must appear and Corporate Defendant must cause its officers, employees, representatives, or agents to appear for interviews, depositions, hearings, trials, and any other proceedings that a Commission representative may reasonably request upon ten (10) days' notice. A Commission representative may designate, without the service of a subpoena,

VI. ORDER ACKNOWLEDGMENTS

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

A. Each Defendant must submit to the Commission an acknowledgment of receipt of this Order within a penalty of perjury.

B. For five (5) years after entry of this Order, each Defendant, its officers, directors, and controlling persons, individually or collectively with any other person, shall not be an owner or controller, directly or indirectly, and the Corporate Defendant may not

this Order to: (1) all principals, officers, directors, employees, agents, and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entities arising from any changes set forth in the Section titled Compliance Reporting. Delivery must occur before the date of entry of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.

C. From each individual or entity to which Defendant delivered a copy of this Order, that Defendant must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

VII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Defendant must comply with the following provisions of this Commission:

A. One year after entry of this Order, each Defendant must submit a compliance report to the Commission.

1. Each Defendant must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission may use to communicate with Defendant; (b) identify all of the Defendant's physical, postal, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales; and (d) describe in detail whether and how that Defendant is in compliance with each section of this Order, and (e) provide a copy of this report to the Commission.

previously submitted to the Commission.

2. Additionally, the Individual Defendant must report, in writing, the following information: (a) telephone numbers and residences; (b) identify all business activities, including any business for which he performs services whether as an employee or otherwise and any entity in which he has any ownership interest; and (c) identify all positions of responsibility, authority, or control.

B. For 10 years after entry of this Order, each Defendant must submit a compliance report, sworn under penalty of perjury, within 14 days of any change in the following:

1. Each Defendant must report any change in: (a) any ownership interest in or control, directly or indirectly, of any entity; (b) any obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity; and (c) any change in the name, physical address, and any telephone numbers of the entity.

2. Additionally, the Individual Defendant must report, in writing, the following information: (a) name, including aliases or fictitious names; (b) identify all business activities, including any business for which he performs services whether as an employee or otherwise and any entity in which he has any ownership interest, and identify the name, physical address, and any telephone numbers of the entity.

C. Each Defendant must submit to the Commission notice of the filing of any

D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be an accurate and truthful statement, and must conclude: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____ and supplying the date, signatory's full name, title (if applicable), and signature."

E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to enforcement@sec.gov or sent by overnight courier (to be addressed to the Commission for Enforcement, 400 Independence Avenue, S.W., Washington, D.C. 20593) to the Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20540. The Commission's website is www.sec.gov.
Enterprises LLC

XIII. RECORDKEEPING

IT IS THE ORDER OF THE COMMISSION that, after entry of the Order, and retain each such record for 5 years. Specifically, Corporate Defendants, or collectively with any other Defendant, is a majority owner or controller, directly or indirectly, must create and retain the following records:

- A. accounting records, including all records related to the operation of the business;
- B. personnel records showing, for each person providing services, whether employed or otherwise, that person's name, addresses, telephone numbers, job titles,

position; dates of service; and (if applicable) the reason for termination.

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

D. all records necessary to demonstrate full compliance with each provision of the Act, including all submissions to the Commission.

IX. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring Defendants' compliance with this Order, including the financial representations upon which their judgment was suspended:

A. Within 14 days of receipt of a written request, each Defendant must submit information to the Commission for inspection and copying. The Commission may obtain discovery, with the approval of the Federal District Court, under Rules 45, and 69.

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

C. The Commission may use all other lawful means, including posing, through its representatives as consumers, suppliers, or other individuals or entities, to Defendants or

