

1 FAYE CHEN BARNOUW, CA Bar No. 168631  
2 MARICELA SEGURA, CA Bar No. 225999  
3 [fbarnouw@ftc.gov](mailto:fbarnouw@ftc.gov); [msegura@ftc.gov](mailto:msegura@ftc.gov)  
4 Federal Trade Commission  
5 10990 Wilshire Blvd., Ste. 400  
6 Los Angeles, CA 90024  
7 Tel: (310) 824-4300  
8 Fax: (310) 824-4380

9 Attorneys for the Plaintiff  
10 Federal Trade Commission

11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA

13 FEDERAL TRADE COMMISSION,

14 Plaintiff,

15 v.

16 MDK MEDIA INC., et al.,

17 Defendants.

18 Case No. 2:14-cv-05099-JFW-MRWx

19 STIPULATION FOR ORDER FOR  
20 PERMANENT INJUNCTION AND  
21 OTHER EQUITABLE RELIEF  
22 AGAINST DEFENDANTS FRASER  
23 ROBERT THOMPSON AND  
24 OCEAN TACTICS, LLC

25 Plaintiff, the Federal Trade Commission (“Commission” or “FTC”), filed its  
26 First Amended Complaint for Permanent Injunction and Other Equitable Relief for  
27 a permanent injunction, and other equitable relief in this matter, pursuant to  
28 Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C.  
§ 53(b).

The Commission and Defendants Fraser Robert Thompson and Ocean  
Tactics, LLC (“Settling Defendants”) stipulate to the entry of the accompanying  
“Stipulated Order for Permanent Injunction and Other Equitable Relief Against  
Defendants Fraser Robert Thompson and Ocean Tactics, LLC” (“Order”) with the  
terms set forth below.

1 **FINDINGS**

2 1. This Court has jurisdiction over this matter.

3 2. The First Amended Complaint charges that Defendants participated in  
4 deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, 15  
5 U.S.C. § 45, in a scheme to place unauthorized charges on consumers’ mobile  
6 telephone bills, a practice known as “cramming.”

7 3. Settling Defendants neither admit nor deny any of the allegations in  
8 the First Amended Complaint, except as specifically stated in this Order. Only for  
9 purposes of this action, Settling Defendants admit the facts necessary to establish  
10 jurisdiction.

11 4. Settling Defendants waive and release any claims that they may have  
12 against Plaintiff, the Commission, and their agents that relate to this action.  
13 Settling Defendants waive any claim that they may have under the Equal Access to  
14 Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action through  
15 the date of this Order, and agree to bear their own costs and attorney fees.

16 5. Settling Defendants waive all rights to appeal or otherwise challenge  
17 or contest the validity of this Order.

18 **DEFINITIONS**

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

20 A. **“Settling Defendants”** means the Individual Settling Defendant and  
21 the Corporate Settling Defendant, individually, collectively, or in any combination.

22 1. **“Corporate Settling Defendant”** means Ocean Tactics, LLC,  
23 and its dba’s, successors, and assigns.

24 2. **“Individual Defendant”** means Fraser Robert Thompson.

25 B. **“Person”** means any individual, group, unincorporated association,  
26 limited general partnership, corporation, or other business entity.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
2 19

1 officers, agents, employees, and attorneys, and all other persons in active concert

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 Commission representative may designate, without the service of a subpoena.

2 **VI. ORDER ACKNOWLEDGMENTS**

3 IT IS FURTHER ORDERED that Settling Defendants obtain  
4 acknowledgments of receipt of this Order:

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

8 B. For 3 years after entry of this Order, each Individual Settling  
9 Defendant for any business involved with placing charges on phone bills that such  
10 Defendant, individually or collectively with any other Defendants, is the majority  
11 owner or controls directly or indirectly, and each Corporate Settling Defendant,  
12 must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC  
13 managers and members; (2) all employees having managerial responsibilities for  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1                   1.     Each Settling Defendant must: (a) identify the primary  
2 physical, postal, and email address and telephone number, as designated points of  
3 contact, which representatives of the Commission may use to communicate with  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 any subsidiary, parent, or affiliate that engages in any acts or practices subject to  
2 this Order.

3           2.     Additionally, each Individual Settling Defendant must report  
4 any change in: (a) name, including aliases or fictitious name, or residence address;  
5 or (b) title or role in any business activity, including any business for which such  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



