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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

PUBLISHERS BUSINESS SERVICES,
INC., a corporation; ED DANTUMA
ENTERPRISES, INC., a corporation, also
dba PUBLISHERS DIRECT SERVICES

Case No. 2:08-cv-00620-APG-
GWF

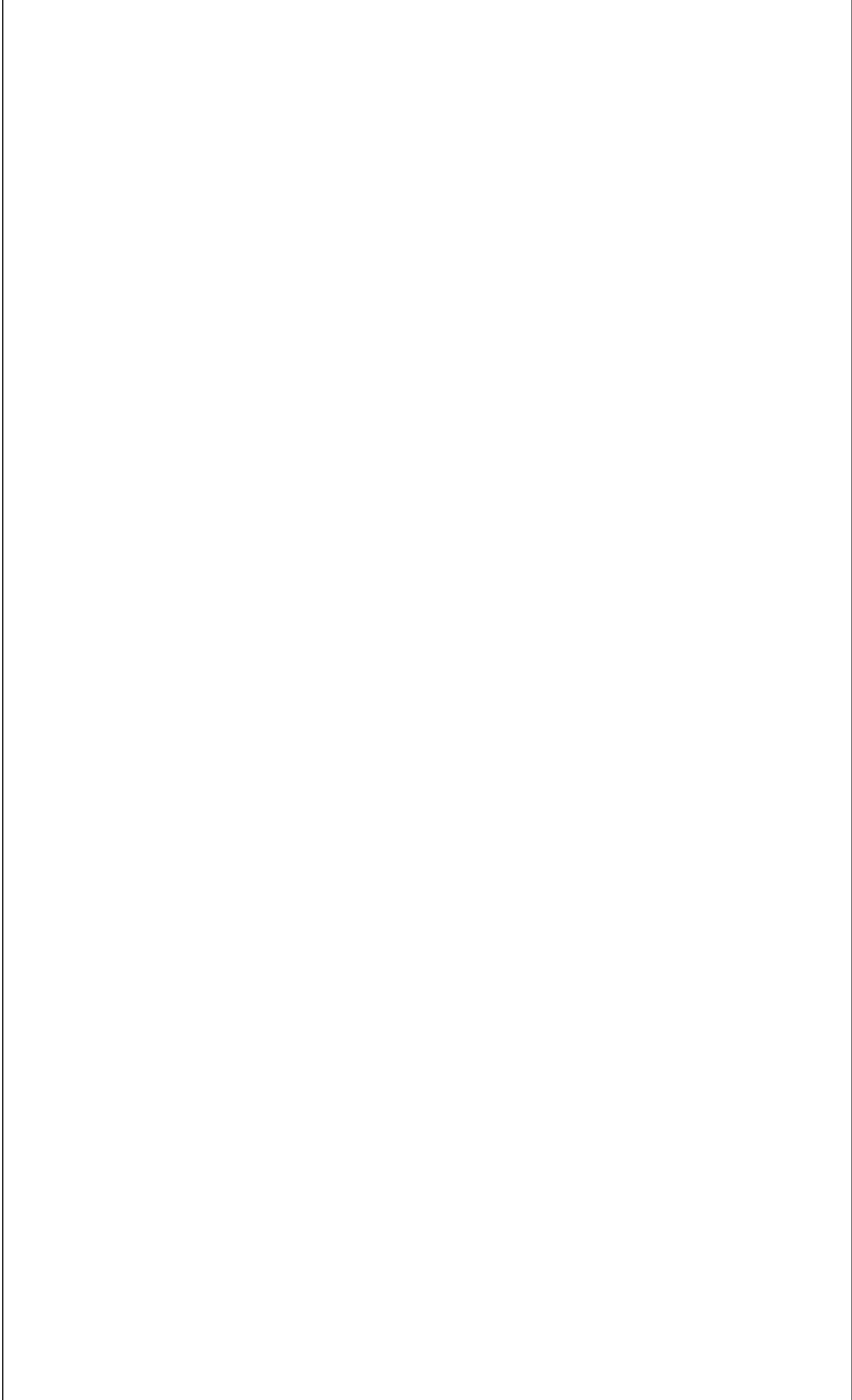
STIPULATED ORDER FOR
MONETARY JUDGMENT

1 Dantuma (dkt. 152), and ordered an evidentiary hearing to resolve the monetary
2 claims (dkt. 151).

3 An evidentiary hearing on the monetary claims was held in March and June
4 2011, and on July 25, 2011, the Court issued an “Order re Equitable Damages”
5 directing Publishers Business Services, Ed Dantuma Enterprises, Edward
6 Dantuma, and Dries Dantuma pay the FTC the sum of \$191,211 (dkt. 248). The
7 \$191,211 sum was paid. However, the FTC appealed in 2011, which resulted in a
8 remand from the Ninth Circuit. On remand the District Court, on February 1, 2017,
9 awarded the FTC the sum of \$23,773,147.78 as monetary equitable relief against
10 defendants Publishers Business Services, Inc., Ed Dantuma Enterprises, Inc.,
11 Edward Dantuma, Dries Dantuma, Brenda Dantuma Schang, Dirk Dantuma, and
12 Jeffrey Dantuma; found Persis Dantuma not liable for monetary relief (dkt. 322),
13 and entered Judgment in this case (dkt. 323). Defendants appealed the Judgment.
14 In 2018, the Ninth Circuit affirmed the Judgment, and in 2019, Defendants filed a
15 petition to the Supreme Court for writ of certiorari.

16 On April 22, 2021, the Supreme Court issued its decision in *AMG Capital*
17 *Management, LLC v. FTC*, 593 U.S. ___, 141 S. Ct. 1341 (2021), holding that
18 Section “13(b)’s ‘permanent injunction’ language does not authorize the [FTC]
19 directly to obtain court-ordered monetary relief.” *Id.* at 1347. On May 3, 2021, the
20 Supreme Court granted PBS’s petition for *certiorari*, vacated the Judgment in this
21 case, and remanded the case to the Ninth Circuit Court of Appeals for further
22 consideration in light of *AMG Capital Management v. FTC*.

23 On June 10, 2021, the Ninth Circuit issued a Memorandum Disposition
24 affirming this Court’s order of permanent injunction, vacating this Court’s order of
25 equitable monetary relief under Section 13(b), and remanded for further
26 proceedings to determine whether any other relief is warranted (dkt. 341). On
27 August 5, 2021, this Court issued its “Order on Mandate” directing the parties to
28 “confer about a Stipulated Judgment resolving this case” (dkt.344).



1 2. the Financial Statement of Individual Defendant Dries
2 Dantuma, signed on September 8, 2021;

3 3. the Financial Statement of Individual Defendant Dirk
4 Dantuma, signed on September 12, 2021;

5 4. the Financial Statement of Individual Defendant Jeffrey
6 Dantuma, signed on September 8, 2021;

7 5. the Articles of Dissolution of Corporate Defendant Publishers
8 Business Services, Inc., filed on December 12, 2011 with the Florida Secretary of
9 State; and

10 6. the Financial Statement of Corporate Defendant Ed Dantuma
11 Enterprises, Inc., signed by Dirk Dantuma, Director, on September 30, 2021.

12 C. The suspension of the Judgment will be lifted as to any Defendant if,
13 upon motion by the Commission, the Court finds that Defendant failed to disclose
14 any material asset, materially misstated the value of any asset, or made any other
15 material misstatement or omission in the financial representations identified above8.2 (n,)6.1 (t)

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1 judgment pursuant to this Order, such as a nondischargeability complaint in any
2 bankruptcy case.

3 G. The facts alleged in the Complaint establish all elements necessary to
4 sustain an action by the Commission pursuant to Section 523(a)(2)(A) of the
5 Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral
6 estoppel effect for such purposes.

7 H. Defendants acknowledge that their Taxpayer Identification Numbers
8 (Social Security Numbers or Employer Identification Numbers), which Defendants
9 previously submitted to the Commission, may be used for collecting and reporting
10 on any delinquent amount arising out of this Order, in accordance with 31 U.S.C.
11 §7701.

12 I. All money received by the Commission pursuant to this Order may
13 be deposited into a fund administered by the Commission or its designee to be used
14 for consumer relief, such as redress and any attendant expenses for the
15 administration of any redress fund. If a representative of the Commission decides
16 that direct redress to consumers is wholly or partially impracticable or money
17 remains after such redress is completed, the Commission may apply any remaining
18 money for such related relief (including consumer information remedies) as it
19 determines to be reasonably related to Defendants' practices alleged in the
20 Complaint. Any money not used for relief is to be deposited to the U.S. Treasury.

21 Defendants have no right to- as ,ht (e)3.6.6 (a)12..[8 (An)8.33.5 (la)12 (s't-)cticnehe Uommi(si)

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1 other requested information, which must be sworn under penalty of perjury; appear
2 for depositions; and produce documents for inspection and copying. The
3 Commission is also authorized to obtain discovery, without further leave of court,
4 using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30
5 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

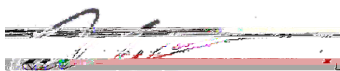
6 B. For matters concerning this Order, the Commission is authorized to
7 communicate directly with each Defendant. Defendants must permit
8 representatives of the Commission to interview any employee or other person
9 affiliated with any Defendant who has agreed to such an interview. The person
10 interviewed may have counsel present.

11 C. The Commission may use all other lawful means, including posing,
12 through its representatives as consumers, suppliers, or other individuals or entities,
13 to Defendants or any individual or entity affiliated with Defendants, without the
14 necessity of identification or prior notice. Nothing in this Order limits the
15 Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of
16 the FTC Act, 15 U.S.C. §§ 49, 57b-1.

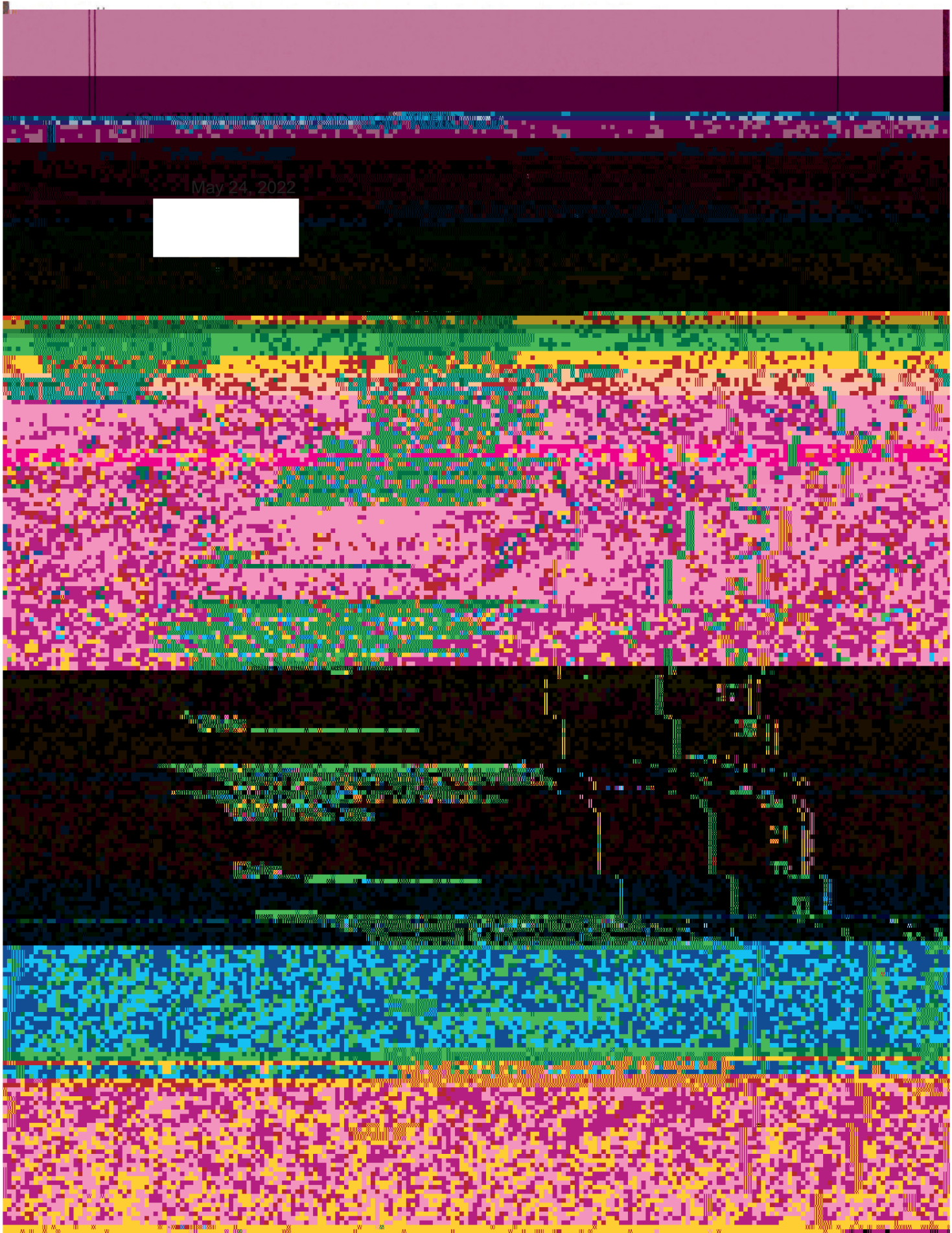
17 D. Upon written request from a representative of the Commission, any
18 consumer reporting agency must furnish consumer reports concerning Individual
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25 25th

May

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May 24, 2022



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SO

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1 **SO STIPULATED AND AGREED:**

2 **For Plaintiff**

3 Date: _____

Ed Dantuma Enterprises, Inc., Brenda Dantuma Schang, Dries Dantuma, Dantuma, Dantuma, and Jeffrey

4 **Faye Chen Barnouw**

5 **Maricela Segura**

6 **FEDERAL TRADE COMMISSION**

7 **10990 Wilshire Blvd., Suite 400**

8 **Los Angeles, CA 90024**

9 **Tel: (213) 824-4300**

10 **Fax: (213) 824-4300**

11 **fbarnouw@ftc.gov**

12 **msegura@ftc.gov**

3 **Date:** _____

4 **Peter W. Homer**

5 **Homer Bonner**

6 **1441 Brickell Avenue**

7 **Miami Florida 33131**

8 **Tel: (305) 350-5100**

9 **Fax: (305) 350-2738**

10 **phomer@homerbonner.com**

11 **goldfarb@homerbonner.com**

12 **Date:** _____

13 **Dirk Dantuma, Individually, as a**
14 **Director of Ed Dantuma Enterprises,**
15 **Inc., and Chief of Publishers**
16 **Business Services, Inc.**

17 **Date:** 3/7/22

18 **Brenda Dantuma Schang, Individually**
19 **and as a Director of Ed Dantuma**
20 **Enterprises, Inc.**

21 **Date:** _____

22 **Dries Dantuma, Individually and as a**
23 **Director of Ed Dantuma Enterprises, Inc.**

24 **Date:** _____

25 **Jeffrey Dantuma, Individually and as a**
26 **Director of Ed Dantuma Enterprises, Inc.**



