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8	UNITED STATES	S DISTRICT COURT ICT OF CALIFORNIA
9	CENTRAL DISTRI	ICT OF CALIFORNIA
10	United States of America,	
11	Plaintiff,	Case No. 8:23-cv-01494-FWS-JDE
12	VS.	STIPULATED ORDER FOR PERMANENT INJUNCTION,
13	ConsumerInfo.com, Inc., a	PERMANENT INJUNCTION, CIVIL PENALTY JUDGMENT, AND OTHER RELIEF [4]
14	corporation, also d/b/a as Experian Consumer Services,	
15	Defendant.	
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18	Plaintiff, the United States of Am	erica, acting upon notification and
19	authorization to the Attorney General by	y the Federal Trade Commission

20 ("Commission"), filed its Complaint for Permanent Injunction, Civil Penalties, and
21 Other Relief ("Complaint") for a permanent injunction, civil penalties, and other

relief in this matter, pursuant to Sections 13(b), 16(a), and 19 of the Federal Trade

Commission Act ("FTC Act"), 15 U.S.C. §§ 53(b), 56, and 57b. Plaintiff and Defendant stipulate to the entry of this Stipulated Order for Permanent Injunction, Civil Penalty Judgment, and Other Relief with the following terms to resolve all

26 matters in dispute in this action between them.

THEREFORE, IT IS ORDERED as follows:

FINDINGS

1. This Court has jurisdiction over this matter.

2. The Complaint charges that Defentlparticipated in deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and Section 7(a) of the Controlling tAesault of Non-Solicited Pornography and Marketing Act of 2003 ("CAN-SPAM Act"), 15 U.S.C. § 7706(a), in the initiation of commercial electric mail messages.

3. Defendant neither admits nor denærsy of the allegations in the
 Complaint, except as specifically statedhirs Order. Only for purposes of this
 action, Defendant admits the factscessary to establish jurisdiction.

4. Defendant waives any claim that it may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concegnthe prosecution of this action through the date of this Order, and agrees to bear its own costs and attorney fees.

5. Defendant and Plaintiff waive alights to appeal or otherwise challenge or contest the validity of this Order.

DEFINITIONS

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

A. "Clear(ly) and Conspicuous(ly") means that a required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers, including in all of the following ways:

1) In any communication that is solely sual or solely audible, the disclosure must be maderabligh the same means through which the communication is pressted. In any communication made through both visual and audible means, such as a television advertisement, these losure must be presented simultaneously in both the vial and audible portions of the communication even if the representation requiring the disclosure is made in only one means.

1		2)	A visual disclosure, by its size, contrast, location, the length of			
2			time it appears, and other chateristics, must stand out from			
3			any accompanying text or other visual elements so that it is			
4			easily noticed, read, and understood.			
5		3)	An audible disclosure, including by telephone or streaming			
6			video, must be delivered involume, speed, and cadence			
7			sufficient for ordinary consumento easily hear and understand			
8			it.			
9		4)	In any communication using an interactive electronic medium,			
10			such as the Internet or softare, the disclosure must be			
11			unavoidable.			
12		5)	The disclosure must use diction and syntax understandable to			
13			ordinary consumers and must appear in each language in which			
14			the representation that requires the disclosure appears.			
15		6)	The disclosure must comply that these requirements in each			
16			medium through which it is reised, including all electronic			
17			devices and face-to-face communications.			
18		7)	The disclosure must not be contradicted or mitigated by, or			
19			inconsistent with, anythinglse in the communication.			
20		8)	When the representation or the separatice targets a specific			
21			audience, such as children, telderly, or the terminally ill,			
22			"ordinary consumers" includes asonable members of that			
23			group.			
24	В.	"Con	nmercial Electronic Mail Message" means any Electronic Mail			
25	Message the primary purpose of whish he commercial advertisement or					
26	promotion of a commercial product or service (including content on an Internet					
27	website op	erated	d foræommercial purpose).			
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C. "Defendant" means ConsumerInfo.com, Inc., also d/b/a Experian
 Consumer Services, and its successors and assigns.

D. "Electronic Mail Address" means a destination, commonly
expressed as a string of characters, isting of a unique user name or mailbox
(commonly referred to as the "local partition) d a reference to an Internet domain
(commonly referred to as the "domain part"), whether or not displayed, to which
an Electronic Mail Message rease sent or delivered.

E. "Electronic Mail Message means a message sent to a unique Electronic Mail Address.

F. "Initiate" or "Initiating," when used with respect to a Commercial Electronic Mail Message, means to originate or transmis or "

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of 16 C.F.R. § 316.3, the primary purpose the message is to facilitate, complete,
 or confirm a commercial ansaction, including enrollment in a membership or
 membership feature, that the cipient has previously agged to enter into with the
 sender.

B. Initiating or Procuring, to a Prected Computer, a Commercial
Electronic Mail Message that does not:

- 7 1) Contain a functioning return Ectronic Mail Address or other 8 Internet-based mechanis@learly and Conspicuously 9 displayed, that a recipient mase to submit, in a manner 10 specified in the message, placeElectronic Mail Message or 11 other form of Internet-based communication requesting not to receive future Commercial Electronic Mail Messages from that 12 13 Sender at the Electronic Mail Address where the message was 14 received; and
 - Provide Clear and Conspicuonstice of the opportunity under 15 U.S.C. § 7704(a)(3) to declinge receive further Commercial Electronic Mail Messages from the Sender; and

C. Violating Section 5 of the CAN-SARM Act, 15 U.S.C. § 7704, a copy of which is attached hereto as Exhibit A.

II. MONETARY JUDGMENT FOR CIVIL PENALTY

IT IS FURTHER ORDERED that:

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A. Judgment in the amount of Six Hundred Fifty Thousand Dollars (\$650,000) is entered in favor of Plaffnagainst Defendant as a civil penalty.

B. Defendant is ordered to pay to Plaintiff, by making payment to the Treasurer of the United States, Sixendered Fifty Thousand Dollars (\$650,000), which, as Defendant stipulates, its unside ned counsel holds in escrow for no purpose other than payment to Plaintiff compayment must be made within 7 days

of entry of this Order by electronic fundates fer in accordance ith instructions previously provided by a representative of Plaintiff.

III. ADDITIONAL MONETARY PROVISIONS IT IS FURTHER ORDERED that:

A. Defendant relinquishes dominion and all legal and equitable right, title, and interest in all assets transferpeursuant to this Order and may not seek the return of any assets.

B. The facts alleged in the Complainil be taken as true, without
further proof, in any subsequent civil litigation by or on behalf of the Commission,
including in a proceeding to enforce its rights to any payment or monetary
judgment pursuant to this Order.

C. Defendant acknowledges that **Tas**xpayer Identification Numbers (Social Security Numbers or Employerendification Numbers) may be used for collecting and reporting on any delinquentoaunt arising out of this Order, in accordance with 31 U.S.C. §7701.

IV. ORDER ACKNOWLEDGMENTS

IT IS FURTHER ORDERED that Deficiant obtains acknowledgments of receipt of this Order:

A. Defendant, within 7 days of entry **b**fis Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.

B. For 3 years after entry of this Orde efendant must deliver a copy of
this Order to: (1) all principals, offers, directors, and LLC managers and
members; (2) all employees having manied eesponsibilities for compliance with
the CAN-SPAM Act, and all agents and respentatives who participate in drafting,
designing, or creating Electronic Mail Megsa to be sent to persons who use a
good or service from Defendant (for example, persons who have Experian
CreditWorks accounts) that facilitates theoriew, monitoring, modification, or

protection of consumer credit; and (3) any business entity resulting from any
 change in structure as set forthtime Section titled Compliance Reporting.
 Delivery must occur within 7 days of expto f this Order for current personnel. For
 all others, delivery must occur beforce assume their responsibilities.

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

V. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Defendant makes timely submissions to the Commission:

A. One year after entry of this Order, Defendant must submit a compliance report, sworn under penalty of perjury. Defendant must (a) identify the primary physical, postal, and email adds and telephone number, as designated points of contact, which representative the Commission and Plaintiff may use to communicate with Defendant; (b) identify of Defendant's businesses by all of their names, telephone numbers, and jobaly spostal, email, and Internet addresses; (c) describe thactivities of each business, including the goods and services offered and the mean sadvertising, marketing, and sales; (d) describe in detail whether and how Defendant is compliance with each Section of this Order; and (e) provide a copy of each detail to the Commission.

B. For 10 years after entry of this Order, Defendant must submit a compliance notice, sworn under penalty of **per** within 14 days of any change in the following: Defendant must report a**ch** ange in: (a) any designated point of contact; or (b) the structure of Defend**ant** any entity that Defendant has any ownership interest in or controls directly indirectly that affect compliance obligations arising under this Ordercluding: creation, merger, sale, or

1 dissolution of the entity or any subsidiapparent, or affiliate that engages in any 2 acts or practices subject to this Order.

C. Defendant must submit to the Consistion notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against Defendant within 14 des of its filing.

Any submission to the Commissionequired by this Order to be D. sworn under penalty of periv must be true and agree and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of Amertbat the foregoing is true and correct. Executed on: _____ " and supplying thate, signatory's full name, title (if applicable), and signature.

Unless otherwise directed by a formission representative in writing, Ε. all submissions to the Commission pursutanthis Order must be emailed to DEbrief@ftc.gov or sent by overnight courfect the U.S. Postal Service) to: Associate Director for Enfoement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: FTC v. ConsumerInfo.com, Inc.

VI. RECORDKEEPING

IT IS FURTHER ORDERED that Defendaminate create certain records for 10 years after entry of the Order, antaine each such record for 5 years. Specifically, Defendant must created retain the following records:

Α. accounting records showing the enues from all goods or services sold;

Β. personnel records showing, forceaperson providing services,

whether as an employee or otherwise, t9;-sse, t9;-sse, t514 Tw 17. OR 0 Td, signatory

C. records of all consumer complaints and refund requests concerning the subject matter of this Order, whethereived directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission; and

E. a copy of each type of uniqued Etronic Mail Message transmitted to persons who use a good or service from the Deta and (for example, persons who have Experian Credit Works accounts) that it it at the review, monitoring, modification, or protection of consumer credit.

VII. COMPLIANCE MONITORING

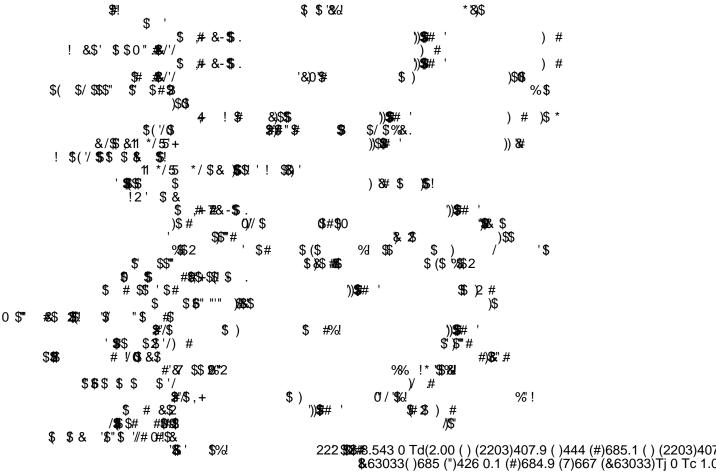
IT IS FURTHER ORDERED that, for purpose of monitoring Defendant's compliance ith this Order:

A. Within 14 days of receipt of a when request from a representative of the Commission or Plaintiff, 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 and Plaintiff are also authori

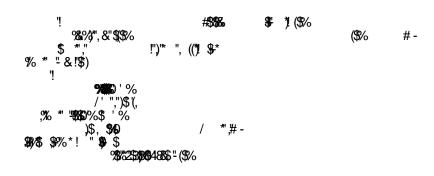
1	Order limits the Commission's lawfu	l u sé compulsory process, pursuant to				
2	Sections 9 and 20 of the FTACt, 15 U	.S.C.§§ 49, 57b-1.				
3	VIII. RETENTION OF JURISDICTION					
4	IT IS FURTHER ORDERED that thisourt retains jurisdiction of this					
5	matter for purposes of construction, mochinion, and enforcement of this Order.					
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7	IT IS SO ORDERED.					
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10	Dated: August 21, 2023					
11		Hon. Fred W. Slaughter UNITED STATES DISTRICT JUDGE				
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Exhibit A

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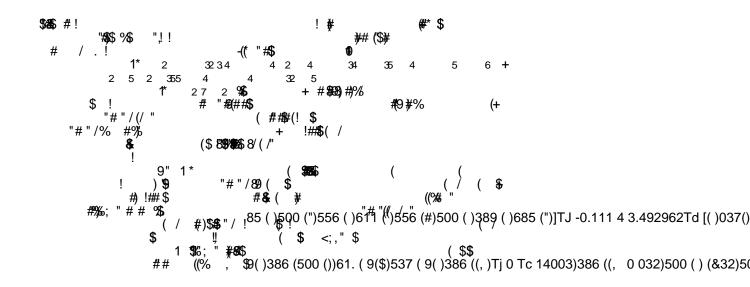


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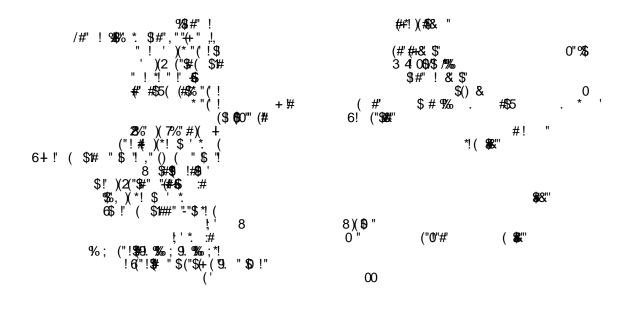
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