

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**FEDERAL TRADE COMMISSION,**

Plaintiff,

v.

**9107-4021 QUÉBEC, INC.,**  
a corporation, also d/b/a Med Provisions,  
and Pronto Meds,

and

**9107-5424 QUÉBEC, INC.,**  
a corporation,

and

**ZONECOM TECHNOLOGIES, INC.,**  
a corporation,

and

**SAMEER MALHOTRA,**  
individually and as an officer of  
9107-4021 Québec, Inc.,

and

**POOJA MALHOTRA,**  
a/k/a **POOJA CHAWLA,**  
individually and as an officer of  
9107-4021 Québec, Inc., and  
9107-5424 Québec, Inc.,

and

**RAVINDER CHAWLA,**  
individually and as an officer of  
Zonecom Technologies, Inc.,

and

**AMIT MALHOTRA,**  
individually and as an officer of  
Zonecom Technologies, Inc.,

Defendants.

Civ. No. 1:08CV1051

Judge Donald C. Nugent

STIPULATED FINAL  
JUDGMENT AND ORDER  
FOR PERMANENT  
INJUNCTION

**STIPULATED FINAL JUDGMENT  
AND ORDER FOR PERMANENT INJUNCTION**

On April 24, 2008, plaintiff, the Federal Trade Commission (“FTC” or “Commission”), filed its Complaint for permanent injunction, restitution, disgorgement, and other equitable relief pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 53(b) and 57b, and the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§ 6101 *et seq.*, charging defendants 9107-4021 Québec, Inc., Sameer Malhotra, and Pooja Malhotra, a/k/a Pooja Chawla, with deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the Commission’s Trade Regulation Rule entitled “Telemarketing Sales Rule,” 16 C.F.R. Part 310. On August 15, 2008, the FTC filed an Amended Complaint naming the original defendants and also defendants 9107-5424 Québec, Inc., Zoncom Technologies, Inc., Amit Malhotra and Ravinder Chawla, and restating the charges of the original Complaint that defendants had committed deceptive acts and practices in violation of Section 5 of the FTC Act and the Telemarketing Sales Rule.

Plaintiff FTC and defendants have agreed to the entry by this Court of this Stipulated Final Judgment and Order for Permanent Injunction (“Order”) to resolve all matters of dispute between them in this action.

**NOW, THEREFORE**, plaintiff FTC and defendants having requested the Court to enter this Order,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

**FINDINGS**

1. This action by the Commission is instituted under Sections 13(b) and 19 of the FTC Act, 15 U.S.C. §§ 53(b) and 57b, the Telemarketing Act, 15 U.S.C. §§ 6101 *et seq.*, and the

FTC's Telemarketing Sales Rule ("TSR"), 16 C.F.R. Part 310. Pursuant to these statutes and regulations, the Commission has the authority to seek the relief contained herein.

2. This Court has jurisdiction over the subject matter and the parties.

3. Venue in the United States District Court for the Northern District of Ohio is proper as to all parties.

4. The Amended Complaint states a claim upon which relief may be granted under Sections 5(a), 13(b), and 19 of the FTC Act, 15 U.S.C. §§ 45(a), 53(b) and 57b, the Telemarketing Act, 15 U.S.C. §§ 6101, *et seq.*, and the TSR, 16 C.F.R. Part 310.

5. The activities of the defendants are or were in or affecting commerce, as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

6. Defendants have waived any and all rights that may arise under the Equal Access to Justice Act, 28 U.S.C. § 2412, *amended by* Pub. L. 104-121, 110 Stat. 847, 863-64 (1996).

7. This Order is in addition to, and not in lieu of, any other civil or criminal remedies that may be provided by law.

8. Plaintiff and defendants waive all rights to seek appellate review or otherwise challenge or contest the validity of this Order. Defendants further waive and release any claim they may have against the Commission, its employees, agents, and representatives.

9. Entry of this Order is in the public interest.

10. This Order is for settlement purposes only, and does not constitute and shall not be interpreted to constitute an admission by defendants or a finding that the law has been violated as alleged in the Amended Complaint, or that the facts alleged in the Amended Complaint, other than jurisdictional facts, are true.

#### DEFINITIONS

1. **“Plaintiff,” “Commission,” or “FTC”** means the Federal Trade Commission.
2. **“Individual defendants”** means Sameer Malhotra, Amit Malhotra, Ravinder Chawla and Pooja Malhotra, a/k/a Pooja Chawla.
3. **“Corporate defendants”** means defendants 9107-4021 Québec, Inc., 9107-5424 Québec, Inc., and Zonecom Technologies, Inc., and their successors and assigns.
4. **“Defendants”** means all of the individual defendants and the corporate defendants, individually, collectively, or in any combination.
5. **“Asset” or “assets”** means any legal or equitable interest in, right to, or claim to, any real and personal property, including, but not limited to, chattels, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, mail or other deliveries, inventory, checks, notes, accounts, credits, receivables (as those terms are defined in the Uniform Commercial Code), and all cash, wherever located, and shall include both existing assets and assets acquired after the date of entry of this Order.
6. **“Document”** is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which information can be obtained and translated, if necessary, through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term “document.”
7. **“Person”** means a natural person, an organization, or other legal entity, including, but not limited to, a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or other group or combination acting as an entity.

8. The terms “and” and “or” shall be construed conjunctively or disjunctively as necessary, and to make the applicable phrase or sentence inclusive rather than exclusive.

9. “Material” is defined as in Section 310.2 of the TSR, 16 C.F.R. Part 310.

## **ORDER**

### **I. PROHIBITED BUSINESS ACTIVITIES**

**IT IS HEREBY ORDERED** that, in connection with the advertising, promoting, offering for sale, or sale of any product or service, defendants, whether acting directly or through any trust, corporation, subsidiary, division, or other device, including, but not limited to, fictitious business names, and their officers, agents, employees, and corporations, and those persons in active concert or participation with defendants who receive actual notice of this Order by personal service or otherwise, are hereby restrained and enjoined from:

- A. Misrepresenting, or assisting others in misrepresenting, expressly or by implication, that:
  - 1. Consumers will save thirty to fifty percent off the price of prescription drugs by purchasing defendants’ discount prescription drug package;
  - 2. Consumers will or are likely to lose their Medicare benefits if they do not purchase defendants’ discount prescription drug package; or
  - 3. Consumers who agree to purchase defendants’ discount prescription drug package can cancel their purchase within thirty days and their bank accounts will not be charged;
- B. Making or assisting others in making, expressly or by implication, any false or misleading statement or representation of material fact in connection with any offer of any good or service;

**C. Violating, or assisting others in violating, any provision of the TSR, 16 C.F.R.**

**Part 310, including, but not limited to:**

1. Section 310.3(a)(2)(iii) of the TSR, 16 C.F.R. § 310.3(a)(2)(iii), by misrepresenting, directly or by implication, material aspects of the performance, efficacy, nature, or central characteristics of the goods or services they sell;
2. Section 310.3(a)(4) of the TSR, 16 C.F.R. § 310.3(a)(4), by making false or misleading statements to induce consumers to pay for goods or services;
3. Section 310.3(a)(2)(iv) of the TSR, 16 C.F.R. § 310.3(a)(2)(iv), by misrepresenting, directly or by implication, a material aspect of the nature or terms of any refund or cancellation policy;
4. Section 310.4(b)(1)(iii)(B) of the TSR, 16 C.F.R. § 310.4(b)(1)(iii)(B), by placing outbound telephone calls to telephone numbers on the National Do Not Call Registry; or
5. Section 310.8 of the TSR, 16 C.F.R. § 310.8, by initiating, or causing others to initiate, an outbound telephone call to a telephone number within a given area code without first paying, directly or through another person, the required annual fee for access to the telephone numbers within that area code that are included in the National Do Not Call Registry.

**II. MONETARY JUDGMENT**

**IT IS FURTHER ORDERED** that judgment is entered against the defendants in the amount of \$4,247,491 (Four Million Two Hundred Forty Seven Thousand Four Hundred Ninety One Dollars). Based upon the sworn representations in the financial statements and supporting

documents submitted by the defendants, full payment for the foregoing amount is suspended except as follows:

- A. The financial institutions and other account holders identified below shall transfer the balances in the defendants' frozen accounts identified below to the Commission by wire transfer in accordance with direction provided by the Commission:

1.	Harris Bank	Account in name of Zoncom Technologies, Inc., ending in "1677"
2.	Harris Bank	Account in name of 9107-4021 Québec, Inc., ending in "2627"
3.	Kenney Bank and Trust	Account in name of e-Commerce Cubed, Inc., and titled Level 10 Settlement Account, ending in "2023", assets attributable to defendants
4.	Kenney Bank and Trust	Account in name of e-Commerce Cubed, Inc., and titled Level 10 Settlement Account, ending in "2015", assets attributable to defendants
5.	Inter National Bank	Balance attributable to Med Provisions, account ending in "3743," in the name of Bruce Woods, d/b/a BancTec
6.	City Bank, El Paso, Texas	Balance attributable to Med Provisions, account ending in "0984," in the name of Banctech Processors, Inc.
7.	Teledraft, Inc.	Funds in merchant account held for Québec 9107-4021/ Pronto Meds
8.	Prochex	Account for 9107-4021 Québec, Inc.

Any funds paid pursuant to this Section shall be deposited into a fund administered by the Commission or its agent to be used for equitable relief, including, but not limited to, redress of consumer injury and any attendant expenses for the administration of such equitable relief. If the Commission determines, in its sole discretion, that direct redress of consumer injury is

wholly or partially impracticable or funds remain after redress is completed, the Commission may apply any remaining funds for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to defendants' practices alleged in the Amended Complaint. Any funds not used for such equitable relief shall be deposited to the United States Treasury as disgorgement. The defendants shall have no right to challenge the Commission's choice of remedies under this Subsection;

B. The Commission's agreement to this Order is expressly premised upon the truthfulness, accuracy and completeness of defendants' sworn Financial Statements and supporting documents submitted to the Commission, namely the sworn Financial Statements and transcripts of depositions of defendants provided in this matter as follows:

1. **9107-4021 Québec, Inc.:** Financial Statement dated May 26, 2008;
2. **9107-5424 Québec, Inc.:** Financial Statement dated August 29, 2008;
3. **Zonecom Technologies, Inc.:** Financial Statement dated August 29, 2008;
4. **Amit Malhotra:** Financial Statement dated December 17, 2008, and transcript of deposition taken on December 2, 2008;
5. **Sameer Malhotra:** Financial Statement dated December 17, 2008, and transcript of deposition taken on December 2, 2008;
6. **Ravinder Chawla:** Financial Statement dated December 15, 2008, and transcript of deposition taken on December 3, 2008;
7. **Pooja Malhotra:** Financial Statement dated December 15, 2008, and transcript of deposition taken on December 2, 2008.



The defendants and the Commission stipulate that these Financial Statements and depositions include material information upon which the Commission relied in negotiating and agreeing to this Order. The defendants and the Commission stipulate that the Commission has relied on the truthfulness, accuracy, and completeness of these Financial Statements and depositions in agreeing to the terms of this Order and that the Commission would not have entered into this Order but for the truthfulness, accuracy, and completeness of these Financial Statements and depositions;

- C. If, upon motion by the Commission, this Court finds that any of the defendants has failed to disclose any material asset or materially misstated the value of any asset in the Financial Statements or depositions described above, or has made any other material misstatement or omission in the Financial Statements or depositions described above, then this Order shall be reopened and suspension of the judgment shall be lifted for the purpose of requiring payment of monetary relief in the amount of \$4,247,491 (Four Million Two Hundred Forty Seven Thousand Four Hundred Ninety One Dollars), less the sum of any amounts paid to the Commission pursuant to Subsection A of this Section, or paid by or on behalf of any defendant. *Provided, however,* that in all other respects this Order shall remain in full force and effect, unless otherwise ordered by the Court;
- D. Upon such reinstatement of the monetary judgement, the Court shall make an express determination that the monetary judgment shall be immediately due and payable. The Commission shall be entitled to interest on the judgment, computed from the day of entry of this Order, at the rate prescribed by

18 U.S.C. § 1961, as amended, on any outstanding amounts not paid. The Commission shall be permitted to execute on the judgment immediately after the suspension is lifted and engage in discovery in aid of execution;

- E. The defendants relinquish all dominion, control, and title to the funds paid to the fullest extent permitted by law. The defendants shall make no claim to or demand for the return of funds, directly or indirectly, through counsel or otherwise;
- F. The defendants agree that the facts as alleged in the Amended Complaint filed in this action shall be taken as true without further proof in any bankruptcy case or subsequent civil litigation pursued by the Commission to enforce its rights to any payment or money judgment pursuant to this Order, including but not limited to a nondischargeability complaint in any bankruptcy case. The defendants further stipulate and agree that the facts alleged in the Amended Complaint establish all elements necessary to sustain an action pursuant to, and that this Order shall have collateral estoppel effect for purposes of, Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A); and
- G. Proceedings instituted under this Section are in addition to, and not in lieu of, any other civil or criminal remedies that may be provided by law, including any other proceedings the Commission may initiate to enforce this Order.

### **III. TURNOVER OF ASSETS HELD BY THIRD PARTIES**

**IT IS FURTHER ORDERED** that in order to partially satisfy the monetary judgment set forth in Section II above, any law firm, financial or brokerage institution, escrow agent, title company, commodity trading company, automated clearing house, business entity, or person served with a copy of this Order, that holds, controls or maintains custody of any

account or asset of, on behalf of, or for the benefit of any of the defendants, or has held, controlled, or maintained custody of any account or asset of, or for the benefit of, any defendant, shall turn over such asset or all funds in such account to the Commission, within ten (10) business days of receiving notice of this Order by any means, including, but not limited to, via facsimile. Such turnover or payment shall be made by the methods specified in Section II.A. above.

**IV. LIFTING OF ASSET FREEZE**

**IT IS FURTHER ORDERED** that the freeze against the defendants' assets pursuant to Section III of the Preliminary Injunction Order entered by this Court on June 5, 2008 (Docket No. 22), and Section III of the Preliminary Injunction Order entered on September 24, 2008 (Docket No. 35), shall be lifted as to the accounts identified in Section II.A. for the sole purpose of transferring funds pursuant to Sections II and III of this Order. Upon transfer of all funds identified in Section II, the freeze against the defendants' assets shall be dissolved.

**V. PROHIBITION ON DISCLOSING CUSTOMER LISTS**

**IT IS FURTHER ORDERED** that defendants, and their officers, agents, servants, employees, and attorneys, and all other persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, are permanently restrained and enjoined from:

- A. Disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), of

any person which any defendant obtained prior to entry of this Order in connection with the sale of any discount prescription drug package; and

- B. Failing to dispose of such customer information in all forms in their possession, custody, or control within thirty (30) days after entry of this Order. Disposal shall be by means that protect against unauthorized access to the customer information, such as by burning, pulverizing, or shredding any papers, and by erasing or destroying any electronic media, to ensure that the customer information cannot practicably be read or reconstructed.

*Provided, however,* that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by a law, regulation, or court order. *Provided, further,* that the defendants shall turn over any electronic customer lists in their possession, custody, or control to the Commission for purposes of effectuating redress of consumer injury.

## **VI. COMPLIANCE MONITORING**

**IT IS FURTHER ORDERED** that, for the purpose of (i) monitoring and investigating compliance with any provision of this Order, and (ii) investigating the accuracy of any of the Defendants' Financial Statements upon which the Commission's agreement to this Order is expressly premised:

- A. Within ten (10) days of receipt of written notice from a representative of the Commission to any of them, such defendant(s) shall submit additional written reports, which are true and accurate and sworn to under penalty of perjury; produce documents for inspection and copying; appear for deposition; and/or provide entry during normal business hours to any business location in such

defendant's possession or direct or indirect control to inspect the business operation;

- B. In addition, the Commission is authorized to use all other lawful means, including but not limited to:
1. obtaining discovery from any person, without further leave of court, using the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, 45 and 69; and
  2. posing as consumers and suppliers to the defendants, their employees, or any other entity managed or controlled in whole or in part by any defendant, without the necessity of identification or prior notice.
- C. The defendants shall permit representatives of the Commission to interview any employer, consultant, independent contractor, representative, agent, or employee who has agreed to such an interview, relating in any way to any conduct subject to this Order. The person interviewed may have counsel present.

*Provided, however,* that nothing in this Order shall limit the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to obtain any documentary material, tangible things, testimony, or information relevant to unfair or deceptive acts or practices in or affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

## **VII. COMPLIANCE REPORTING**

**IT IS FURTHER ORDERED** that, in order that compliance with the provisions of this Order may be monitored:

- A. For a period of five (5) years from the date of entry of this Order,**
- 1. Each individual defendant shall notify the Commission of the following:**
    - a. Any changes in his/her residence, mailing addresses, and telephone numbers, within ten (10) days of the date of such change;**
    - b. Any changes in his/her employment status (including self-employment), and any change in his/her ownership in any business entity, within ten (10) days of the date of such change. Such notice shall include the name and address of each business that (s)he is affiliated with, employed by, creates or forms, or performs services for; a detailed description of the nature of the business; and a detailed description of his/her duties and responsibilities in connection with the business or employment; and**
    - c. Any changes in his/her name or use of any aliases or fictitious names.**
  - 2. Each individual defendant shall notify the Commission of any change in structure of any corporate defendant or any business entity that he/she directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this Order, including but not limited to: incorporation or other organization; a dissolution, assignment, sale, merger, or other action; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts**

or practices subject to this Order; or a change in the business name or address, at least thirty (30) days prior to such change, *provided* that, with respect to any proposed change in the business entity about which the individual defendant learns less than thirty (30) days prior to the date such action is to take place, the individual defendant shall notify the Commission as soon as is practicable after obtaining such knowledge.

B. One hundred eighty (180) days after the date of entry of this Order and annually thereafter for a period of five (5) years, each individual defendant shall provide a written report to the FTC, which is true and accurate and sworn to under penalty of perjury, setting forth in detail the manner and form in which such defendant has complied and is complying with this Order. This report shall include, but not be limited to:

- I. For the individual defendants:
  - a. His/her then-current residence address, mailing addresses, and telephone numbers;
  - b. His/her then-current employment status (including self-employment), including the name, addresses, and telephone numbers of each business that he/she is affiliated with, employed by, or performs services for; a detailed description of the nature of the business; and a detailed description of his/her duties and responsibilities in connection with the business or employment; and

- c. Any other changes required to be reported under Subsection A of this Section.
  - 2. For all defendants:
    - a. A copy of each acknowledgment of receipt of this Order, obtained pursuant to the Section titled "Distribution of Order;" and
    - b. Any other changes required to be reported under Subsection A of this Section.
- C. The defendants shall notify the Commission of the filing of a bankruptcy petition by any defendant within fifteen (15) days of filing.
- D. For the purposes of this Order, the defendants shall, unless otherwise directed by the Commission's authorized representative, send by overnight courier all reports and notifications required by this Order to the Commission, to the following address:

**ASSOCIATE DIRECTOR FOR ENFORCEMENT**  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Room NJ-2122  
Washington, DC 20580

Re: *FTC v. 9107-4021 Québec, Inc., et al.*,  
(Case No. 1:08CV1051, N. D. Ohio)

*Provided that*, in lieu of overnight courier, the defendants may send such reports or notifications by first-class mail, but only if they contemporaneously send an electronic version of such report or notification to the Commission at [DEBrief@ftc.gov](mailto:DEBrief@ftc.gov).



- E. For purposes of the compliance reporting and monitoring required by this Order, the Commission is authorized to communicate directly with the defendants.

#### **VIII. RECORDKEEPING PROVISIONS**

**IT IS FURTHER ORDERED** that, for a period of eight (8) years from the date of entry of this Order, defendants, in connection with the marketing, advertising, or promotion of any products or services, or where any defendant is the majority owner or directly or indirectly controls or manages such a business, and such defendant's agents, employees, corporations, and those persons in active concert or participation with such defendant who receive actual notice of this Order by personal service or otherwise, are hereby restrained and enjoined from failing to create and/or retain the following records:

- A. Accounting records that reflect the cost of goods or services sold, revenues generated, and the disbursement of such revenues;
- B. Personnel records accurately reflecting: the name, address, and telephone number of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable;
- C. Customer files containing the names, addresses, phone numbers, dollar amounts paid, quantity of items or services purchased, and description of items or services purchased, to the extent such information is obtained in the ordinary course of business;
- D. Complaints and refund requests (whether received directly, indirectly, or through any third party) and any responses to those complaints or requests;

- E. Copies of all sales scripts, training materials, advertisements, or other marketing materials; and
- F. All records and documents necessary to demonstrate full compliance with each provision of this Order, including, but not limited to, copies of acknowledgments of receipt of this Order required by the Sections titled "Distribution of Order" and "Acknowledgment of Receipt of Order" and all reports submitted to the FTC pursuant to the Section titled "Compliance Reporting."

**IX. DISTRIBUTION OF ORDER**

**IT IS FURTHER ORDERED** that, for a period of five (5) years from the date of entry of this Order, defendants shall deliver copies of the Order as directed below:

- A. *Corporate defendants:* Each corporate defendant must deliver a copy of this Order to (1) all of its principals, officers, directors, and managers; (2) all of its employees, agents, and representatives who engage in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting." For current personnel, delivery shall be within five (5) days of service of this Order upon such defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities. For any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting," delivery shall be at least ten (10) days prior to the change in structure.
- B. *Individual defendant as control person:* For any business that an individual defendant controls, directly or indirectly, or in which such defendant has a

majority ownership interest, such defendant must deliver a copy of this Order to (1) all principals, officers, directors, and managers of that business; (2) all employees, agents, and representatives of that business who engage in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting." For current personnel, delivery shall be within five (5) days of service of this Order upon such defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities. For any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting," delivery shall be at least ten (10) days prior to the change in structure.

- C. *Individual defendant as employee or non-control person:* For any business where an individual defendant is not a controlling person of a business but otherwise engages in conduct related to the subject matter of this Order, such defendant must deliver a copy of this Order to all principals and managers of such business before engaging in such conduct.
- D. Defendants must secure a signed and dated statement acknowledging receipt of the Order, within thirty (30) days of delivery, from all persons receiving a copy of the Order pursuant to this Section.

**X. ACKNOWLEDGMENT OF RECEIPT OF ORDER**

**IT IS FURTHER ORDERED** that, within five (5) business days of receipt of this Order as entered by the Court, each defendant shall submit to the Commission a truthful sworn statement acknowledging receipt of this Order.

**XI. COOPERATION WITH FTC COUNSEL**

IT IS FURTHER ORDERED that the individual defendants shall, in connection with this action or any subsequent investigations related to or associated with the transactions or the occurrences that are the subject of the FTC's Amended Complaint, cooperate in good faith with the FTC and appear at such places and times as the FTC shall reasonably request, after written notice, for interviews, conferences, pretrial discovery, review of documents, and for such other matters as may be reasonably requested by the FTC. If requested in writing by the FTC, the individual defendants shall appear and provide truthful testimony in any trial, deposition, or other proceeding related to or associated with the transactions or the occurrences that are the subject of the Amended Complaint, without the service of a subpoena.


**XII. FEES AND COSTS**

IT IS FURTHER ORDERED that each party to this Order hereby agrees to bear its own costs and attorneys' fees incurred in connection with this action.

**XIII. RETENTION OF JURISDICTION**

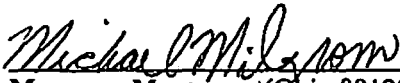
IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for purposes of construction, modification and enforcement of this Order.

SO ORDERED this 16<sup>th</sup> day of July, 2009.

  
DONALD C. NUGENT  
United States District Judge

**FOR PLAINTIFF  
FEDERAL TRADE COMMISSION**

**DAVID SHONKA**  
Acting General Counsel

  
MICHAEL MILGROM (Ohio 0012959)  
SARA C. DEPAUL (Ohio 0077829)  
Attorneys for Plaintiff  
Federal Trade Commission  
1111 Superior Avenue, Suite 200  
Cleveland, Ohio 44114  
216-263-3419 (telephone)  
216-263-3426 (fax)  
mmilgrom@ftc.gov (e-mail)  
sdepaul@ftc.gov (e-mail)

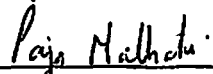
Date: July 15, 2009

**FOR DEFENDANTS  
9107-4021 QUÉBEC, INC.,**  
a corporation, also d/b/a Med  
Provisions, and Pronto Meds.

By:   
SAMEER MALHOTRA, President

Date: 04/27, 2009

**9107-5424 QUÉBEC, INC.,**  
a corporation.


By:   
POOJA MALHOTRA,  
a/k/a POOJA CHAWLA, President

Date: 04/27, 2009

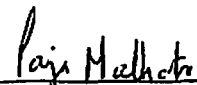
**ZONECOM TECHNOLOGIES, INC.,**  
a corporation.

By:   
RAVINDER CHAWLA, President.


Date: 4/27, 2009

  
SAMEER MALHOTRA,  
individually and as an officer of  
9107-4021 Québec, Inc.

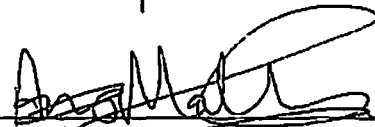
Date: 04/27, 2009

  
POOJA MALHOTRA,  
a/k/a POOJA CHAWLA,  
individually and as an officer of  
9107-4021 Québec, Inc., and  
9107-5424 Québec, Inc.

Date: 04/27, 2009

  
RAVINDER CHAWLA,  
individually and as an officer of  
Zonecom Technologies, Inc.

Date: 4/27, 2009

  
AMIT MALHOTRA,  
individually and as an officer of  
Zonecom Technologies, Inc.,

Date: 04/27, 2009

**CERTIFICATE OF SERVICE**

I certify that on July 15, 2009, the attached Stipulated Final Judgment and Order for Permanent Injunction was filed electronically. Notice of the filing will be sent to all parties by operation of the Court's electronic filing system, including the counsel listed below. Parties may access this filing through the Court's system.

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Respectfully submitted:

Date: July 15, 2009

/s/ Michael Milgrom  
Michael Milgrom  
Sara DePaul  
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