

Certified Copy  
CIV-14-786-D



**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

11:01 am, Jul 25, 2014  
Carmelita Reeder Shinn, Clerk

FEDERAL TRADE COMMISSION,	)
	)
Plaintiff,	)
	)
v.	)
	)
YOUR YELLOW BOOK, INC, a corporation,	)
also d/b/a/ YOUR YELLOW BOOK,	)
	)
BRANDIE MICHELLE LAW, individually and	)
as an officer of YOUR YELLOW BOOK, INC,	)
	)
DUSTIN R. LAW, individually and as an	)
officer of YOUR YELLOW BOOK, INC, and	)
	)
ROBERT RAY LAW, individually and as an	)
officer of YOUR YELLOW BOOK, INC,	)
	)
Defendants.	)

Civil Action No. CIV-14-786-D  
**UNDER SEAL**

**EX PARTE TEMPORARY RESTRAINING ORDER WITH  
ASSET FREEZE AND OTHER EQUITABLE RELIEF;  
NOTICE OF PRELIMINARY INJUNCTION HEARING**

Plaintiff, the Federal Trade Commission ("FTC"), having filed its Complaint for a Permanent Injunction and Other Equitable Relief against Your Yellow Book, Inc, Brandie Michelle Law, Dustin R. Law, and Robert Ray Law, under Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and having moved for an ex parte temporary restraining order, asset freeze, and order to show cause why a preliminary injunction should not issue under Rule 65 of the Federal Rules of Civil Procedure, and the Court, having considered the Complaint, declarations, exhibits, and memorandum of law filed in support, finds that:

**FINDINGS**

1. This Court has jurisdiction over the subject matter of this case, and there is good cause to believe it will have jurisdiction over the parties.
2. This Court is a proper venue for this case.
3. There is good cause to believe that Defendants have engaged in, and are likely to continue to engage in, acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and that the Plaintiff is therefore likely to succeed on the merits of this action.
4. There is good cause to believe that immediate and irreparable harm will result from Defendants' ongoing violations of Section 5(a) of the FTC Act, unless Defendants are restrained and enjoined by Order of this Court.
5. There is good cause to believe that this temporary restraining order is in the public interest, and no private interest of Defendants outweighs the public interest.
6. Weighing the equities and considering the Commission's likelihood of ultimate success, a temporary restraining order with asset freeze and other equitable relief is in the public interest.
7. Unlike private litigants, the FTC, as an agency of the United States, is not required to give security before a temporary restraining order may issue. Fed. R. Civ. P. 65(c).

**DEFINITIONS**

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

A. **"Asset" or "Assets"** means any legal or equitable interest in, right to, or claim to, any real or personal property, including, but not limited to, "goods," "instruments," "equipment," "fixtures," "general intangibles," "inventory," "checks," or "notes," (as these terms are defined in the Uniform Commercial Code), lines of credit, chattels, leaseholds, contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts, credits, premises, receivables, funds, and all cash, wherever located.

B. **"Assisting others"** includes, but is not limited to: (1) providing administrative services, including, but not limited to, filing business registrations with federal, state, or local government entities; (2) acting as an officer, director, or registered agent of a business entity, (3) establishing bank and/or merchant accounts; (4) handling banking transactions; (5) providing printing or mailing services; (6) establishing mail accounts and/or mail receiving boxes; (7) forwarding mail received from consumers; (8) performing customer services functions, including, but not limited to, receiving or responding to consumer complaints; (9) formulating or providing, or arranging for the formulation or provision of, any sales script or other marketing material; (10) providing names of, or assisting in the generation of, potential customers.

C. **"Defendants"** means all of the Individual Defendants and the Corporate Defendant, individually, collectively, or in any combination.

1. **"Individual Defendants"** means Brandie Michelle Law, Dustin R. Law, and Robert Ray Law, and by whatever other names each may be known.

2. **"Corporate Defendant"** means Your Yellow Book, Inc, also d/b/a/ Your Yellow Book, and its successors and assigns.

D. **"Document"** and "electronically stored information" are synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and include:

1. The original or true copy of any written, typed, printed, electronically stored, transcribed, taped, recorded, filmed, punched, or graphic matter or other data compilations of any kind, including letters, email or other correspondence, messages, memoranda, interoffice communications, notes, reports, summaries, manuals, magnetic tapes or discs, tabulations, books, records, checks, invoices, work papers, journals, ledgers, statements, returns, reports, schedules, or files; and

2. Any electronically stored information stored on any compute (including any server, workstation, or desktop, laptop, notebook or tablet), mobile communications device (including Blackberrys, i-Phones, and Smart Phones of any type or brand), flash drives, personal digital assistants, or any other electronic storage media, whether assigned to individuals or in pools of computers available for shared use, or personally owned but used for work-related purposes; back-up discs and tapes, archive disks and tapes, and other forms of offline storage, whether stored onsite with the computer used to generate them, stored offsite in another company facility, or stored, hosted, or otherwise maintained offside by a

third-party; and computers and related offline storage used by Defendants or Defendants' participating associates, which may include people who are not employees of the company or who do not work on company premises.

**E.** "Financial institution" means any bank, savings and loan institution, credit union, or any financial depository of any kind, including any brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer.

**ORDER**

**I. PROHIBITED BUSINESS ACTIVITIES**

**IT IS THEREFORE ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, in connection with the advertising, marketing, promoting, offering for sale, sale, or provision of any good or service, including internet directory listings, are temporarily restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication any material fact, including but not limited to:

**A.** That a consumer has a preexisting business relationship with any Defendant;

**B.** That a consumer has agreed to purchase a good or service from any Defendant; or

C. That a consumer owes money to any Defendant.

## **II. POSTING NOTICE OF LAWSUIT ON WEBSITES**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from failing to immediately take whatever action is necessary to ensure that any website used by any Defendant related to the offering for sale, sale, or posting of internet directory listings, or related to the collection of payment from any consumer for a listing in any Defendant's internet directory, including the website located at <http://www.youryellowbook.com>, shall:

A. Prominently display the following statement:

The Federal Trade Commission ("FTC") has filed a lawsuit against Your Yellow Book, Inc, alleging that it has engaged in deceptive practices related to the offering for sale and sale of listings in its internet directory. The United States District Court for the Western District of Oklahoma has issued a temporary restraining order prohibiting the alleged practices. You may obtain additional information directly from the FTC at [www.ftc.gov](http://www.ftc.gov).

B. Provide a hypertext link to the FTC's home page at [www.ftc.gov](http://www.ftc.gov), or another home page designated by counsel for the FTC.

## **III. ASSET FREEZE**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or security interest or other interest in, or otherwise disposing of any asset that is:

1. owned, controlled, or held by, in whole or in part, for the benefit of, or subject to access by, or belonging to, any Defendant;
2. in the actual or constructive possession of any Defendant;
3. held as a retainer or deposit for the provision of any goods or services to any Defendant; or
4. in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, or belonging to, any other corporation, partnership, trust, or any other entity directly or indirectly owned, managed, or controlled by, or under common control of, any Defendant, including any assets held by or for any Defendant in any account at any bank or savings and loan institution, or with any credit card processing agent, automated clearing house processor, network transaction processor, bank debit processing agent, customer service agent, commercial mail receiving agency, or mail holding or forwarding company, or any credit union, retirement fund custodian, money market or mutual fund, storage company, trustee, or with any broker-dealer, escrow agent, title

company, commodity trading company, precious metal dealer, or other financial institution or depository of any kind, either within or outside the territorial United States;

**B.** Opening or causing to be opened any safe deposit boxes, commercial mail boxes, or storage facilities in the name of any Defendant, or subject to access by any Defendant or under any Defendant's control, without providing the FTC prior notice and an opportunity to inspect the contents in order to determine that they contain no assets covered by this Section;

**C.** Cashing any checks or depositing any payments from customers or clients of Defendants;

**D.** Incurring charges or cash advances on any charge card, credit card, debit card, or lines of credit issued in the name, singly or jointly, of any Defendant;

**E.** Obtaining a personal or secured loan that encumbers any asset of any Defendant; or

**F.** Incurring liens or encumbrances on real property, personal property, or other assets in the name, singly or jointly, of any Defendant or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by any Defendant.

The assets affected by this Section shall include both existing assets and assets acquired after the effective date of this Order.



**IV. DUTIES OF THIRD PARTIES HOLDING DEFENDANTS' ASSETS**

**IT IS FURTHER ORDERED** that any financial institution, business entity, or person maintaining or having custody or control of any account or other asset of any Defendant, or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with any Defendant, that is served with a copy of this Order, or otherwise has actual or constructive knowledge of this Order, shall:

**A.** Hold and retain within its control and prohibit the assignment, conversion, disbursement, dissipation, encumbrance, hypothecation, liquidation, loan, pledge, removal, sale, transfer, withdrawal, or other disposal of any asset held by or under its control that is:

1. Held on behalf of, or for the benefit of, any Defendant;
2. Held in any account maintained in the name of, or for the benefit of, or subject to withdrawal by, any Defendant;
3. Associated with charges, credits, or debits made on behalf of any Defendant including reserve funds or settlement funds held by payment processors or their agents, insurance companies, or other persons; or
4. Subject to access or use by, or under the signatory power of, any Defendant.

**B.** Deny Defendants access to any safe deposit boxes or storage facilities that

are either:

1. In the name, individually or jointly, of any Defendant; or
2. Subject to access by any Defendant.

C. Provide the FTC, within three (3) business days of the date of service of this

Order, a sworn statement setting forth:

1. The identification number of each account or asset in the name, individually or jointly, of any Defendant, or held on behalf of, or for the benefit of, any Defendant, including all trust accounts managed on behalf of any Defendant or subject to any Defendant's control;

2. The balance of each such account, or a description of the nature and value of such asset;

3. The identification and location of any safe deposit box, commercial mail box, or storage facility that is either in the name, individually or jointly, of any Defendant, or is otherwise subject to access or control by any Defendant, whether in whole or in part; and

4. If the account, safe deposit box, storage facility, or other asset has been closed or removed, the date closed or removed and the balance on said date.

D. Within three (3) business days of a written request from the FTC, provide to the FTC copies of all records or other documents pertaining to each such account or asset, including originals or copies of account applications, account statements, corporate

resolutions, signature cards, checks, drafts, deposit tickets, transfers to and from the accounts, all other debit and credit instruments or slips, currency transaction reports, 1099 forms, and safe deposit box logs.

E. This Section shall apply to existing accounts and assets, assets deposited or accounts opened after the effective date of this Order, and any accounts or assets maintained, held, or controlled three years prior to the effective date of this Order. This Section shall not prohibit transfers in accordance with any provision of this Order, any further order of the Court, or by written agreement of the parties.

*Provided, however,* that this Section does not prohibit the repatriation of assets, as required by Section VIII of this Order.

**V. DUTIES OF THIRD PARTIES TO WITHHOLD DEFENDANTS' MAIL**

**IT IS FURTHER ORDERED** that:

A. Any third party with whom any Defendant maintains an account and/or mail-receiving box, which may include the following:

- \* 10600 South Pennsylvania Avenue, Suite 16, Oklahoma City, OK 73170
- \* P. O. Box 892335, Oklahoma City, OK 73189
- \* P. O. Box 95343, Oklahoma City, OK 73143

upon being served with a copy of this Order, shall for the duration of this Order, forward to the FTC all mail received that is addressed to or from any Defendant and/or addressed to or from any other name under which any Defendant is doing business. This mail shall be forwarded to the FTC at the following address:

Federal Trade Commission  
Attn: Brent McPeck  
1999 Bryan Street, Suite 2150  
Dallas, TX 75201  
Fax: (214) 979-9395  
Email: rtepfer@ftc.gov

The FTC shall open and retain this mail for the duration of this Order, or until further order of the Court, or stipulation of the parties; and

**B.** Defendants, within three (3) business days of service of this Order, shall provide to counsel for the FTC a complete list of all locations where any Defendant has received mail from January 1, 2011 through the date of entry of this Order. Defendants shall notify counsel for the FTC of any locations designated to receive mail by any Defendant after the date of entry of this Order, within three (3) business days of such designation. Such notice shall include, for each location, the name and address of the location, all names under which Defendant(s) receive or may receive mail at that location, and a copy of any agreement or application creating the designation; and

**C.** Within three (3) business days of the FTC's receipt of any mail as set forth in this Section, the FTC shall determine whether such mail relates to the business practices addressed by this Order, or the related matters addressed by this Order, and shall promptly return and deliver any mail to its addressee if such mail does not reasonably relate to the business practices or related matters as addressed by this Order.

## **VI. SUSPENSION OF COLLECTION ON ACCOUNTS**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from assigning any right to collect, attempting to collect, or collecting any payment for any internet directory listings.

## **VII. FINANCIAL STATEMENTS AND ACCOUNTING**

**IT IS FURTHER ORDERED** that no later than three (3) business days after service of this Order:

A. Each Individual Defendant shall prepare and deliver to counsel for the FTC a completed "Financial Statement of Individual Defendant" form, which is attached as **Attachment A**;

B. Each Corporate Defendant shall also prepare and deliver to counsel for the FTC a completed "Financial Statement of Corporate Defendant" form, which is attached as **Attachment B**; and

C. For each business entity owned, controlled, or managed by an Individual Defendant, and for each trust of which such Individual Defendant is a trustee, regardless of whether it is a defendant in this case, each Individual Defendant shall prepare and deliver to counsel for the FTC a completed "Financial Statement of Corporate Defendant" form, which is attached as **Attachment B**.

## **VIII. REPATRIATION OF ASSETS AND DOCUMENTS**

**IT IS FURTHER ORDERED** that Defendants shall:

A. Within three (3) business days following service of this Order, take such steps as are necessary to repatriate to the territory of the United States of America all documents and assets held by or for Defendants or under Defendants' direct or indirect control, jointly, severally, or individually, that were transferred outside the territory of the United States from within the territory of the United States from and after May 10, 2011.

B. Within three (3) business days following service of this Order, provide to counsel for the FTC with a full accounting of all documents and assets that are located outside of the territory of the United States of America or that have been transferred to the territory of the United States of America pursuant to Subsection A above and are held by or for any Defendant or are under any Defendant's direct or indirect control, jointly, severally, or individually, including the addresses and names of any foreign or domestic financial institution or other entity holding the documents and assets, along with the account numbers and balances.

C. Hold and retain all such documents and assets and prevent any disposition, dissipation, or transfer whatsoever of any such documents or assets.

D. Within three (3) business days following service of this Order, provide the Plaintiff access to Defendants' documents held by financial institutions or other entities outside the territorial United States, by signing and delivering to counsel for the FTC the Consent to Release of Financial Records attached to this Order as **Attachment C**.

**IX. INTERFERENCE WITH REPATRIATION**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from taking any action that may result in the encumbrance or dissipation of foreign assets, or in the hindrance of the repatriation required by Paragraph VIII of this Order, including:

A. Sending any statement, letter, fax, email or wire transmission, telephoning, or engaging in any other act, directly or indirectly, that results in a determination by a foreign trustee or other entity that a "duress" event has occurred under the terms of a foreign trust agreement until such time as all assets have been fully repatriated according to Paragraph VIII of this Order; or

B. Notifying any trustee, protector, or other agent of any of the Defendants of the existence of this Order, or of the fact that repatriation is required under a Court Order, until such time as all assets have been fully repatriated according to Paragraph VIII of this Order.

**X. PRODUCTION OF DOCUMENTS AND DATA**

**IT IS FURTHER ORDERED** that, Defendants shall:

A. Within 48 hours of service of this Order, complete and serve on counsel for the FTC the Electronically Stored Information Statement attached as Attachment D.

**B.** Within three (3) business days of service of this Order, produce to the FTC, its representatives or agents, at the office of Oklahoma Attorney General located at 313 NE 21st Street, Oklahoma City, OK 73105, or other location designated by the FTC, for inventory and copying, all correspondence, email, financial data including tax returns, and any other documents, computer equipment, and electronically stored information in Defendants' possession, custody, or control, that contains information about Defendants' businesses and assets. The FTC shall return each item produced for inventory or copying to Defendants within three (3) business days from the date and time of copying such items.

Defendants, to the extent they have possession, custody, or control of documents described above, shall produce the documents as they are kept in the usual course of business. Defendants, Defendants' 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, to the extent they have possession, custody, or control of computer equipment or electronically stored information described above, shall provide the FTC, its representatives or agents, with any necessary means of access to, copying of, and forensic imaging of electronically stored information, including providing computer user names and passwords for all computers used to conduct Corporate Defendant's business, and access to (including execution of any documents necessary for access to and forensic imaging of) any data stored, hosted or otherwise maintained by an electronic data



host.

**XI. PRESERVATION OF RECORDS AND REPORT OF NEW BUSINESS ACTIVITY**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from:

A. Failing to make and keep accounts, bank statements, books, cash disbursements ledgers and source documents, cash receipts ledgers, current accountants' reports, documents indicating title to real or personal property, general journals, general ledgers, records, and any other data which, in reasonable detail, accurately and fairly reflect the disbursements, dispositions, incomes, transactions, and uses of Defendants' assets;

B. Altering, concealing, destroying, erasing, mutilating, transferring, or otherwise disposing of, in any manner, directly or indirectly, any documents, including electronically stored materials, that relate in any way to the business practices or business or personal finances of Defendants; to the business practices or finances of entities directly or indirectly under the control of Defendants; or to the business practices or finances of entities directly or indirectly under common control with any other Defendant; and

C. Creating, operating, or exercising any control over any new business entity,

whether newly formed or previously inactive, including any partnership, limited partnership, joint venture, sole proprietorship or corporation, without first providing the FTC with a written statement disclosing: the name of the business entity; the address, telephone number, e-mail address, and website address of the business entity; the names of the business entity's officers, directors, principals, managers, and employees; and a detailed description of the business entity's intended activities.

## **XII. PROHIBITION ON DISCLOSING CUSTOMER INFORMATION**

**IT IS FURTHER ORDERED** that Defendants, Defendants' 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, whether acting directly or indirectly, are temporarily restrained and enjoined from:

**A.** Leasing, renting, or selling the address, bank account number, birth date, credit card number, e-mail address, name, Social Security number, telephone number, or other financial or identifying personal information of any person from whom or about whom any Defendant obtained such information in connection with the advertising, marketing, promoting, offering for sale, sale, or provision of internet directory listings; and

**B.** Benefitting from the address, bank account number, birth date, credit card number, e-mail address, name, Social Security number, telephone number, or other financial or identifying personal information of any person from whom or about whom

any Defendant obtained such information in connection with the advertising, marketing, promoting, offering for sale, sale, or provision of internet directory listings.

*Provided, however,* that Defendants may disclose such financial or identifying personal information to a law enforcement agency or as required by any law, regulation, or court order.

### **XIII. DISTRIBUTION OF ORDER BY DEFENDANTS**

**IT IS FURTHER ORDERED** that Defendants shall immediately provide a copy of this Order to each of their corporations, subsidiaries, affiliates, partners, divisions, sales entities, successors, assigns, members, officers, directors, employees, independent contractors, agents, servants, spouses, representatives, and any other persons in active concert or participation with them. Within five (5) business days following service of this Order, Defendants shall serve on the FTC an affidavit identifying the name, title, addresses, telephone numbers, date of service, and manner of service of the persons Defendants have served with a copy of this Order in compliance with this provision.

### **XIV. SERVICE OF ORDER**

**IT IS FURTHER ORDERED** that copies of this Order may be served by facsimile transmission, personal or overnight delivery, first class mail, electronic mail, or personally, by agents and employees of the FTC or any state, federal, or private process server, on: (1) Defendants; (2) any financial institution or person that holds, controls, or maintains custody of any documents or assets of any Defendant; or (3) any other financial

institution or person that may be subject to any provision of this Order. Service upon any branch or office of any financial institution or entity shall effect service upon the entire financial institution or entity.

**XV. CONSUMER REPORTING AGENCIES**

**IT IS FURTHER ORDERED** that, pursuant to Section 604 of the Fair Credit Reporting Act, 15 U.S.C. § 1681b, any consumer reporting agency shall furnish a consumer or credit report concerning any Defendant to the FTC.

**XVI. SERVICE UPON PLAINTIFF**

**IT IS FURTHER ORDERED** that any non-privileged correspondence, papers, and pleadings related to this Order shall be served upon Plaintiff by U.S. mail, electronic mail, courier delivery, or facsimile to:

Federal Trade Commission  
Attn: Reid Tepfer  
1999 Bryan Street, Suite 2150  
Dallas, TX 75201  
Fax: (214) 979-9395  
Email: rtepfer@ftc.gov

**XVII. DURATION OF TEMPORARY RESTRAINING ORDER; SETTING OF PRELIMINARY INJUNCTION HEARING**

**IT IS FURTHER ORDERED** that the Temporary Restraining Order granted herein shall expire on August 8, 2014, at 5:00 p.m. (CDT), unless before such time, the Order is extended for good cause shown, or by consent of the parties, or is dissolved

by order of the Court. A hearing on FTC's motion for preliminary injunction shall be held on August 4, 2014, at 1:30 p.m., in Courtroom 503.

**XVIII. SERVICE OF PLEADINGS, MEMORANDA, AND OTHER EVIDENCE**

**IT IS FURTHER ORDERED** that, in support of its motion for a preliminary injunction, the FTC may submit supplemental evidence discovered subsequent to the filing of its motion for a TRO, as well as a supplemental memorandum. The FTC shall file and serve any supplemental evidence and memorandum by no later than 4:30 P.M. CDT on the third court day prior to the preliminary injunction hearing as scheduled above. The documents may be served on each Defendant by email, or fax, or by delivering the document(s) to the attorney(s) for Defendants, or, if Defendants are not represented by counsel, to a fax number or email address previously designated by Defendants in writing to counsel for the FTC; if Defendants have not so designated a fax number or email address, service may be effected by mailing the documents to an address designated in writing by Defendants to counsel for the FTC; if no address has been so designated, service shall be complete upon filing of the documents with this Court.

**IT IS FURTHER ORDERED** that Defendants shall file and serve any opposition to the issuance of a preliminary injunction, including any declarations, exhibits, memoranda or other evidence upon which they intend to rely, and objections to any evidence submitted by the FTC, by no later than 4:30 P.M. CDT of the second court day prior to the hearing on the preliminary injunction. These documents shall be served by email or fax upon the FTC's counsel.

**IT IS FURTHER ORDERED** that the FTC shall file and serve any reply to Defendants' opposition by no later than 4:30 P.M. CDT of the first court day prior to the preliminary injunction hearing.

**XIX. PRELIMINARY INJUNCTION HEARING**

The Court in ruling on whether a preliminary injunction shall issue will consider oral argument by counsel, declarations or affidavits that have been served and filed in a timely manner prior to the preliminary injunction hearing without further need of any party moving the documents into evidence, and any witness testimony.

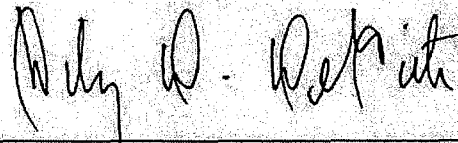
**XX. ACKNOWLEDGMENT OF RECEIPT OF TEMPORARY RESTRAINING ORDER**

**IT IS FURTHER ORDERED** that each Defendant, within three (3) business days of receipt of this Temporary Restraining Order as entered by the Court, must submit to the FTC a truthful sworn statement acknowledging receipt of the Temporary Restraining Order.

**XXI. RETENTION OF JURISDICTION**

**IT IS FURTHER ORDERED** that this Court shall retain jurisdiction of this matter for all purposes.

**SO ORDERED** this 25<sup>th</sup> day of July, 2014, at 10:30 a.m. (CDT).



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE