

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

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CAPITAL ACQUISITIONS & MANAGEMENT
CORP., a corporation,

RM FINANCIAL SERVICES, INC., a corporation,

CAPITAL PROPERTIES HOLDINGS, INC.,
a corporation,

CARIBBEAN ASSET MANAGEMENT, LTD.,
a corporation,

REESE WAUGH,

JEROME KUEBLER,

ERIC WOLDOFF,

GEORGE OTHON,

JEFFREY GARRINGTON,

DAVID KAPP,

JOSHUA RAUSCH,

MICHAEL SENG, and

BILLY MARTIN,

Defendants.

No. 04-C-7781

Judge Gettleman

Magistrate Judge Nolan

STIPULATED ORDER FOR PERMANENT INJUNCTION
AGAINST DEFENDANTS REESE WAUGH, JEROME KUEBLER,
ERIC WOLDOFF, GEORGE OTHON, AND JEFFREY GARRINGTON

Plaintiff, Federal Trade Commission (“FTC” or “Commission”), filed its Amended Complaint for Permanent Injunctive and Other Relief (“Amended Complaint”) in this matter, pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC ACT”), 15 U.S.C. § 53(b), Section 814(a) of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692i(a), and Rule 65 of the Federal Rules of Civil Procedure, charging that Defendants engaged in deceptive and unfair acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the FDCPA, 15 U.S.C. § 1692 et seq. The Commission and Defendants Reese Waugh, Eric Woldoff, George Othon, Jerome Kuebler, and Jeffrey Garrington (collectively, “CAMCO Defendants”), hereby stipulate to the entry of this Stipulated Order for Permanent Injunction Against Defendants Reese Waugh, Jerome Kuebler, Eric Woldoff, George Othon, and Jeffrey Garrington (“Order”) to resolve all matters of dispute between them in this action.

IT IS THEREFORE STIPULATED, AGREED, AND ORDERED as follows:

1. This Court has jurisdiction over the subject matter of this case and CAMCO Defendants, pursuant to 15 U.S.C. §§ 45(a), 53(b), 1692i(a), as well as 28 U.S.C. §§ 1331, 1137(a) and 1345.
2. Venue lies properly with this Court pursuant to 15 U.S.C. § 53(b) and 28 U.S.C. §§ 1391(b) and (c).
3. The activities of CAMCO Defendants are in or affecting “commerce,” as that term is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.
4. The Amended Complaint states a claim upon which relief may be granted against CAMCO Defendants under Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the FDCPA, 15 U.S.C. § 1692 et seq.

5. CAMCO Defendants have entered into this Order freely and without coercion. Such Defendants further acknowledge that they have read the provisions of this Order and are prepared to abide by them.

6. The undersigned, individually and by and through their counsel, have agreed that the entry of this Order resolves all matters of dispute between them arising from the Amended Complaint in this action, up to the date of entry of this Order.

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

8. CAMCO Defendants agree that this Order does not entitle such Defendants to seek or to obtain attorneys' fees as a prevailing party under the Equal Access to Justice Act, 28 U.S.C. § 2412, as amended by Pub. L. 104-121, 110 Stat. 847, 863-64 (1996), and such Defendants further waive any right to attorneys' fees that may arise under said provision of law.

9. Neither entry into this Order, nor performance according to its terms, shall be deemed an admission by CAMCO Defendants. This Order has been entered without resolution of any disputed fact.

10. Entry of this Order is in the public interest, and there being no just reason for delay, the Clerk is directed to enter judgment immediately.

DEFINITIONS

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

1. "Plaintiff" means the Federal Trade Commission.
2. "Defendant" or "Defendants" means Capital Acquisitions and Management Corp.; RM Financial Services, Inc.; Capital Properties Holdings, Inc.; Caribbean Asset

