


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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION and STATE OF  
NEVADA,

Plaintiffs,

v.

CASH TODAY, LTD, a United Kingdom corporation;  
THE HEATHMILL VILLAGE, LTD., a United Kingdom  
corporation; LEADS GLOBAL, INC., a Nevada  
corporation; WATERFRONT INVESTMENTS, INC., a  
Nevada corporation; ACH CASH, INC., a Nevada  
corporation; HBS SERVICES, INC., a Nevada corporation;  
LOTUS LEADS, INC., a Delaware corporation; ROVINGE  
INTERNATIONAL, INC., a Nevada corporation;  
FIRST4LEADS, INC., a Delaware corporation; and THE  
HARRIS HOLDINGS, LTD., a Guernsey corporation,  
each also doing business as Cash Today, Route 66  
Funding, Global Financial Services International, Ltd.,  
Interim Cash, Ltd., and BIG-INT, Ltd.; AARON  
GERSHFIELD, individually and as a director and officer  
of Cash Today, Ltd., The Heathmill Village, Ltd., and The  
Harris Holdings, Ltd.; IVOR GERSHFIELD, individually  
and as an officer and/or director of Cash Today, Ltd. and  
The Harris Holdings, Ltd., and JIM HARRIS, individually  
and as an officer and director of Leads Global, Inc.,  
Waterfront Investments, Inc., ACH Cash, Inc., HBS  
Services, Inc., and Rovinge International, Inc.,

Defendants.

Case No.  
3:08-CV-590-BES-VPC

**STIPULATED  
PRELIMINARY  
INJUNCTION AND  
ORDER FOR OTHER  
EQUITABLE RELIEF AS  
TO DEFENDANTS  
LEADS GLOBAL, INC.,  
WATERFRONT  
INVESTMENTS, INC.,  
HBS SERVICES, INC.,  
ROVINGE  
INTERNATIONAL, INC.,  
ACH CASH, INC.,  
FIRST4LEADS, INC.,  
AND LOTUS LEADS, INC.**

1 WHEREAS, Plaintiffs Federal Trade Commission (“Commission” or “FTC”) and the State  
2 of Nevada (“Nevada”) have filed a Motion for Preliminary Injunction and Order for Other  
3 Equitable Relief against Defendants, pursuant to Rule 65 of the Federal Rules of Procedure, Fed.  
4 R. Civ. P. 65, seeking preliminary relief in connection with the acts and practices alleged in the  
5 Complaint filed by the FTC and the State of Nevada in this matter;

6 WHEREAS, Plaintiffs and Defendants Leads Global, Inc., Waterfront Investments, Inc.,  
7 ACH Cash, Inc., HBS Services, Inc., Lotus Leads, Inc., Roving International, Inc., First4leads,  
8 Inc. (“Stipulating Defendants”), through their counsel and without any admission of any  
9 wrongdoing or violation of law, voluntarily have agreed to the entry of the following Stipulated  
10 Order for Preliminary Injunction (“Order”), to remain in effect until such time as this cause of  
11 action is resolved, with or without hearing or trial:

12 The Court, being advised in the premises, finds as follows:

13 **FINDINGS**

14 1. This Court has subject matter and personal jurisdiction in this case over the  
15 Stipulating Defendants pursuant to 15 U.S.C. §§ 45(a) and 53(b), and 28 U.S.C. §§ 1331, 1337(a),  
16 1345, and 1367, and venue is proper as to the Stipulating Defendants in the District of Nevada  
17 pursuant to 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b), (c), and (d).

18 2. The Complaint states a claim upon which relief may be granted against the  
19 Stipulating Defendants under Sections 5(a) and 13(b) of the FTC Act, 15 U.S.C. §§ 45(a) and 52;  
20 the Truth in Lending Act (“TILA”), 15 U.S.C. §§ 1601-1666j, as amended, and its implementing  
21 Regulation Z, 12 C.F.R. § 226, as amended; and the deceptive trade provisions of Chapter 598 of  
22 the Nevada Revised Statutes.

23 3. The activities of the Stipulating Defendants are in or affecting commerce, as  
24 defined in Section 4 of the FTC Act, 15 U. S.C. § 44.

25 4. The Stipulating Defendants waive all rights to seek judicial review or otherwise  
26 challenge the validity of this stipulation.

27 5. Entry of this Order is in the public interest.

28

1 **ORDER**

2 **Definitions**

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

4 1. **“Collection of debts”** means any activity the principal purpose of which is to collect  
5 or attempt to collect, directly or indirectly, debts owed or due or asserted to be owed or due.

6 2. **“Consumer”** means an actual or potential purchaser, customer, or borrower.

7 3. **“Stipulating Defendants”** means Leads Global, Inc., Waterfront Investments, Inc.,  
8 HBS Services, Inc., Rovinge International, Inc., ACH Cash, Inc., First4Leads, Inc., and Lotus  
9 Leads, Inc. .

10 4. **“Debt”** means any obligation or alleged obligation of a consumer to pay money  
11 arising out of a transaction in which the money, property, or services that are the subject of the  
12 transaction are primarily for personal, family, or household purposes, whether or not such  
13 obligation has been reduced to judgment.

14 5. **“Document”** is synonymous in meaning and equal in scope to the usage of the term  
15 in Federal Rule of Civil Procedure 34(a), and includes writings, drawings, graphs, charts,  
16 photographs, audio and video recordings, computer records, and other data compilations from  
17 which information can be obtained and translated, if necessary, through detection devices into  
18 reasonably usable form. A draft or non-identical copy is a separate document within the meaning  
19 of the term.

20 6. **“Person”** means any individual, group, unincorporated association, limited or  
21 general partnership, corporation or other business entity.

22 7. **“Regulation Z”** means the regulation the Federal Reserve Board (“FRB”)  
23 promulgated to implement TILA, 12 C.F.R. Part 226, as currently promulgated or as it may  
24 hereafter be amended. The term also includes the FRB Official Staff Commentary on Regulation  
25 Z, 12 C.F.R. Part 226, Supp. 1, as currently promulgated or as it may hereafter be amended. The  
26 terms “annual percentage rate,” “consumer credit,” and “finance charge” are defined as set forth  
27 in Sections 226.2, 226.4, and 226.22 of Regulation Z, 12 C.F.R. §§ 226.2, 226.4, and 226.22.

28

HOWREY LLP

1 8. "Third Party" means any person or entity that is not a consumer including, but not  
2 limited to, any parent of a non-minor consumer, or any child, relative, neighbor, co-worker, or  
3 employer of a consumer.

4 **CONDUCT PROHIBITIONS**

5 **I. Prohibition Against Deceptive Collection Practices**

6 **IT IS THEREFORE ORDERED** that in connection with the collection of a debt from  
7 any consumer, Stipulating Defendants, and their officers, agents, servants, employees, and  
8 attorneys, and all other persons in active concert or participation with them who receive actual  
9 notice of this Order by personal service or otherwise, whether acting directly or through any  
10 corporation, subsidiary, division, or other device, are hereby preliminarily restrained and  
11 enjoined from making any misrepresentation to any consumer or third party in violation of  
12 Section 5(a) of the FTC Act, including but not limited to misrepresenting that:

- 13 A. Consumers can be arrested or imprisoned for failing to pay debts;  
14 B. Consumers have a legal obligation to pay the full amount of a debt claimed  
15 as owed; and  
16 C. If consumers do not pay a debt, they may or will be subject to formal legal  
17 action, including but not limited to, suit, seizure or attachment of property, or garnishment of  
18 wages.

19 **II. Prohibition Against Unfair Collection Practices**

20 **IT IS FURTHER ORDERED** that in connection with the collection of a debt from any  
21 consumer, Stipulating Defendants, and their officers, agents, servants, employees, and  
22 attorneys, and all other persons in active concert or participation with them who receive actual  
23 notice of this Order by personal service or otherwise, whether acting directly or through any  
24 corporation, subsidiary, division, or other device, are hereby preliminarily restrained and  
25 enjoined from engaging in any unfair act or practice in violation of Section 5(a) of the FTC  
26 Act, including but not limited to:  
27  
28

1 A. Continuously and repeatedly calling consumers and third parties at  
2 consumers' places of employment;

3 B. Using obscene, profane, threatening, or otherwise abusive language towards  
4 consumers and third parties; and

5 C. Disclosing the existence of consumers' purported debts to co-workers,  
6 employers, and other third parties.

7 **III. Prohibition Against Violations of the Truth In Lending Act and Regulation Z**

8 **IT IS FURTHER ORDERED** that Stipulating Defendants, and their officers, agents,  
9 servants, employees, and attorneys, and all other persons in active concert or participation with  
10 them who receive actual notice of this Order by personal service or otherwise, whether acting  
11 directly or through any corporation, subsidiary, division, or other device, are hereby  
12 preliminarily restrained and enjoined from:

13 A. In the course of extending closed-end credit to consumers, failing to  
14 make the required TILA disclosures, clearly and conspicuously in writing, in a form that  
15 consumers can keep, and before consummating a consumer credit transaction, including  
16 failing to disclose the amount financed, itemization of the amount financed, the finance  
17 charge, the annual percentage rate, the payment schedule, the total of payments, and any  
18 late payment fees, in violation of Sections 121 and 128 of TILA, 15 U.S.C. §§ 1631 and  
19 1638, as amended, and Sections 226.17(a)(1), (b) and 226.18 (b)-(e), (g)-(h), and (l) of  
20 Regulation Z, 12 C.F.R. §§ 226.17(a)(1), (b) and 226.18 (b)-(e), (g)-(h), and (l), as  
21 amended, and

22 B. Failing in any other manner to meet the requirements of TILA, 15  
23 U.S.C. §§ 1601-1666j, as amended, and its implementing Regulation Z, 12 C.F.R. § 226,  
24 as amended, and the Regulation Z Commentary, 12 C.F.R. § 226, Supp. 1, as amended.

25 **IV. Prohibition Against Violations of Nevada State Laws**

26 **IT IS FURTHER ORDERED** that Stipulating Defendants, and their officers, agents,  
27 servants, employees, and attorneys, and all other persons in active concert or participation with  
28 them who receive actual notice of this Order by personal service or otherwise, whether acting

1 directly or through any corporation, subsidiary, division, or other device, are hereby  
2 preliminarily restrained and enjoined from violating any provision of Chapter 598 of the  
3 Nevada Revised Statutes and, in particular, preliminarily restrained and enjoined from:

4           A.     Making loans from the State of Nevada or identifying the State of  
5 Nevada as the source of said loan, or the principal place of business of Stipulating  
6 Defendants, and their officers, agents, servants, or employees, unless Stipulating  
7 Defendants, and their officers, agents, servants, or employees have obtained all necessary  
8 licenses, permits, and authorization from the appropriate governmental agency and, in  
9 particular, those licenses and authorizations identified in NRS Chapter 604A and NRS  
10 Chapter 675;

11           B.     Failing to provide notice and disclosure of all material facts, pursuant  
12 to NRS 598.0923(2), related to the business operations of Stipulating Defendants and their  
13 officers, agents, servants, and employees and, in particular, failing to disclose in all web  
14 sites, advertisements, and communications the location, physical address, and non-toll free  
15 telephone number of all locations where any of the Stipulating Defendants, and their  
16 officers, agents, servants, or employees conduct business, make loans, make collection  
17 calls or conduct any kind of business; and

18           C.     Violating any state or federal statute or regulation relating to the  
19 sale or lease of goods or services and, in particular, from violating NRS 598.0923(3) by  
20 using coercion, duress, or intimidation in a transaction of any kind.

21           **V.     Prohibition Against Disclosure of Consumer Information**

22           **IT IS FURTHER ORDERED** that Stipulating Defendants, as well as their officers,  
23 agents, servants, employees, and attorneys, and all other persons in active concert or  
24 participation with them who receive actual notice of this Order by personal service or otherwise,  
25 whether acting directly or through any person, trust, corporation, subsidiary, division or other  
26 entity, are hereby preliminarily restrained and enjoined from disclosing to any unaffiliated third  
27 party the name, address, telephone number, Social Security number, credit card number, bank  
28 account number, e-mail address, or other identifying information of any person who applied for

1 and/or obtained a loan from any Stipulating Defendant. Stipulating Defendants may, however,  
2 disclose such identifying information to a law enforcement agency or as required by any law,  
3 regulation, or other court order.

4 **REPORTING AND RELATED OBLIGATIONS**

5 **VI. Record Keeping/Business Operations**

6 **IT IS FURTHER ORDERED** that, in connection with any activities in or  
7 originating from the U.S. involving the extension of consumer credit, as defined in Section  
8 226.2(a)(12) of Regulation Z, 12 C.F.R. § 226.2(a)(12), or activities in or originating from  
9 the U.S. involving the collection of debts, Stipulating Defendants are hereby preliminarily  
10 restrained and enjoined from:

11 A. Failing to create and maintain documents that, in reasonable detail,  
12 accurately, fairly, and completely reflect the incomes, disbursements, transactions, and use  
13 of proceeds by Stipulating Defendants, beginning as of the date and time of effective  
14 service of this Order;

15 B. Failing to make and keep books, records, accounts, bank statements,  
16 current accountants' reports, general ledgers, general journals, cash receipt ledgers, cash  
17 disbursement ledgers and source documents, documents indicating title to real or personal  
18 property, and any other data which, in reasonable detail, accurately and fairly reflect the  
19 transactions and dispositions of the assets of Stipulating Defendants;

20 C. Destroying, mutilating, concealing, altering, transferring, or  
21 otherwise disposing of, in any manner, any books, records, tapes, discs, accounting data,  
22 checks (fronts and backs), correspondence, forms, advertisements, brochures, manuals,  
23 electronically stored data, banking records, customer lists, customer files, invoices,  
24 telephone records, ledgers, payroll records, or other documents of any kind, including  
25 information stored in computer-maintained form, in their possession, custody or control;  
26 and

27 D. Creating, operating, or exercising any control over any business  
28 entity, including any partnership, limited partnership, joint venture, sole proprietorship, or

1 corporation, without first providing the Plaintiffs with a written statement disclosing: (1)  
2 the name of the business entity; (2) the address and telephone number of the business  
3 entity; (3) the names of the business entity's officers, directors, principals, managers, and  
4 employees; and (4) a detailed description of the business entity's intended activities.

5 **VII. Distribution of Order by Stipulating Defendants**

6 **IT IS FURTHER ORDERED** that Stipulating Defendants shall immediately provide a  
7 copy of this Order to each affiliate, partner, division, sales entity, successor, assign, employee,  
8 independent contractor, web site host, agent, payment processor, attorney, and representative, of  
9 Stipulating Defendants to the extent they relate to activities in or originating from the U.S.  
10 involving the extension of consumer credit, as defined in Section 226.2(a)(12) of Regulation Z,  
11 12 C.F.R. § 226.2(a)(12), or to activities in or originating from the U.S. involving the collection  
12 of debts. Stipulating Defendants further shall, within ten days from the date of entry of this  
13 Order, serve upon counsel for the Plaintiffs a sworn statement that they have complied with this  
14 provision of the Order, which statement shall include the names, titles, addresses, and telephone  
15 numbers of each such person or entity who received a copy of the Order.



**MISCELLANEOUS PROVISION**

**VIII. Retention of Jurisdiction**

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

**IT IS SO ORDERED** this 5<sup>th</sup> day of January, 2009.

  
**THE HONORABLE BRIAN E. SANDOVAL**  
**UNITED STATES DISTRICT JUDGE**

**SO STIPULATED**

**FOR PLAINTIFFS:**

/s/Nadine S. Samter  
**NADINE S. SAMTER**  
**JULIE K. MAYER**  
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Attorneys for Plaintiff  
Federal Trade Commission

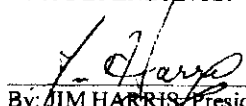
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Attorney General of Nevada

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By: **JOHN R. MCGLAMERY**  
Senior Deputy Attorney General  
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**FOR DEFENDANTS:**

  
By: JIM HARRIS, President  
Leads Global, Inc., Waterfront Investments, Inc.,  
ACH Cash, Inc., HBS Services, Inc., and  
Rovinge International, Inc.

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