

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MARYLAND
BALTIMORE DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

LOMA INTERNATIONAL BUSINESS
GROUP, INC.,

SERVICIOS LATINOAMERICANOS DE
MARYLAND, INC.,

MANUEL E. ALBAN, individually and as
director of LOMA INTERNATIONAL
BUSINESS GROUP, INC. and SERVICIOS
LATINOAMERICANOS DE MARYLAND,
INC., and

LOLA P. ALBAN, an individual,

Defendants.

Case No. MJG 11-CV-1483

***EX PARTE* TEMPORARY
RESTRAINING ORDER
WITH ASSET FREEZE,
APPOINTMENT OF A
TEMPORARY MONITOR,
IMMEDIATE ACCESS TO
BUSINESS PREMISES, AND
LIMITED EXPEDITED
DISCOVERY, AND AN
ORDER TO SHOW CAUSE
WHY A PRELIMINARY
INJUNCTION SHOULD NOT
ISSUE**

Plaintiff, Federal Trade Commission ("FTC"), having filed its Complaint for a Permanent Injunction and Other Equitable Relief in this matter, pursuant to 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 and other relief pursuant to Rule 65 of the Federal Rules of Civil Procedure, Fed. R. Civ. P. 65, and the Court having considered the complaint, declarations,

exhibits, and memorandum of law filed in support thereof and having held an on the record ex parte hearing, 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 defendants.
2. Venue lies properly with this Court.
3. There is good cause to believe that Loma International Business Groups, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban (collectively referred to as “Defendants”) have engaged in, and are likely to engage in, acts and practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and that the FTC is likely to prevail on the merits of this action.
4. There is good cause to believe that immediate and irreparable damage to the Court’s ability to grant effective final relief for consumers – including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies – will occur from the sale, transfer, or other disposition or concealment by Defendants of assets or records if Defendants are provided with advance notice of this Order, and that therefore in accordance with Fed. R. Civ. P. 65(b), the interests of justice require that this Order be granted without prior notice to Defendants.
5. There is good cause for relieving Plaintiff FTC of the duty to provide Defendants with prior notice of Plaintiff FTC’s application.
6. Good cause exists for the appointment of a Temporary Monitor over Corporate

Defendants Loma International Business Group, Inc. and Servicios LatinoAmericanos de Maryland, Inc.

7. Considering Plaintiff FTC's likelihood of ultimate success and weighing the equities, a Temporary Restraining Order with an asset freeze, the appointment of a Temporary Monitor, and other equitable relief is in the public interest.
8. No security is required of any agency of the United States for issuance of a restraining order. Fed. R. Civ. P. 65(c).

DEFINITIONS

For purposes of this Temporary Restraining Order ("Order"), the following definitions shall apply:

1. **"Asset"** 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.
2. **"Assisting others"** includes, but is not limited to: (1) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints; (2) formulating or providing, or arranging for the formulation or provision of, any sales script or other marketing material; (3) providing names of, or assisting in the generation of, potential customers;

(4) performing or providing marketing or billing services of any kind; (5) acting as an officer or director of a business entity; or (6) providing telemarketing services.

3. **“Customer”** means any person who purchased, agreed to purchase, or was charged for immigration services from any Defendant prior to the date of this Order.
4. **“Defendants”** means Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban, individually, collectively, or in any combination.
5. **“Individual Defendants”** refers to Defendants Manuel E. Alban and Lola P. Alban.
6. **“Corporate Defendants”** refers to Defendants Loma International Business Groups, Inc. and Servicios LatinoAmericanos de Maryland, Inc.
7. **“Document”** means any materials listed in Federal Rule of Civil Procedure 34(a) and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, digital records, and other data compilations from which information can be obtained and translated, if necessary, into reasonably usable form through detection devices. A draft or nonidentical copy is a separate Document within the meaning of the term.
8. **“Financial institution”** means any bank, savings and loan institution, credit union, or any financial depository of any kind, including, but not limited to, any

brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer.

9. **“Immigration services”** means any service provided to a person to aid or purporting to aid that person in any United States immigration matter such as by:
 - (a) appearing in any immigration case, either in person or through the preparation or filing of any brief or other document, paper, application, petition, or other form on behalf of another person before or with any branch of the United States Department of Homeland Security or the United States Department of Justice; (b) selecting or providing which visa, work permit, temporary protective status, residency, or other immigration status or benefit to apply for, or which application or other form to use, or providing advice regarding these selections; (c) advising a person regarding the requirements for obtaining a visa, a work permit, temporary protective status, residency, or any other immigration status or benefit; or (d) advising a person regarding his or her answers on any immigration related document, paper, application, petition, or other form.
10. **“Mail”** includes, but is not limited to, all envelopes, papers, or other items delivered, whether by United States Mail, United Parcel Service, FedEx, electronic mail, or similar delivery service.
11. **“Person”** means a natural person, an organization or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.
12. **“Temporary Monitor”** means the monitor appointed in this Order. The term

“monitor” also includes any deputy monitor as may be named by the temporary monitor.

ORDER

CONDUCT PROHIBITIONS

I. Prohibitions Against Misrepresentations of Immigration Services

IT IS THEREFORE ORDERED that Defendants, and their officers, agents, servants, employees, 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 through any trust, corporation, subsidiary, division, or other device, or any of them, in connection with the advertising, marketing, promoting, offering for sale, sale, or provision of immigration services, are temporarily restrained and enjoined from misrepresenting, directly or indirectly, expressly or by implication, any material fact including but not limited to, that Defendants are authorized to provide immigration services in the United States.

II. Customer Information

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, 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 temporarily restrained and enjoined from using, selling, renting, leasing, transferring, or otherwise disclosing or benefitting from the name, address, birth date, telephone number, email address, passport number, Social Security number, credit or debit card number, bank account number, or other financial or identifying personal information of any person from whom or about whom any Defendant obtained such information in connection with activities alleged in the FTC’s

Complaint.

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.

III. Posting Notice of Lawsuit at Defendants' Business Premises

IT IS FURTHER ORDERED that Defendants and their successors, assigns, members, officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with them who receive actual notice of this Order by personal service, facsimile transmission, email, or otherwise, whether acting directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, marketing, promotion, offering for sale, or sale of any immigration service, shall prominently display the following statement at Defendants' business premises:

The Federal Trade Commission ("FTC") has filed a lawsuit against Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban, alleging that they have engaged in deceptive practices relating to the advertising, marketing, promotion, offering for sale, sale, or provision of immigration services. The United States District Court for the Northern District of Maryland has issued a Temporary Restraining Order prohibiting the alleged practices. You may obtain additional information from the court-appointed Temporary Monitor, H. Mark Stichel, Esq., of Gohn, Hankey & Stichel, 201 North Charles Street, Baltimore, Maryland 12101 or the Federal Trade Commission.

ASSET FREEZE AND DUTIES OF THIRD PARTIES

IV. Asset Freeze

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and those persons or entities 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 through any trust, corporation, subsidiary, division, or other device, or any of them, except as provided herein, as stipulated by the parties, or as directed by further order of the Court, 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 funds, real or personal property, accounts, contracts, shares of stock, lists of consumer names, or other assets, or any interest therein, wherever located, including outside the territorial United States, that are:
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; or
 3. 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 with, any Defendant, including, but not limited to, 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 titled 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 credit card issued in the name, singly or jointly, of any Defendant; or
- E. 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 funds, property, and assets affected by this Section shall include both existing assets and assets acquired after the effective date of this Order.

V. Duties of Third Parties

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, which 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 withdrawal, removal, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion, sale, liquidation, or other disposal of any of the assets, funds, documents, or other property held by, or under its control:
 - 1. on behalf of, or for the benefit of, any Defendant or any other party subject to Section IV above;
 - 2. in any account maintained in the name of, or for the benefit of, or subject to withdrawal by, any Defendant or other party subject to Section IV above; and
 - 3. that are subject to access or use by, or under the signatory power of, any Defendant or other party subject to Section IV above;
- B. Deny Defendants access to any safe deposit boxes or storage facilities that are either:
 - 1. titled in the name, individually or jointly, of any Defendant, or other party subject to Section IV above; or
 - 2. subject to access by any Defendant or other party subject to Section IV above;
- C. Provide the FTC, within five (5) days of the date of service of this Order, a sworn statement setting forth:

1. The identification number of each account or asset titled in the name, individually or jointly, of any Defendant, or held on behalf of, or for the benefit of, any Defendant or other party subject to Section IV above, 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 titled in the name, individually or jointly, of any Defendant, or is otherwise subject to access or control by any Defendant or other party subject to Section IV above, 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. Allow representatives of Plaintiff FTC immediate access to inspect and copy, or upon Plaintiff FTC's request, within five (5) business days of said request, provide the FTC with copies of, all records or other documentation pertaining to each such account or asset, including, but not limited to, 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; and

- 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 two 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.

VI. 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 that are located outside such territory and are held by or for Defendants or are under Defendants' direct or indirect control, jointly, severally, or individually;
- B. Within three (3) business days following service of this Order, provide Plaintiff 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 transfer,

disposition, or dissipation whatsoever of any such documents or assets; and

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

RECORD KEEPING PROVISIONS

VII. Financial Statements and Accounting

IT IS FURTHER ORDERED that within five (5) business days following the service of this Order:

- A. Each Individual Defendant shall prepare and deliver to FTC counsel a completed financial statement on the form captioned "Financial Statement of Individual Defendant," which is attached to this Order as Attachment B;
- B. Unless otherwise agreed upon with FTC counsel and the Temporary Monitor, Defendants shall also prepare and deliver to FTC counsel a completed financial statement on the form captioned "Financial Statement of Corporate Defendant," which is attached to this Order as Attachment C, for each Corporate Defendant, and for each business entity owned, controlled or managed by the Individual Defendants, regardless of whether it is a defendant in this case. The financial statements shall be accurate as of the date and time of entry of this Order; and
- C. Each Defendant shall also prepare and deliver to FTC counsel:
1. A completed statement, verified under oath:

- a. specifying the name and address of each financial institution and brokerage firm at which the Defendant has accounts or safe deposit boxes. Said statements shall include assets held in foreign as well as domestic accounts; and
 - b. listing all persons who have received payments, transfers, or assignment of funds, assets, or property which total \$10,000 or more in any twelve-month period since January 1, 2001. This list shall specify: (a) the amount(s) transferred or assigned; (b) the name of each transferee or assignee; (c) the date of the assignment or transfer; and (d) the type and amount of consideration paid to the Defendant:
2. For each immigration service advertised, marketed, promoted, offered for sale, or sold by the Defendants, a detailed accounting, verified under oath, of:
 - a. all gross revenues obtained from the sale of each such good or service (broken down by month and year) from January 1, 2001, through the date of the issuance of this Order;
 - b. all net profits obtained from the sale of each such good or service (broken down by month and year) from January 1, 2001, through the date of the issuance of this Order;
 - c. the total amount of each such good or service sold (broken down by month and year) from January 1, 2001, through the date of the

issuance of this Order; and

- d. the full name, address, and telephone number of every purchaser or recipient of each such good or service, and the amount paid by each, from January 1, 2001, through the date of the issuance of this Order.

VIII. Records Maintenance and New Business Activity

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, 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 through any trust, corporation, subsidiary, division, or other device, or any of them, are temporarily restrained and enjoined from:

- A. Failing to create and maintain books, records, accounts, bank statements, current accountants' reports, general ledgers, general journals, cash receipt ledgers, cash disbursement ledgers and source documents, documents indicating title to real or personal property, and any other data which, in reasonable detail, accurately, fairly and completely reflect the incomes, disbursements, transactions, dispositions, and uses of the Defendants' assets;
- B. Destroying, erasing, mutilating, concealing, altering, 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 Plaintiff FTC with a written statement disclosing: (1) the name of the business entity; (2) the address and telephone number of the business entity; (3) the names of the business entity's officers, directors, principals, managers, and employees; and (4) a detailed description of the business entity's intended activities.

TEMPORARY MONITOR PROVISIONS

IX. Appointment of Temporary Monitor

IT IS FURTHER ORDERED that **H. Mark Stichel, Esq., of Gohn, Hankey & Stichel, 201 North Charles Street, Baltimore, Maryland 12101** is appointed Temporary Monitor for Defendants. The Temporary Monitor shall be the sole agent of this Court acting under this Order. The Temporary Monitor shall be accountable directly to this Court.

X. Immediate Access to Defendants' Business Premises

IT IS FURTHER ORDERED that the Temporary Monitor and his representatives and agents shall have immediate access to any business premises of the Defendants, and immediate access to any other location where any Defendant has conducted business or where property or business records are likely to be located. Such business premises locations specifically include, but are not limited to, the offices and facilities of one or more of the Corporate Defendants at 10

North Calvert Street, Suite 700, Baltimore, Maryland 21202; and any storage facility that the Temporary Monitor learns is being used to store records or property of any Defendant.

- A. The purpose of such access is to implement and carry out the Temporary Monitor's duties set forth in Section XI of this order and to inspect and inventory all of the immigration forms and supporting documents, and inspect and copy any documents relevant to this action. The Temporary Monitor and those specifically designated by him shall have the right to remove the above-listed documents from those premises in order that they may be inspected, inventoried, copied, preserved, and returned to immigration services customers;
- B. In connection with gaining access to Defendants' premises, the Temporary Monitor is authorized to use the assistance of law enforcement officers as the Temporary Monitor deems necessary to effect service and to implement peacefully the provisions of this Order;
- C. The Temporary Monitor shall allow the FTC's representatives, agents, and assistants, as well as Defendants and their representatives, reasonable access to the business premises of Defendants. The purpose of this access shall be to inspect and copy any and all books, records, accounts, and other property, including computer data, owned by or in the possession of the Defendants; and
- D. The Temporary Monitor is authorized to provide continued access to any business premises of the Defendants to law enforcement officers, as he deems fit; and to refer to those law enforcement officers any documents or information that may appear to be relevant to his duties.

XI. Temporary Monitor Duties

IT IS FURTHER ORDERED that the Temporary Monitor is directed and authorized to accomplish the following:

- A. Take exclusive custody, control, and possession of all immigration forms and supporting documents of, or in the possession or custody or under the control of Defendants, wherever situated, including without limitation all paper documents and all electronic data and devices that contain or store electronic data pertaining to Defendants' immigration services, including but not limited to, computers, laptops, data storage devices, back-up tapes, DVDs, CDs, and thumb drives and all other external storage devices and, as to equipment in the possession or under the control of the Defendants, all PDAs, smart phones, cellular telephones, and similar devices issued or paid for by Defendants;
- B. Take all steps necessary to secure all immigration forms and supporting documents located at Defendants' business premises, including but not limited to, all such premises located at 10 North Calvert Street, Suite 700, Baltimore, Maryland 21202. Such steps may include, but are not limited to, the following as the Temporary Monitor deems necessary or advisable: (1) serving this Order on any person or entity; (2) obtaining pertinent information from all employees and other agents of the Defendants, including but not limited to, the name, home address, social security number, job description, method of compensation, and all accrued and unpaid FTCs and compensation of each such employee or agent; and (3) requiring any persons present on the business premises at the time this Order

- to demonstrate to the satisfaction of the Temporary Monitor that such persons are not removing from the premises immigration forms or supporting documents;
- C. Identify, review, and copy the Defendants' business records and financial transactions as they relate to the immigration services practices alleged in the FTC's Complaint and ensure that all such documents are preserved;
 - D. Identify and create a contact list of all Defendants' immigration services customers;
 - E. Provide timely notice to Defendants' immigration services customers of their right to take possession of their own immigration forms and supporting documents;
 - F. Return all immigration forms and supporting documents to Defendants' customers who request their immigration forms and supporting documents;
 - G. Provide information about authorized immigration service providers in the Baltimore, Maryland area to facilitate any immigration services customer's request for assistance with their immigration applications;
 - H. Retain exclusive custody, control, and possession of all immigration forms and supporting documents not returned to any immigration services customers until such time as the Court directs otherwise;
 - I. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists (collectively, "Professionals"), as the Temporary Monitor deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order, which

Professionals shall apply for payment of fees and costs along with the Temporary Monitor and be paid from Defendants' assets;

- J. Determine and implement the manner in which Defendants will comply with, and prevent violations of, this Order and all other applicable laws including, but not limited to, revising sales materials and implementing monitoring procedures;
- K. Maintain accurate records of all receipts and expenditures that he makes as Temporary Monitor;
- L. Cooperate with reasonable requests for information or assistance from any state or federal law enforcement agency; and
- M. Make periodic reports, observations and recommendations to this Court and seek guidance and instructions from this Court if the Temporary Monitor deems necessary upon one day's written or oral notice to all parties who filed an appearance in this proceeding.

XII. Defendants' Cooperation With The Temporary Monitor

IT IS FURTHER ORDERED that the Defendants and all other persons or entities served with a copy of this Order shall fully cooperate with and assist the Temporary Monitor. This cooperation and assistance shall include but not be limited to, providing information to the Temporary Monitor that the Temporary Monitor deems necessary in order to discharge the responsibilities of the Temporary Monitor under this Order; and providing any password required to access any computer, electronic file, or telephone data in any medium. Defendants are temporarily restrained and enjoined from directly or indirectly:

- A. Transacting any of the immigration services business of Defendants;

- B. Destroying, secreting, defacing, transferring, or otherwise altering or disposing of any immigration services forms or supporting documents of Defendants including, but not limited to, books, records, accounts, writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations, electronically stored records, or any other papers of any kind or nature;
- C. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any assets owned, controlled, or in the possession or custody of, or in which an interest is held or claimed by, the Defendants or the Temporary Monitor;
- D. Drawing on any existing line of credit available to Defendants;
- E. Excusing debts owed to Defendants;
- F. Doing any act that would, or failing to do any act which failure would, interfere with the Temporary Monitor's taking custody, control, possession, or management of the immigration services forms and supporting documents subject to this Order; or harassing or interfering with the Temporary Monitor in any way; or interfering in any manner with the exclusive jurisdiction of this Court over immigration forms and supporting documents; or refusing to cooperate with the Temporary Monitor or his duly authorized agents in the exercise of their duties or authority under any Order of this Court; and
- G. Filing, or causing to be filed, any petition on behalf of any Defendant for relief under the United States Bankruptcy Code, 11 U.S.C. §§ 101-1330 (2002), without

prior permission from this Court.

XIII. Delivery of Immigration Services Forms and Supporting Documents

IT IS FURTHER ORDERED that:

A. Immediately upon service of this Order upon them, or within such period as may be permitted by the Temporary Monitor, Defendants or any other person shall transfer or deliver possession, custody, and control of the following to the Temporary Monitor:

1. All immigration forms and supporting documents of the Defendants, including but not limited to, books and records of accounts, legal files (whether held by Defendants or their counsel), all financial and accounting records, balance sheets, income statements, bank records (including monthly statements, canceled checks, records of wire transfers, and check registers), client lists, title documents, and other papers;
2. All of Defendants' accounting records, tax records, and tax returns controlled by, or in the possession of, any bookkeeper, accountant, enrolled agent, licensed tax preparer, or certified public accountant;
3. All loan applications made by or on behalf of Defendants and supporting documents held by any type of lender including, but not limited to, banks, savings and loans, thrifts, or credit unions; and
4. All keys and codes necessary to gain or secure access to any assets or documents of Defendants including, but not limited to, access to their business premises, means of communication, accounts, computer systems,

or other property; and

- B. In the event any person or entity fails to deliver or transfer any immigration form or supporting document or otherwise fails to comply with any provision of this Paragraph, the Temporary Monitor may file *ex parte* an Affidavit of Non-Compliance regarding the failure. Upon filing of the affidavit, in addition to other remedies available to the Temporary Monitor, the Court may authorize, without additional process or demand, Writs of Possession or Sequestration or other equitable writs requested by the Temporary Monitor. The writs shall authorize and direct the United States Marshal or any sheriff or deputy sheriff of any county, or any other federal or state law enforcement officer, to seize the document or other thing and to deliver it to the Temporary Monitor.

XIV. Collection of Defendants' Mail

IT IS FURTHER ORDERED that:

- A. All Defendants are temporarily restrained and enjoined from opening mail addressed to the Defendants, including but not limited to, mail received at the following address:
1. 10 North Calvert Street, Suite 700, Baltimore, Maryland; and
 2. Any other address used by any of the Defendants related to any immigration service;
- B. The Temporary Monitor is authorized to open all mail received at Defendants' business address(es) (The Temporary Monitor shall forward non-business mail, if any, to the Individual Defendant's last known personal address);

- C. Any funds related to any immigration service enclosed in any mail shall be maintained and accounted for by the Temporary Monitor until further order by the Court; and
- D. Any Defendant who receives mail or any delivery addressed to a Defendant related to any immigration service shall promptly deliver it unopened to the Temporary Monitor.

XV. Compensation of Temporary Monitor

IT IS FURTHER ORDERED that the Temporary Monitor, and personnel hired by the Temporary Monitor to perform the duties under this Order, are entitled to a reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Defendants' assets. To obtain payment, the Temporary Monitor shall file with the Court and serve on the parties a request for compensation detailing fees and costs incurred. The Court shall grant the Temporary Monitor's request for compensation as it deems reasonable.

XVI. Temporary Monitor's Bond/Liability

IT IS FURTHER ORDERED that no bond shall be required in connection with the appointment of the Temporary Monitor. Except for an act of gross negligence, the Temporary Monitor and his personnel shall not be liable for any loss or damage incurred by any of the Defendants, their officers, agents, servants, employees, attorneys, or any other person, by reason of any act performed or omitted to be performed by the Temporary Monitor or his personnel in connection with the discharge of his duties and responsibilities.

ADDITIONAL NOTIFICATION PROVISIONS

XVII. Service of Order

IT IS FURTHER ORDERED that copies of this Order may be served by any means, including facsimile transmission, email, and overnight delivery service, upon any financial institution or other entity or person that may have possession, custody, or control of any documents or assets of any Defendant, or that may be subject to any provision of this Order. Pursuant to Fed. R. Civ. P. 4(c)(2), this Order and the initial papers filed in this matter may be served on Defendants, upon the business premises of Defendants, and upon any financial institution or other entity or person that may have possession, custody, or control of any documents or assets of any of the Defendants, or that may be subject to any provision of this Order, by employees of the FTC, by employees of any other law enforcement agency, by any agent of Plaintiff FTC, or by any agent of any process service retained by Plaintiff FTC.

XVIII. Distribution of Order by Defendants

IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of this Order to each affiliate, sales entity, successor, assign, member, officer, employee, agent, servant, attorney, subsidiary, division, and representative of any of the Defendants, and shall, within three (3) days from the date of entry of this Order, provide the FTC with a sworn statement that Defendants have complied with this provision of the Order, which statement shall include the names and addresses of each such person or entity who received a copy of this Order.

XIX. Expedited Discovery

IT IS FURTHER ORDERED that pursuant to Federal Rules of Civil Procedure 30(a), 31(a), 34, and 45, and notwithstanding the provisions of Federal Rules of Civil Procedure 26(d)

and (f), 30(a)(2)(A), and 31(a)(2)(A), Plaintiff FTC is granted leave, at any time after entry of this Order to:

- A. Take the deposition of any person or entity, whether or not a party, for the purpose of discovering the nature, location, status, and extent of the assets of Defendants, and Defendants' affiliates and subsidiaries; the nature and location of documents reflecting the immigration services business transactions of Defendants, and Defendants' affiliates and subsidiaries; the location of any premises where Defendants, directly or through any third party, conduct business operations; the Defendants' whereabouts; and/or the applicability of any evidentiary privileges to this action; and
- B. Demand the production of documents from any person or entity, whether or not a party, relating to the nature, status, and extent of the assets of Defendants, and Defendants' affiliates and subsidiaries; the nature and location of documents reflecting the immigration services business transactions of Defendants, and Defendants' affiliates and subsidiaries; the location of any premises where Defendants, directly or through any third party, conduct business operations; the Defendants' whereabouts; and/or the applicability of any evidentiary privileges to this action.

Three (3) days notice shall be deemed sufficient for any such deposition, five (5) days notice shall be deemed sufficient for the production of any such documents, and twenty-four (24) hours notice shall be deemed sufficient for the production of any such documents that are maintained or stored only as electronic data. The provisions of this Section shall apply both to

parties to this case and to non-parties. The limitations and conditions set forth in Federal Rules of Civil Procedure 30(a)(2)(B) and 31(a)(2)(B) regarding subsequent depositions of an individual shall not apply to depositions taken pursuant to this Section. Any such depositions taken pursuant to this Section shall not be counted toward any limit on the number of depositions under the Federal Rules of Civil Procedure, including those set forth in Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) or the Local Rules of Civil Procedure for the United States District Court for the District of Maryland. Service of discovery upon a party, taken pursuant to this Section, shall be sufficient if made through the means described in Section XXI of this Order.

XX. 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 may furnish a consumer or credit report concerning any Defendant to Plaintiff FTC.

PRELIMINARY INJUNCTION PROCEEDINGS

XXI. Order to Show Cause

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. P. 65(b), Defendants shall appear before this Court, located at United States District Court for the Northern District of Maryland, Baltimore Division, 101 West Lombard Street, Baltimore, Maryland 21201, on the 14th day of June, 2011, at 10:00 o'clock a.m., to show cause why this Court should not enter a preliminary injunction, pending final ruling on the Complaint, against Defendants enjoining them from violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), imposing additional

relief as may be appropriate, and continue the appointment of the Temporary Monitor over Defendants.

IT IS FURTHER ORDERED that, in support of its application for a preliminary injunction, Plaintiff FTC may submit supplemental evidence discovered subsequent to the filing of its application for a TRO, as well as a supplemental memorandum. Plaintiff FTC shall file and serve any supplemental evidence and memorandum by no later than 4:30 p.m. on the third court day prior to the preliminary injunction hearing as scheduled above. The documents may be served on each Defendant by emailing, faxing, or delivering the document(s) to the attorney(s) for the Defendants, or, if the Defendants are not represented by counsel, to a fax number or email address previously designated by the Defendants in writing to counsel for Plaintiff FTC; if the 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 the Defendants to counsel for Plaintiff 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 and the appointment of a permanent monitor over the Defendants, including any declarations, exhibits, memoranda or other evidence on which they intend to rely, and objections to any evidence submitted by Plaintiff FTC, by no later than 4:30 p.m. of the fourth court day prior to the hearing on the preliminary injunction. Such documents may be served by email or fax upon Plaintiff FTC's counsel.

IT IS FURTHER ORDERED that Plaintiff FTC shall file and serve any reply to Defendants' opposition by no later than the second court day prior to the preliminary injunction hearing.

IT IS FURTHER ORDERED that service on the FTC shall be performed by delivery to:

Eliseo N. Padilla
Federal Trade Commission
1999 Bryan Street, Suite 2150
Dallas, Texas 75201
(214) 979-9382 [telephone]
(214) 953-3079 [facsimile]
epadilla@ftc.gov

XXII. Examination of Witnesses

IT IS FURTHER ORDERED that the preliminary injunction hearing will be conducted on the papers served and filed by the parties and on oral argument by counsel. No live witness testimony will be heard.

XXIII. Expiration Date of Temporary Restraining Order

IT IS FURTHER ORDERED that this Temporary Restraining Order shall expire on June 14, 2011, at 5:00 p.m. (EDT), unless before such time the Order is extended for good cause shown, or by consent of the parties.

XXIV. Retention of Jurisdiction

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

XXV. Defendant's Right to Seek Rescission or Revision

IT IS FURTHER ORDERED that this Order is without prejudice to the right of Defendants and/or other person(s) having standing to file a motion seeking rescission or revision of the instant Order requesting a prompt hearing on said motion.

SO ORDERED, on Wednesday, June 1, 2011.

/s /

Marvin J. Garbis
United States District Judge

CONSENT TO RELEASE OF FINANCIAL RECORDS

I, _____, of the State of _____, in the United States of America or of _____, outside of the United States of America, do hereby direct any bank or trust company at which I have an account of any kind or at which a corporation has an account of any kind upon which I am authorized to draw, and its officers, employees, and agents, to disclose all information and deliver copies of all documents of every nature in your possession or control, which related to said accounts, to any attorney of the United States Federal Trade Commission, and to give evidence relevant thereto, in the matter of *Federal Trade Commission v. Loma International Business Group, Inc., et al.*, now pending in the United States District Court for the District of Maryland, and this shall be irrevocable authority for so doing. This direction has been executed pursuant to a certain Order of the United States District Court for the District of Maryland in connection with that matter. This direction is intended to apply to the laws of countries other than the United States of America which restrict or prohibit the disclosure of bank information without the consent of the holder or beneficial owner of the account, and shall be construed as consent with respect thereto, and the same shall apply to any of the bank accounts for which I may be a relevant principal.

Dated: _____, 2011

FEDERAL TRADE COMMISSION

FINANCIAL STATEMENT OF INDIVIDUAL DEFENDANT

Instructions:

1. Complete all items. Enter "None" or "N/A" ("Not Applicable") where appropriate. If you cannot fully answer a question, explain why.
2. The font size within each field will adjust automatically as you type to accommodate longer responses.
3. "Dependents" include your live-in companion, dependent children, or any other person, whom you or your spouse (or your children's other parent) claimed or could have claimed as a dependent for tax purposes at any time during the past five years.
4. "Assets" and "Liabilities" include ALL assets and liabilities, located within the United States or elsewhere, whether held individually or jointly.
5. Attach continuation pages as needed. On the financial statement, state next to the Item number that the Item is being continued. On the continuation page(s), identify the Item number(s) being continued.
6. Type or print legibly.
7. Initial each page in the space provided in the lower right corner.
8. Sign and date the completed financial statement on the last page.

Penalty for False Information:

Federal law provides that any person may be imprisoned for not more than five years, fined, or both, if such person:

- (1) "in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry" (18 U.S.C. § 1001);
- (2) "in any . . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true" (18 U.S.C. § 1621); or
- (3) "in any (. . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information . . . knowing the same to contain any false material declaration" (18 U.S.C. § 1623).

For a felony conviction under the provisions cited above, federal law provides that the fine may be not more than the greater of (i) \$250,000 for an individual or \$500,000 for a corporation, or (ii) if the felony results in pecuniary gain to any person or pecuniary loss to any person other than the defendant, the greater of twice the gross gain or twice the gross loss. 18 U.S.C. § 3571.

BACKGROUND INFORMATION

Item 1. Information About You

Your Full Name _____ Social Security No. _____

Place of Birth _____ Date of Birth _____ Drivers License No. _____

Current Address _____ From (Date) _____

Rent or Own? _____ Telephone No. _____ Facsimile No. _____

E-Mail Address _____ Internet Home Page _____

Previous Addresses for past five years:

Address _____ Rent or Own? _____ From/Until _____

Address _____ Rent or Own? _____ From/Until _____

Identify any other name(s) and/or social security number(s) you have used, and the time period(s) during which they were used _____

Item 2. Information About Your Spouse or Live-In Companion

Spouse/Companion's Name _____ Social Security No. _____

Place of Birth _____ Date of Birth _____

Identify any other name(s) and/or social security number(s) your spouse/companion has used, and the time period(s) during which they were used _____

Address (if different from yours) _____

From (Date) _____ Rent or Own? _____ Telephone No. _____

Employer's Name and Address _____

Job Title _____ Years in Present Job _____ Annual Gross Salary/Wages \$ _____

Item 3. Information About Your Previous Spouse

Previous Spouse's Name & Address _____

_____ Social Security No. _____ Date of Birth _____

Item 4. Contact Information

Name & Address of Nearest Living Relative or Friend _____

Telephone No. _____

Item 5. Information About Dependents Who Live With You

▶Name _____ Date of Birth _____
Relationship _____ Social Security No. _____
▶Name _____ Date of Birth _____
Relationship _____ Social Security No. _____
▶Name _____ Date of Birth _____
Relationship _____ Social Security No. _____

Item 6. Information About Dependents Who Do Not Live With You

▶Name & Address _____
Date of Birth _____ Relationship _____ Social Security No. _____
▶Name Address _____
Date of Birth _____ Relationship _____ Social Security No. _____
▶Name & Address _____
Date of Birth _____ Relationship _____ Social Security No. _____

Item 7. Employment Information

Provide the following information for this year-to-date and for each of the previous five full years, for each company of which you were a director, officer, employee, agent, contractor, participant or consultant at any time during that period. "Income" includes, but is not limited to, any salary, commissions, draws, consulting fees, loans, loan payments, dividends, royalties or other benefits for which you did not pay (e.g., health insurance premiums, automobile lease or loan payments) received by you or anyone else on your behalf.

▶Company Name & Address _____
Dates Employed: From (Month/Year) _____ To (Month/Year) _____
Positions Held with Beginning and Ending Dates _____

Item 7. continued

Income Received: This year-to-date: \$ _____ : \$ _____
20____ : \$ _____ : \$ _____
_____ : \$ _____ : \$ _____

►Company Name & Address _____

Dates Employed: From (Month/Year) _____ To (Month/Year) _____

Positions Held with Beginning and Ending Dates _____

Income Received: This year-to-date: \$ _____ : \$ _____
20____ : \$ _____ : \$ _____
_____ : \$ _____ : \$ _____

►Company Name & Address _____

Dates Employed: From (Month/Year) _____ To (Month/Year) _____

Positions Held with Beginning and Ending Dates _____

Income Received: This year-to-date: \$ _____ : \$ _____
20____ : \$ _____ : \$ _____
_____ : \$ _____ : \$ _____

Item 8. Pending Lawsuits Filed by You or Your Spouse

List all pending lawsuits that have been filed by you or your spouse in court or before an administrative agency. (List lawsuits that resulted in final judgments or settlements in Items 16 and 25).

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Item 9. Pending Lawsuits Filed Against You or Your Spouse

List all pending lawsuits that have been filed against you or your spouse in court or before an administrative agency. (List lawsuits that resulted in final judgments or settlements in Items 16 and 25).

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Item 10. Safe Deposit Boxes

List all safe deposit boxes, located within the United States or elsewhere, held by you, your spouse, or any of your dependents, or held by others for the benefit of you, your spouse, or any of your dependents. *On a separate page, describe the contents of each box.*

| <u>Owner's Name</u> | <u>Name & Address of Depository Institution</u> | <u>Box No.</u> |
|---------------------|-----------------------------------------------------|----------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Item 11. Business Interests

List all businesses for which you, your spouse, or your dependents are an officer or director.

►Business' Name & Address _____

Business Format (e.g., corporation) _____ Description of Business _____

_____ Position(s) Held, and By Whom _____

►Business' Name & Address _____

Business Format (e.g., corporation) _____ Description of Business _____

_____ Position(s) Held, and By Whom _____

►Business' Name & Address _____

Business Format (e.g., corporation) _____ Description of Business _____

_____ Position(s) Held, and By Whom _____

FINANCIAL INFORMATION: ASSETS AND LIABILITIES

REMINDER: "Assets" and "Liabilities" include ALL assets and liabilities, located within the United States or elsewhere, whether held individually or jointly.

Item 12. Cash, Bank, and Money Market Accounts

List cash and all bank and money market accounts, including but not limited to, checking accounts, savings accounts, and certificates of deposit, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents. The term "cash" includes currency and uncashed checks.

Cash on Hand \$ _____ Cash Held For Your Benefit \$ _____

| <u>Name on Account</u> | <u>Name & Address of Financial Institution</u> | <u>Account No.</u> | <u>Current Balance</u> |
|------------------------|----------------------------------------------------|--------------------|------------------------|
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |

Item 13. U.S. Government Securities

List all U.S. Government securities, including but not limited to, savings bonds, treasury bills, and treasury notes, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

| <u>Name on Account</u> | <u>Type of Obligation</u> | <u>Security Amount</u> | <u>Maturity Date</u> |
|------------------------|---------------------------|------------------------|----------------------|
| _____ | _____ | \$ _____ | _____ |
| _____ | _____ | \$ _____ | _____ |
| _____ | _____ | \$ _____ | _____ |

Item 14. Publicly Traded Securities and Loans Secured by Them

List all publicly traded securities, including but not limited to, stocks, stock options, registered and bearer bonds, state and municipal bonds, and mutual funds, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

► Issuer _____ Type of Security _____ No. of Units Owned _____

Name on Security _____ Current Fair Market Value \$ _____ Loan(s) Against Security \$ _____

Broker House, Address _____ Broker Account No. _____

► Issuer _____ Type of Security _____ No. of Units Owned _____

Name on Security _____ Current Fair Market Value \$ _____ Loan(s) Against Security \$ _____

Broker House, Address _____ Broker Account No. _____

Item 15. Other Business Interests

List all other business interests, including but not limited to, non-public corporations, subchapter-S corporations, limited liability corporations ("LLCs"), general or limited partnership interests, joint ventures, sole proprietorships, and oil and mineral leases, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

► Business Format _____ Business' Name & Address _____

_____ Ownership % _____

Owner (e.g., self, spouse) _____ Current Fair Market Value \$ _____

► Business Format _____ Business' Name & Address _____

_____ Ownership % _____

Owner (e.g., self, spouse) _____ Current Fair Market Value \$ _____

Item 16. Monetary Judgments or Settlements Owed to You, Your Spouse, or Your Dependents

List all monetary judgments or settlements owed to you, your spouse, or your dependents.

► Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

► Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Item 17. Other Amounts Owed to You, Your Spouse, or Your Dependents

List all other amounts owed to you, your spouse, or your dependents.

Debtor's Name, Address, & Telephone No. _____

Original Amount Owed \$ _____ Current Amount Owed \$ _____ Monthly Payment \$ _____

Item 18. Life Insurance Policies

List all life insurance policies held by you, your spouse, or your dependents.

►Insurance Company's Name, Address, & Telephone No. _____

Insured _____ Beneficiary _____ Face Value \$ _____

Policy No. _____ Loans Against Policy \$ _____ Surrender Value \$ _____

►Insurance Company's Name, Address, & Telephone No. _____

Insured _____ Beneficiary _____ Face Value \$ _____

Policy No. _____ Loans Against Policy \$ _____ Surrender Value \$ _____

Item 19. Deferred Income Arrangements

List all deferred income arrangements, including but not limited to, deferred annuities, pensions plans, profit-sharing plans, 401(k) plans, IRAs, Keoghs, and other retirement accounts, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

►Name on Account _____ Type of Plan _____ Date Established _____

Trustee or Administrator's Name, Address & Telephone No. _____

Account No. _____ Surrender Value \$ _____

►Name on Account _____ Type of Plan _____ Date Established _____

Trustee or Administrator's Name, Address & Telephone No. _____

Account No. _____ Surrender Value \$ _____

Item 20. Personal Property

List all personal property, by category, whether held for personal use or for investment, including but not limited to, furniture and household goods of value, computer equipment, electronics, coins, stamps, artwork, gemstones, jewelry, bullion, other collectibles, copyrights, patents, and other intellectual property, held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

| <u>Property Category</u> (e.g., artwork, jewelry) | <u>Name of Owner</u> | <u>Property Location</u> | <u>Acquisition Cost</u> | <u>Current Value</u> |
|------------------------------------------------------|----------------------|--------------------------|-------------------------|----------------------|
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |

Item 21. Cars, Trucks, Motorcycles, Boats, Airplanes, and Other Vehicles

List all cars, trucks, motorcycles, boats, airplanes, and other vehicles owned or operated by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

▶ Vehicle Type _____ Make _____ Model _____ Year _____

Registered Owner's Name _____ Registration State & No. _____

Address of Vehicle's Location _____

Purchase Price \$ _____ Current Value \$ _____ Account/Loan No. _____

Lender's Name and Address _____

Original Loan Amount \$ _____ Current Loan Balance \$ _____ Monthly Payment \$ _____

▶ Vehicle Type _____ Make _____ Model _____ Year _____

Registered Owner's Name _____ Registration State & No. _____

Address of Vehicle's Location _____

Purchase Price \$ _____ Current Value \$ _____ Account/Loan No. _____

Lender's Name and Address _____

Original Loan Amount \$ _____ Current Loan Balance \$ _____ Monthly Payment \$ _____

Item 21. Continued

► Vehicle Type _____ Make _____ Model _____ Year _____

Registered Owner's Name _____ Registration State & No. _____

Address of Vehicle's Location _____

Purchase Price \$ _____ Current Value \$ _____ Account/Loan No. _____

Lender's Name and Address _____

Original Loan Amount \$ _____ Current Loan Balance \$ _____ Monthly Payment \$ _____

Item 22. Real Property

List all real estate held by you, your spouse, or your dependents, or held by others for the benefit of you, your spouse, or your dependents.

► Type of Property _____ Property's Location _____

Name(s) on Title and Ownership Percentages _____

Acquisition Date _____ Purchase Price \$ _____ Current Value \$ _____

Basis of Valuation _____ Loan or Account No. _____

Lender's Name and Address _____

Current Balance On First Mortgage \$ _____ Monthly Payment \$ _____

Other Loan(s) (describe) _____ Current Balance \$ _____

Monthly Payment \$ _____ Rental Unit? _____ Monthly Rent Received \$ _____

► Type of Property _____ Property's Location _____

Name(s) on Title and Ownership Percentages _____

Acquisition Date _____ Purchase Price \$ _____ Current Value \$ _____

Basis of Valuation _____ Loan or Account No. _____

Lender's Name and Address _____

Current Balance On First Mortgage \$ _____ Monthly Payment \$ _____

Other Loan(s) (describe) _____ Current Balance \$ _____

Monthly Payment \$ _____ Rental Unit? _____ Monthly Rent Received \$ _____

Item 23. Credit Cards

List each credit card held by you, your spouse, or your dependents. Also list any other credit cards that you, your spouse, or your dependents use.

| <u>Name of Credit Card (e.g., Visa, MasterCard, Department Store)</u> | <u>Account No.</u> | <u>Name(s) on Account</u> | <u>Current Balance</u> | <u>Minimum Monthly Payment</u> |
|-----------------------------------------------------------------------|--------------------|---------------------------|------------------------|--------------------------------|
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ | \$ _____ |

Item 24. Taxes Payable

List all taxes, such as income taxes or real estate taxes, owed by you, your spouse, or your dependents.

| <u>Type of Tax</u> | <u>Amount Owed</u> | <u>Year Incurred</u> |
|--------------------|--------------------|----------------------|
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |
| _____ | \$ _____ | _____ |

Item 25. Judgments or Settlements Owed

List all judgments or settlements owed by you, your spouse, or your dependents.

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date _____ Amount \$ _____

Item 29. Trusts and Escrows

List all funds or other assets that are being held in trust or escrow by any person or entity for you, your spouse, or your dependents. Also list all funds or other assets that are being held in trust or escrow by you, your spouse, or your dependents, for any person or entity. *Provide copies of all executed trust documents.*

| <u>Trustee or Escrow Agent's Name & Address</u> | <u>Date Established</u> | <u>Grantor</u> | <u>Beneficiaries</u> | <u>Present Market Value of Assets</u> |
|---------------------------------------------------------|-----------------------------|----------------|----------------------|-------------------------------------------|
| _____ | _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | _____ | \$ _____ |

Item 30. Transfers of Assets

List each person to whom you have transferred, in the aggregate, more than \$2,500 in funds or other assets during the previous three years by loan, gift, sale, or other transfer. For each such person, state the total amount transferred during that period.

| <u>Transferee's Name, Address, & Relationship</u> | <u>Property Transferred</u> | <u>Aggregate Value</u> | <u>Transfer Date</u> | <u>Type of Transfer (e.g., Loan, Gift)</u> |
|-------------------------------------------------------|---------------------------------|----------------------------|--------------------------|------------------------------------------------|
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |

SUMMARY FINANCIAL SCHEDULES

Item 31. Combined Balance Sheet for You, Your Spouse, and Your Dependents

| <u>ASSETS</u> | | <u>LIABILITIES</u> | |
|---------------------------------------------------|-----------------|-------------------------------------------------------|-----------------|
| Cash on Hand (Item 12) | \$ _____ | Credit Cards (Item 23) | \$ _____ |
| Cash in Financial Institutions (Item 12) | \$ _____ | Motor Vehicles - Liens (Item 21) | \$ _____ |
| U.S. Government Securities (Item 13) | \$ _____ | Real Property - Encumbrances (Item 22) | \$ _____ |
| Publicly Traded Securities (Item 14) | \$ _____ | Loans Against Publicly Traded Securities (Item 14) | \$ _____ |
| Other Business Interests (Item 15) | \$ _____ | Taxes Payable (Item 24) | \$ _____ |
| Judgments or Settlements Owed to You (Item 16) | \$ _____ | Judgments or Settlements Owed (Item 25) | \$ _____ |
| Other Amounts Owed to You (Item 17) | \$ _____ | Other Loans and Liabilities (Item 26) | \$ _____ |
| Surrender Value of Life Insurance (Item 18) | \$ _____ | <u>Other Liabilities (Itemize)</u> | |
| Deferred Income Arrangements (Item 19) | \$ _____ | _____ | \$ _____ |
| Personal Property (Item 20) | \$ _____ | _____ | \$ _____ |
| Motor Vehicles (Item 21) | \$ _____ | _____ | \$ _____ |
| Real Property (Item 22) | \$ _____ | _____ | \$ _____ |
| <u>Other Assets (Itemize)</u> | | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| Total Assets | \$ <u>_____</u> | Total Liabilities | \$ <u>_____</u> |

Item 32. Combined Average Monthly Income and Expenses for You, Your Spouse, and Your Dependents for the Last 6 Months

Provide the average monthly income and expenses for you, your spouse, and your dependents for the last 6 months. Do not include credit card payments separately; rather, include credit card expenditures in the appropriate categories.

| <u>INCOME</u> | | <u>EXPENSES</u> | |
|--------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------|-----------------|
| Salary - After Taxes | \$ _____ | Mortgage Payments for Residence(s) | \$ _____ |
| Fees, Commissions, and Royalties | \$ _____ | Property Taxes for Residence(s) | \$ _____ |
| Interest | \$ _____ | Rental Property Expenses, Including Mortgage Payments, Taxes, and Insurance | \$ _____ |
| Dividends and Capital Gains | \$ _____ | Car or Other Vehicle Lease or Loan Payments | \$ _____ |
| Gross Rental Income | \$ _____ | Food Expenses | \$ _____ |
| Profits from Sole Proprietorships | \$ _____ | Clothing Expenses | \$ _____ |
| Distributions from Partnerships, S-Corporations, and LLCs | \$ _____ | Utilities | \$ _____ |
| Distributions from Trusts and Estates | \$ _____ | Medical Expenses, Including Insurance | \$ _____ |
| Distributions from Deferred Income Arrangements | \$ _____ | Other Insurance Premiums | \$ _____ |
| Social Security Payments | \$ _____ | Other Transportation Expenses | \$ _____ |
| Alimony/Child Support Received | \$ _____ | Other Household Expenses | \$ _____ |
| Gambling Income | \$ _____ | <u>Other Expenses (Itemize)</u> | |
| <u>Other Income (Itemize)</u> | | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| Total Income | \$ _____ | Total Expenses | \$ _____ |

FEDERAL TRADE COMMISSION

FINANCIAL STATEMENT OF CORPORATE DEFENDANT

Instructions:

1. Complete all items. Enter "None" or "N/A" ("Not Applicable") where appropriate. If you cannot fully answer a question, explain why.
2. The font size within each field will adjust automatically as you type to accommodate longer responses.
3. In completing this financial statement, "the corporation" refers not only to this corporation but also to each of its predecessors that are not named defendants in this action.
4. When an Item asks for information about assets or liabilities "held by the corporation," include ALL such assets and liabilities, located within the United States or elsewhere, held by the corporation or held by others for the benefit of the corporation.
5. Attach continuation pages as needed. On the financial statement, state next to the Item number that the Item is being continued. On the continuation page(s), identify the Item number being continued.
6. Type or print legibly.
7. An officer of the corporation must sign and date the completed financial statement on the last page and initial each page in the space provided in the lower right corner.

Penalty for False Information:

Federal law provides that any person may be imprisoned for not more than five years, fined, or both, if such person:

- (1) "in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry" (18 U.S.C. § 1001);
- (2) "in any . . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true" (18 U.S.C. § 1621); or
- (3) "in any (. . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information . . . knowing the same to contain any false material declaration." (18 U.S.C. § 1623)

For a felony conviction under the provisions cited above, federal law provides that the fine may be not more than the greater of (i) \$250,000 for an individual or \$500,000 for a corporation, or (ii) if the felony results in pecuniary gain to any person or pecuniary loss to any person other than the defendant, the greater of twice the gross gain or twice the gross loss. 18 U.S.C. § 3571.

BACKGROUND INFORMATION

Item 1. General Information

Corporation's Full Name _____

Primary Business Address _____ From (Date) _____

Telephone No. _____ Fax No. _____

E-Mail Address _____ Internet Home Page _____

All other current addresses & previous addresses for past five years, including post office boxes and mail drops:

Address _____ From/Until _____

Address _____ From/Until _____

Address _____ From/Until _____

All predecessor companies for past five years:

Name & Address _____ From/Until _____

Name & Address _____ From/Until _____

Name & Address _____ From/Until _____

Item 2. Legal Information

Federal Taxpayer ID No. _____ State & Date of Incorporation _____

State Tax ID No. _____ State _____ Profit or Not For Profit _____

Corporation's Present Status: Active _____ Inactive _____ Dissolved _____

If Dissolved: Date dissolved _____ By Whom _____

Reasons _____

Fiscal Year-End (Mo./Day) _____ Corporation's Business Activities _____

Item 3. Registered Agent

Name of Registered Agent _____

Address _____ Telephone No. _____

Item 7. Businesses Related to the Corporation

List all corporations, partnerships, and other business entities in which this corporation has an ownership interest.

| <u>Name & Address</u> | <u>Business Activities</u> | <u>% Owned</u> |
|---------------------------|----------------------------|----------------|
| | | |
| | | |
| | | |

State which of these businesses, if any, has ever transacted business with the corporation _____

Item 8. Businesses Related to Individuals

List all corporations, partnerships, and other business entities in which the corporation's principal stockholders, board members, or officers (i.e., the individuals listed in Items 4 - 6 above) have an ownership interest.

| <u>Individual's Name</u> | <u>Business Name & Address</u> | <u>Business Activities</u> | <u>% Owned</u> |
|--------------------------|------------------------------------|----------------------------|----------------|
| | | | |
| | | | |
| | | | |

State which of these businesses, if any, have ever transacted business with the corporation _____

Item 9. Related Individuals

List all related individuals with whom the corporation has had any business transactions during the three previous fiscal years and current fiscal year-to-date. A "related individual" is a spouse, sibling, parent, or child of the principal stockholders, board members, and officers (i.e., the individuals listed in Items 4 - 6 above).

| <u>Name and Address</u> | <u>Relationship</u> | <u>Business Activities</u> |
|-------------------------|---------------------|----------------------------|
| | | |
| | | |
| | | |

Item 10. Outside Accountants

List all outside accountants retained by the corporation during the last three years.

| <u>Name</u> | <u>Firm Name</u> | <u>Address</u> | <u>CPA/PA?</u> |
|-------------|------------------|----------------|----------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Item 11. Corporation's Recordkeeping

List all individuals within the corporation with responsibility for keeping the corporation's financial books and records for the last three years.

| <u>Name, Address, & Telephone Number</u> | <u>Position(s) Held</u> |
|----------------------------------------------|-------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Item 12. Attorneys

List all attorneys retained by the corporation during the last three years.

| <u>Name</u> | <u>Firm Name</u> | <u>Address</u> |
|-------------|------------------|----------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Item 13. Pending Lawsuits Filed by the Corporation

List all pending lawsuits that have been filed by the corporation in court or before an administrative agency. (List lawsuits that resulted in final judgments or settlements in favor of the corporation in Item 25).

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Item 14. Current Lawsuits Filed Against the Corporation

List all pending lawsuits that have been filed against the corporation in court or before an administrative agency. (List lawsuits that resulted in final judgments, settlements, or orders in Items 26 - 27).

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Opposing Party's Name & Address _____

Court's Name & Address _____

Docket No. _____ Relief Requested _____ Nature of Lawsuit _____

_____ Status _____

Item 15. Bankruptcy Information

List all state insolvency and federal bankruptcy proceedings involving the corporation.

Commencement Date _____ Termination Date _____ Docket No. _____

If State Court: Court & County _____ If Federal Court: District _____

Disposition _____

Item 16. Safe Deposit Boxes

List all safe deposit boxes, located within the United States or elsewhere, held by the corporation, or held by others for the benefit of the corporation. *On a separate page, describe the contents of each box.*

| | | |
|---------------------|-----------------------------------------------------|----------------|
| <u>Owner's Name</u> | <u>Name & Address of Depository Institution</u> | <u>Box No.</u> |
|---------------------|-----------------------------------------------------|----------------|

| | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |

FINANCIAL INFORMATION

REMINDER: When an Item asks for information about assets or liabilities "held by the corporation," include ALL such assets and liabilities, located within the United States or elsewhere, held by the corporation or held by others for the benefit of the corporation.

Item 17. Tax Returns

List all federal and state corporate tax returns filed for the last three complete fiscal years. *Attach copies of all returns.*

| <u>Federal/ State/Both</u> | <u>Tax Year</u> | <u>Tax Due Federal</u> | <u>Tax Paid Federal</u> | <u>Tax Due State</u> | <u>Tax Paid State</u> | <u>Preparer's Name</u> |
|--------------------------------|-----------------|----------------------------|-----------------------------|--------------------------|---------------------------|------------------------|
| | | \$ _____ | \$ _____ | \$ _____ | \$ _____ | |
| | | \$ _____ | \$ _____ | \$ _____ | \$ _____ | |
| | | \$ _____ | \$ _____ | \$ _____ | \$ _____ | |


Item 18. Financial Statements

List all financial statements that were prepared for the corporation's last three complete fiscal years and for the current fiscal year-to-date. *Attach copies of all statements, providing audited statements if available.*

| <u>Year</u> | <u>Balance Sheet</u> | <u>Profit & Loss Statement</u> | <u>Cash Flow Statement</u> | <u>Changes in Owner's Equity</u> | <u>Audited?</u> |
|-------------|----------------------|------------------------------------|----------------------------|----------------------------------|-----------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

Item 19. Financial Summary

For each of the last three complete fiscal years and for the current fiscal year-to-date for which the corporation has not provided a profit and loss statement in accordance with Item 18 above, provide the following summary financial information.

| | <u>Current Year-to-Date</u> | <u>1 Year Ago</u> | <u>2 Years Ago</u> | <u>3 Years Ago</u> |
|-------------------------------|-----------------------------|--------------------------------------------------------------------------------------|--------------------|--------------------|
| <u>Gross Revenue</u> | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| <u>Expenses</u> | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| <u>Net Profit After Taxes</u> | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| <u>Payables</u> | \$ _____ |  | | |
| <u>Receivables</u> | \$ _____ | | | |

Item 20. Cash, Bank, and Money Market Accounts

List cash and all bank and money market accounts, including but not limited to, checking accounts, savings accounts, and certificates of deposit, held by the corporation. The term "cash" includes currency and uncashed checks.

Cash on Hand \$ _____ Cash Held for the Corporation's Benefit \$ _____

| <u>Name & Address of Financial Institution</u> | <u>Signator(s) on Account</u> | <u>Account No.</u> | <u>Current Balance</u> |
|----------------------------------------------------|-------------------------------|--------------------|------------------------|
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |

Item 21. Government Obligations and Publicly Traded Securities

List all U.S. Government obligations, including but not limited to, savings bonds, treasury bills, or treasury notes, held by the corporation. Also list all publicly traded securities, including but not limited to, stocks, stock options, registered and bearer bonds, state and municipal bonds, and mutual funds, held by the corporation.

Issuer _____ Type of Security/Obligation _____

No. of Units Owned _____ Current Fair Market Value \$ _____ Maturity Date _____

Issuer _____ Type of Security/Obligation _____

No. of Units Owned _____ Current Fair Market Value \$ _____ Maturity Date _____

Item 22. Real Estate

List all real estate, including leaseholds in excess of five years, held by the corporation.

Type of Property _____ Property's Location _____

Name(s) on Title and Ownership Percentages _____

Current Value \$ _____ Loan or Account No. _____

Lender's Name and Address _____

Current Balance On First Mortgage \$ _____ Monthly Payment \$ _____

Other Loan(s) (describe) _____ Current Balance \$ _____

Monthly Payment \$ _____ Rental Unit? _____ Monthly Rent Received \$ _____

Type of Property _____ Property's Location _____

Name(s) on Title and Ownership Percentages _____

Current Value \$ _____ Loan or Account No. _____

Lender's Name and Address _____

Current Balance On First Mortgage \$ _____ Monthly Payment \$ _____

Other Loan(s) (describe) _____ Current Balance \$ _____

Monthly Payment \$ _____ Rental Unit? _____ Monthly Rent Received \$ _____

Item 23. Other Assets

List all other property, by category, with an estimated value of \$2,500 or more, held by the corporation, including but not limited to, inventory, machinery, equipment, furniture, vehicles, customer lists, computer software, patents, and other intellectual property.

| <u>Property Category</u> | <u>Property Location</u> | <u>Acquisition Cost</u> | <u>Current Value</u> |
|--------------------------|--------------------------|-------------------------|----------------------|
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |
| | | \$ _____ | \$ _____ |

Item 24. Trusts and Escrows

List all persons and other entities holding funds or other assets that are in escrow or in trust for the corporation.

| <u>Trustee or Escrow Agent's Name & Address</u> | <u>Description and Location of Assets</u> | <u>Present Market Value of Assets</u> |
|-----------------------------------------------------|-------------------------------------------|---------------------------------------|
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |
| | | \$ _____ |

Item 25. Monetary Judgments and Settlements Owed To the Corporation

List all monetary judgments and settlements, recorded and unrecorded, owed to the corporation.

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Item 26. Monetary Judgments and Settlements Owed By the Corporation

List all monetary judgments and settlements, recorded and unrecorded, owed by the corporation.

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date _____ Amount \$ _____

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Opposing Party's Name & Address _____

Court's Name & Address _____ Docket No. _____

Nature of Lawsuit _____ Date of Judgment _____ Amount \$ _____

Item 27. Government Orders and Settlements

List all existing orders and settlements between the corporation and any federal or state government entities.

Name of Agency _____ Contact Person _____

Address _____ Telephone No. _____

Agreement Date _____ Nature of Agreement _____

Item 28. Credit Cards

List all of the corporation's credit cards and store charge accounts and the individuals authorized to use them.

| <u>Name of Credit Card or Store</u> | <u>Names of Authorized Users and Positions Held</u> |
|-------------------------------------|-----------------------------------------------------|
| | |
| | |
| | |
| | |
| | |

Item 29. Compensation of Employees

List all compensation and other benefits received from the corporation by the five most highly compensated employees, independent contractors, and consultants (other than those individuals listed in Items 5 and 6 above), for the two previous fiscal years and current fiscal year-to-date. "Compensation" includes, but is not limited to, salaries, commissions, consulting fees, bonuses, dividends, distributions, royalties, pensions, and profit sharing plans. "Other benefits" include, but are not limited to, loans, loan payments, rent, car payments, and insurance premiums, whether paid directly to the individuals, or paid to others on their behalf.

| <u>Name/Position</u> | <u>Current Fiscal Year-to-Date</u> | <u>1 Year Ago</u> | <u>2 Years Ago</u> | <u>Compensation or Type of Benefits</u> |
|----------------------|------------------------------------|-------------------|--------------------|-----------------------------------------|
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |

Item 30. Compensation of Board Members and Officers

List all compensation and other benefits received from the corporation by each person listed in Items 5 and 6, for the current fiscal year-to-date and the two previous fiscal years. "Compensation" includes, but is not limited to, salaries, commissions, consulting fees, dividends, distributions, royalties, pensions, and profit sharing plans. "Other benefits" include, but are not limited to, loans, loan payments, rent, car payments, and insurance premiums, whether paid directly to the individuals, or paid to others on their behalf.

| <u>Name/Position</u> | <u>Current Fiscal Year-to-Date</u> | <u>1 Year Ago</u> | <u>2 Years Ago</u> | <u>Compensation or Type of Benefits</u> |
|----------------------|------------------------------------|-------------------|--------------------|-----------------------------------------|
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |
| | \$ _____ | \$ _____ | \$ _____ | |

Item 31. Transfers of Assets Including Cash and Property

List all transfers of assets over \$2,500 made by the corporation, other than in the ordinary course of business, during the previous three years, by loan, gift, sale, or other transfer.

| <u>Transferee's Name, Address, & Relationship</u> | <u>Property Transferred</u> | <u>Aggregate Value</u> | <u>Transfer Date</u> | <u>Type of Transfer (e.g., Loan, Gift)</u> |
|-------------------------------------------------------|-----------------------------|------------------------|----------------------|--------------------------------------------|
| | | \$ _____ | | |
| | | \$ _____ | | |
| | | \$ _____ | | |
| | | \$ _____ | | |
| | | \$ _____ | | |

Item 32. Documents Attached to the Financial Statement

List all documents that are being submitted with the financial statement.

| <u>Item No.</u> | <u>Document</u> <u>Relates To</u> | <u>Description of Document</u> |
|-----------------|--------------------------------------|--------------------------------|
| | | |
| | | |
| | | |
| | | |
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| | | |
| | | |
| | | |
| | | |

I am submitting this financial statement with the understanding that it may affect action by the Federal Trade Commission or a federal court. I have used my best efforts to obtain the information requested in this statement. The responses I have provided to the items above are true and contain all the requested facts and information of which I have notice or knowledge. I have provided all requested documents in my custody, possession, or control. I know of the penalties for false statements under 18 U.S.C. § 1001, 18 U.S.C. § 1621, and 18 U.S.C. § 1623 (five years imprisonment and/or fines). I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on:

_____ (Date)

_____ Signature

_____ Corporate Position