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12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

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15 FEDERAL TRADE COMMISSION,
16 Plaintiff,
17 vs.
18 A TO Z MARKETING, INC., *et. al*
19 Defendants.

Case No. SACV13-919-DOC-(RNBx)

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21 **FINAL ORDER FOR MONETARY JUDGMENT**
AS TO RELIEF DEFENDANT BUSINESS TEAM, LLC

22 Plaintiff, the Federal Trade Commission (FTC or Commission), filed its
23 Complaint for Injunctive and Other Equitable Relief (Dkt. 1), subsequently
24 amended as Plaintiff Federal Trade Commission’s First Amended Complaint for
25 Injunctive and Other Equitable Relief (Dkt. 176) (Amended Complaint), for a
26 permanent injunction and other equitable relief in this matter, pursuant to Sections
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1 13(b) and 19 of the Federal Trade Commission Act (FTC Act), 15 U.S.C. §§ 53(b)
2 and 57b, and the 2009 Omnibus Appropriations Act, Public Law 111-8, Section
3 626, 123 Stat. 524, 678 (March 11, 2009) (Omnibus Act), as clarified by the Credit
4 Card Accountability Responsibility and Disclosure Act of 2009, Public Law 111-
5 24, Section 511, 123 Stat. 1734, 1763-64 (May 22, 2009) (Credit Card Act), and
6 amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act,
7 Public Law 111-203, Section 1097, 124 Stat. 1376, 2102-03 (July 21, 2010)
8 (Dodd-Frank Act), 12 U.S.C. § 5538. The FTC has moved for a default judgment
9 against Relief Defendant Business Team, LLC (Relief Defendant or Business
10 Team), and the Court finds that a default judgment against Business Team is
11 appropriate.

12 THEREFORE, IT IS ORDERED as follows:

13 **FINDINGS**

- 14 1. This Court has jurisdiction over this matter. Venue is proper in this
15 District.
- 16 2. Business Team’s activities as alleged in the Amended Complaint are
17 in or affecting commerce as “commerce” is defined in Section 4 of the FTC Act,
18 15 U.S.C. § 4 , 15 U.S.C. § 44.
- 19 3. The Amended Complaint charges that Business Team is a Nevada
20 limited liability company that identifies its principal place of business as 2300
21 West Sahara Drive, Suite 800, Las Vegas, Nevada. Its managing member is
22 Mohammed Montazeran, who is the father of Defendant Amir Montazeran. The
23 Amended Complaint further charges that Business Team received ill-gotten funds
24 that were the proceeds of the unlawful acts and practices alleged in the Amended
25 Complaint, or has received funds from Defendant Montazeran without
26 consideration, and has no legitimate claim to those funds.
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1 4. Business Team had proper notice of this lawsuit. On January 15,
2 2014, it was served through its registered agent in Las Vegas, Nevada. Dkt. 199.

3 5. On May 5, 2014, the FTC filed an Application for Clerk’s Entry of
4 Default against Business Team and a Declaration of Plaintiff’s Counsel in support
5 of the application (Dkt. 215), and the Clerk entered a Default (Dkt. 220).

6 6. On June 27, 2014, Business Team filed a Motion to Set Aside Default
7 (Dkt. 248), which was denied on September 2, 2014 (Dkt. 283). This Court found
8 that Business Team’s own culpable conduct led to the default, and that the FTC
9 would be prejudiced if the default were set aside. Dkt. 283, p. 6.

10 7. Pursuant to Federal Rule of Civil Procedure 55(b), the Court enters
11 this default judgment against Business Team. Furthermore, from the Declaration
12 of Emil T. George filed by the Federal Trade Commission, it appears that the
13 Commission is entitled to equitable monetary relief against Business Team in the
14 amount of nine hundred sixty-six thousand eight hundred twenty-seven dollars and
15 twenty-nine cents (\$966,827.29).

16 8. This Final Judgment is in addition to, and not in lieu of, any other
17 civil or criminal remedies that may be provided by law.

18 9. Entry of this Final Judgment is in the public interest.

19 10. Pursuant to Federal Rule of Civil Procedure 65(d), this Final
20 Judgment is binding upon Relief Defendant, its officers, agents, servants,
21 employees, attorneys, corporations, successors and assigns, and upon those persons
22 or entities in active concert or participation with them who receive actual notice of
23 this Final Judgment by personal service or otherwise.

24 11. This action is the “commencement or continuation of an action or
25 proceeding by a governmental unit to enforce such governmental unit’s police or
26 regulatory power,” as set forth in 11 U.S.C. § 362(b)(4). Any bankruptcy petition,
27 voluntary or involuntary, does not automatically stay this action.
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1 challenge any actions the Commission or its representatives may take pursuant to
2 this Subsection.

3 **II. ORDER ACKNOWLEDGMENTS**

4 IT IS FURTHER ORDERED that Relief Defendant obtain
5 acknowledgments of receipt of this Order:

6 A. Relief Defendant, within 7 days of entry of this Order, must submit to
7 the Commission an acknowledgment of receipt of this Order sworn under penalty
8 of perjury.

9 B. For 20 years after entry of this Order, Relief Defendant must deliver a
10 copy of this Order to (1) all principals, officers, directors, and LLC managers and
11 members; (2) all employees, agents, and representatives who participate in conduct
12 related to the subject matter of the Order; and (3) any business entity resulting
13 from any change in structure as set forth in the Section entitled Compliance
14 Reporting. Delivery must occur within 7 days of entry of this Order for current
15 personnel. For all others, delivery must occur before they assume their
16 responsibilities.

17 C. From each individual or entity to which Relief Defendant delivered a
18 copy of this Order, Relief Defendant must obtain, within 30 days, a signed and
19 dated acknowledgment of receipt of this Order.

20 **III. COMPLIANCE REPORTING**

21 IT IS FURTHER ORDERED that Relief Defendant make timely
22 submissions to the Commission:

23 A. One year after entry of this Order, Relief Defendant must submit a
24 compliance report, sworn under penalty of perjury:

25 1. identifying the primary physical, postal, and email address and
26 telephone number, as designated points of contact, which representatives of the
27 Commission may use to communicate with Relief Defendant;

1 2. identifying all of Relief Defendant’s businesses by all of their names,
2 telephone numbers, and physical, postal, email, and Internet addresses;

3 3. describing the activities of each business, and the goods and services
4 offered, the means of advertising and sales, and the involvement of any other
5 Defendant;

6 4. describing in detail whether and how Relief Defendant is in
7 compliance with each Section of this Order; and

8 5. providing a copy of each Order Acknowledgment obtained pursuant
9 to this Order, unless previously submitted to the Commission.

10 B. For 20 years after entry of this Order, Relief Defendant must submit a
11 compliance notice, sworn under penalty of perjury, within 14 days of any change
12 in the following:

13 1. any designated point of contact; or

14 2. the structure of Relief Defendant or any entity that Relief Defendant
15 has any ownership interest in or controls directly or indirectly that may affect
16 compliance obligations arising under this Order, including: creation, merger, sale,
17 or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any
18 acts or practices subject to this Order.

19 C. Relief Defendant must submit to the Commission notice of the filing
20 of any bankruptcy petition, insolvency proceeding, or similar proceeding by or
21 against Relief Defendant within 14 days of its filing.

22 D. Any submission to the Commission required by this Order to be
23 sworn under penalty of perjury must be true and accurate and comply with 28
24 U.S.C. § 1746, such as by concluding: “I declare under penalty of perjury under
25 the laws of the United States of America that the foregoing is true and correct.
26 Executed on: _____” and supplying the date, signatory’s full name, title (if
27 applicable), and signature.

1 E. Unless otherwise directed by a Commission representative in writing,
2 all submissions to the Commission pursuant to this Order must be emailed to
3 DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:
4 Associate Director for Enforcement, Bureau of Consumer Protection, Federal
5 Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The
6 subject line must begin: FTC v. A to Z Marketing, Inc., *et al.*, X130049.

7 **IV. RECORDKEEPING**

8 IT IS FURTHER ORDERED that Relief Defendant must create certain
9 records for 20 years after entry of the Order, and retain each such record for 5
10 years. Specifically, Relief Defendant must create and retain the following records:

11 A. accounting records showing the revenues from all goods or services
12 sold;

13 B. personnel records showing, for each person providing services,
14 whether as an employee or otherwise, that person's: name; addresses; telephone
15 numbers; job title or position; dates of service; and (if applicable) the reason for
16 termination; and

17 C. all records necessary to demonstrate full compliance with each
18 provision of this Order, including all submissions to the Commission.

19 **V. COMPLIANCE MONITORING**

20 IT IS FURTHER ORDERED that, for the purpose of monitoring Relief
21 Defendant's compliance with this Order, and any failure to transfer any assets as
22 required by this Order:

23 A. Within 14 days of receipt of a written request from a representative of
24 the Commission, Relief Defendant must: submit additional compliance reports or
25 other requested information, which must be sworn under penalty of perjury; appear
26 for depositions; and produce documents for inspection and copying. The
27 Commission is also authorized to obtain discovery, without further leave of court,
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1 using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30
2 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

3 B. For matters concerning this Order, the Commission is authorized to
4 communicate directly with Relief Defendant. Relief Defendant must permit
5 representatives of the Commission to interview any employee or other person
6 affiliated with Relief Defendant who has agreed to such an interview. The person
7 interviewed may have counsel present.

8 C. The Commission may use all other lawful means, including posing,
9 through its representatives as consumers, supplier, or other individuals or entities,
10 to Relief Defendant or any individual or entity affiliated with Relief Defendant,
11 without the necessity of identification or prior notice. Nothing in this Order limits
12 the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20
13 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

14 **VI. RETENTION OF JURISDICTION**

15 IT IS FURTHER ORDERED that this Court retains jurisdiction of this
16 matter for purposes of construction, modification, and enforcement of this Order.

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18 **SO ORDERED this 16th day of October _____, 2014.**

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David O. Carter
UNITED STATES DISTRICT JUDGE

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