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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

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U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

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FEDERAL TRADE COMMISSION,)
)
Plaintiff,)
)
v.) Civil No. 95-693-CIV-ORL-22
)
TELECOMMUNICATIONS)
OF AMERICA, INC.;)
a corporation, <i>et al.</i> ,)
)
Defendants)
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ORDER COMPELLING BARRY TAYLOR TO PRESERVE DOCUMENTS

Plaintiff, Federal Trade Commission's Motion to Compel the Defendant Barry Taylor to Preserve Documents (Doc. 129), filed June 22, 2000, is GRANTED.

IT IS HEREBY ORDERED THAT Defendant Barry Taylor shall preserve any documents in his possession and/or under his control that may be relevant to the above-captioned case, as well as any documents relevant to any business dealings he has had for the past five years, including, but not limited to (1) all the documents requested in the Notice of Deposition dated April 3, 2000 (attached), and (2) all corporate records for TCA of North Carolina, Inc.; Chapel Hill Enterprises, LLC and Trade Show Suppliers, LLC including but not limited to documents relating to the formation and registration of the corporations or LLCs, minutes of meetings, identity or changes of officers, and stock certificates; and

IT IS FURTHER ORDERED THAT Defendant Barry Taylor is compelled to

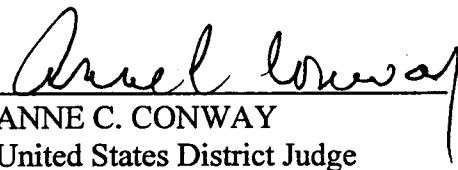
produce all corporate records listed in (2) above which are in his possession and/or are under his control, and send them, within three (3) business days after entry of this Order to:


Nancy Pineles
Federal Trade Commission
600 Pennsylvania Ave., NW Room H-238
Washington, DC 20580

and;

IT IS FURTHER ORDERED THAT if the defendant is unable to produce the corporate documents, that he shall provide a detailed statement to the Court, including addresses and telephone numbers of any person identified, about why he cannot obtain and provide copies of the documents; where he last saw the documents; whether they now or ever were at 713 W. Main St., Sylva, NC; identifying all persons who ever had copies of the documents; and describing all steps the defendant has taken to procure the requested documents.

DONE AND ORDERED in Orlando, Florida, this 5th day of October, 2000


ANNE C. CONWAY
United States District Judge

 Copies to:

Counsel of Record
Barry Taylor

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

TELECOMMUNICATIONS
OF AMERICA, INC.;

a corporation, *et al.*,

Defendants

Civil No. 95-693-CIV-ORL-22

NOTICE OF DEPOSITION

TO: ALL PARTIES AND COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that plaintiff Federal Trade Commission will take the deposition of **Barry Taylor**, on April 5, 2000, commencing at 9:00 a.m. Pursuant to Rule 45, Federal Rules of Civil Procedure, and the Order issued by this Court on March 23, 2000, notice is further given that the deposition will cover any and all subject matters related to the businesses of Telecommunications of America, Inc., Freedom Sales and Marketing, Chapel Hill Enterprises, LLC, Triangle Telephone Company, TCA of North Carolina, Trade Show Supplier LLC, Alliance Location, Co., American Locators Inc., Cigarrest Sales and Marketing, Greeting Card Depot and Atlas Association.

The deposition will take place at the offices of the United States Attorney, 100

Otis Street, Asheville, NC, will be recorded by sound/stenographic means, and will continue from day to day until completed.

DATED: April 3 2000



Nancy Pineles
Nancy Pineles
Attorney for Plaintiff
FEDERAL TRADE COMMISSION

ATTACHMENT A

Unless otherwise stated, the relevant time period for the records and documents requested herein is January 1, 1997, to the date of the deposition of the deponent is actually held.

DEFINITIONS

As used herein:

A. The term "document(s)" refers to the originals and all non-identical copies, or drafts, of any writings, drawings, graphs, charts, photographs, and other data compilations from which information can be obtained, including all backup tapes and computer disks, together with the software necessary to access such files.

B The term "income" includes all compensation in any form, including but not limited to, salary, commission, advance, loan, bonus, expense reimbursement, use of corporate credit card(s), pension fund, certificate of deposit, annuity, trust account or other tangible or intangible property.

C. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within this request all responses that might otherwise be construed to be outside its scope.

D. The term "concerning" means relating to, referring to, describing, evidencing or constituting.

E. The term "defendant" includes Barry Taylor, Telecommunications of

America, doing business as Freedom Sales & Marketing and Chapel Hill Enterprises, LLC.

F. The term "law enforcement agency" includes any federal, state or local government agency charged with enforcing civil or criminal law.

G. The term "consumer protection agency" includes any non-governmental entity whose mission is to educate and protect consumers.

H. The terms "you" or "your" refer to the deponents.

DOCUMENTS SUBPOENAED

This document subpoena requires production of all the documents in the numbered paragraphs below.

1. All documents or records reflecting the identity of individuals who paid money to the Defendant, including written or printed records, handwritten notes, computer tapes, computer disks, computer hard drives, or other computeized records, books, written or printed records, telephone logs, audio or videotape recordings, receipt books, invoices, postal receipts and ledges.

2. All correspondence between you, or any of your employees or independent contractors, and customers or prospective customers of the Defendant.

3. All documents or notes generated by you, or any of your employees or independent contractors, as a result of any communications with any customer or prospective customer of the Defendant regarding the sale of Defendant's services.

4. All documents or records provided to you or used by you in connection with selling the services of the Defendant, including, but not limited to, advertisements, brochures, sales presentations, telemarketing scripts, promotional materials, or Web sites prepared by or under the direction of the Defendant.

5. All documents that constitute, reflect, discuss, refer, relate, or show the number of sales solicitations made by any means, including, but not limited to, email and classified advertising, by or at the direction of the Defendant.

6. All document that constitute, reflect, discuss, refer, relate or show the amount of set-up, registration, or other fees received by or on behalf of the Defendant, including but not limited to total number of sales, dollar amount of sales, customer lists, bank account records, and postal or private carrier express records.

7. All documents or records relating to or reflecting any communication between defendants and Dun & Bradstreet, Inc., concerning any Dun & Bradstreet report on DP Marketing including, but not limited to, the Dun & Bradstreet Business Information Report.

8. All documents or records relating to or reflecting communications between defendants and any law enforcement agency.

9. All documents or records relating to or reflecting communications between defendants and any consumer protection organization, including, but not limited to any national or local Better Business Bureau.

10. All documents or records relating to or reflecting tangible or intangible assets, funds, or other property held or controlled by, on behalf of, or for the benefit of the Defendant, including, but not limited to: bank deposit books, bank deposit receipts, bank account statements, canceled checks, check stubs, documents evidencing checks returned for insufficient funds, and documents evidencing the nature or location of any safe deposit box or other asset of the Defendant.

11. All documents which refer or relate to the existence of any accounts in the name of, or on behalf of, the Defendant at any bank or any other financial institutions.

12. All documents relating to the monthly balance sheets, monthly income statements, and all other financial statements or documents containing financial information of the Defendant, including, but not limited to, the statements themselves, supporting work papers, schedules and analyses.

13. All individual tax returns since 1997, both federal and state, for the Defendant and all related documents, including, but not limited to, work papers, schedules, analyses, and preliminary tax data input forms or information.

14. All documents that constitute, reflect, discuss, refer, relate, or show the transfer or payment of money to any person, including, but not limited to employees, by the Defendant, including pay stubs, canceled checks or bank statements

15. All Form 1099s, Wage Reports, or W-2s on behalf of the Defendant.