

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

JOHN ZUCCARINI, individually and
d/b/a Cupcake Party *et al.*,

Defendant.

Civil Action No. 2:01-cv-04854-BMS

FILED JAN - 5 2007

ENTERED

JAN 5 2007

CLERK OF COURT

(Proposed)

STIPULATED PRELIMINARY INJUNCTION

On December 21, 2006, after an *ex parte* hearing and consideration of Plaintiff's *Ex Parte* Motion for Temporary Restraining Order with Ancillary Equitable Relief, and a Preliminary Injunction Pending Decision on Plaintiff's Motion for a Civil Contempt Order, Plaintiff's *Ex Parte* Motion for an Order to Show Cause Why Defendant Zuccarini Should Not Be Held In Civil Contempt, and the declarations, exhibits, and memorandum of law submitted in support thereof, this Court entered its *ex parte* Temporary Restraining Order with Ancillary Equitable Relief and an Order to Show Cause why Defendant John Zuccarini should not be held in civil contempt for violating that Permanent Injunction. The Court also scheduled a Preliminary Injunction hearing to take place on January 8, 2007. As the parties have agreed upon the terms of a Stipulated Preliminary Injunction,

This Court **ORDERS** and **FINDS** as follows:

1. This Court has jurisdiction over the subject matter of this case, and there is good believe that it will have jurisdiction over all parties hereto.

2. There is good cause to believe that Defendant Zuccarini has actual notice of the Permanent Injunction.

3. There is good cause to believe Defendant Zuccarini continues to be bound by the Court's Permanent Injunction.

4. There is good cause to believe that Defendant Zuccarini has violated the Permanent Injunction. The evidence submitted in the declarations and exhibits accompanying Plaintiff's Memoranda of Points and Authorities in support of its *ex parte* Motion for Temporary Restraining Order and its Motion for Order to Show Cause, shows that there is good cause to believe that Defendant Zuccarini has engaged in prohibited activity by redirecting consumers on the Internet; representing that his web pages and domain names are endorsed by, affiliated or associated with third parties or entities, when in fact they are not; and participating in affiliate marketing programs, in violation of Section I of the Permanent Injunction. In addition, the evidence shows that there is good cause to believe Defendant Zuccarini has failed to notify the Commission within 30 days of registering or re-registering each domain name with any Domain Name Registrar and failed to notify the Commission of his current residential mailing address and employment status, in violation of Section V of the Permanent Injunction.

5. The Court has considered the FTC's substantial likelihood of success on the merits of the contempt action and weighed the equities, and finds that entry of this preliminary injunction is in the public interest.

6. Defendant Zuccarini received personal service of the FTC's Motions and the Court's Temporary Restraining Order, Order to Show Cause, and Order Temporarily Sealing Filings on December 23, 2006.

7. FED. R. CIV. P. 65(c) does not require security of the United States or an officer or agency thereof.

DEFINITIONS

For the purposes of this Preliminary Injunction Order, the following definitions apply:

A. "Affiliate Marketing Program" means a revenue sharing arrangement between online merchants and "affiliates," – online content providers who market and/or advertise goods or services for merchants through, *inter alia*, the use of banners, ads and text links posted on web sites or web pages. Compensation is paid to the affiliate by the merchant on performance of certain measures, typically in the form of sales, clicks, registrations or a hybrid model. The affiliate is paid a commission by the merchant when a visitor takes a specific action such as filling out a form or making a purchase.

B. "Asset[s]" means any legal or equitable interest in, right to, or claim to, any and all real and personal property of Defendant, or held for the benefit of Defendant, including but not limited to chattel, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, inventory, checks, notes, accounts, credits, receivables, shares of stock, contracts, and all cash and currency, or other assets, or any interest therein, wherever located.

C. "Defendant" means John Zuccarini, individually and d/b/a Cupcake Party, Cupcake-Party, Cupcake Parties, Cupcake-Parties, Cupcake City, Cupcake Patrol, Cupcake-Patrol, Cupcake First-Patrol, Cupcake Show, Cupcake-Show, Cupcake Shows, Cupcake-Shows, Cupcake Parade, Cupcake-Parade, Cupcakes, Cupcake Confidential, Cupcake-Movies, Cupcake Real Video, The Cupcake Incident, The Cupcake Secret, Cupcake Message, Cupcake Messenger, The Country Walk, JZ Design, and RaveClub Berlin, whether acting

directly or through any entity, corporation, subsidiary, division, or other device, unless specified otherwise, as well as his successors and assigns.

D. "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, precious metal dealer, commercial check cashing facility, or any entity or person that holds, controls, or maintains custody of any account or asset of any Defendant.

E. "Plaintiff" means the Federal Trade Commission, FTC, or Commission.

**I.
ASSET FREEZE**

IT IS ORDERED that Defendant Zuccarini is hereby preliminarily restrained and enjoined from directly or indirectly:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or security interest in, or otherwise disposing of any Assets, wherever located, including outside the United States, that are: (1) owned or controlled, directly or indirectly, by Defendant, in whole or in part, or held, in whole or in part for the benefit of Defendant; (2) in the actual or constructive possession of Defendant; or (3) owned, controlled by, or in the actual or constructive possession of any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with Defendant, including but not limited to, any Assets held by, for, or under the name of Defendant at any bank, savings and loan institution, or Defendant bank, or with any broker-dealer, escrow agent, title company, commodity trading

company, precious metal dealer, or other financial institution or depository of any kind;

- B. Opening or causing to be opened any safe deposit boxes titled in the name of Defendant, or subject to access by Defendant;
- C. Incurring charges or cash advances on any credit card, debit card, or checking card issued in the name, singly or jointly, of Defendant;
- D. Incurring liens or encumbrances on real property, personal property or other Assets in the name, singly or jointly of Defendant; and
- E. Cashing any checks, obtaining any cash advances, or using any funds obtained in connection with participating in any Affiliate Marketing Programs.

The Assets affected by this Paragraph shall include: (a) all Assets of Defendant as of the time the Temporary Restraining Order was entered; and (b) those Assets obtained after entry of the Temporary Restraining Order that are derived from any conduct that violates the Permanent Injunction.

II. RETENTION OF ASSETS BY FINANCIAL INSTITUTIONS AND OTHER THIRD PARTIES

IT IS FURTHER ORDERED that any financial or brokerage institution, escrow agent, title company, commodity trading company, trust, entity, or person that holds, controls or maintains custody of any account or asset owned or controlled by Defendant, or has held, controlled or maintained any account or asset of, or on behalf of, Defendant at any time since the entry of this Court's Temporary Restraining Order shall continue to:

- A. Hold and retain within its control and prohibit Defendant from withdrawing, removing, assigning, transferring, pledging, encumbering, disbursing, dissipating, converting,

selling, gifting, or otherwise disposing of any of the Assets, funds, or other property held by or on behalf of Defendant in any account maintained in the name of or for the benefit of Defendant, in whole or in part, except as directed by further order of the Court; or

B. Deny Defendant access to any safe deposit box titled in the name of Defendant, individually or jointly, or subject to access by Defendant, whether directly or indirectly;

C. Provide counsel for Plaintiff¹ within three (3) business days after being served with a copy of this Order, a certified statement setting forth:

1. the identification number of each such account or asset (1) titled in the name, individually or jointly, of Defendant; (2) held on behalf of, or for the benefit of, Defendant; (3) owned or controlled by Defendant; or (4) otherwise subject to access by Defendant, directly or indirectly;

2. the balance of each such account, or a description of the nature and value of such asset as of the close of business on the day on which this Order is served, and, if the account or other asset has been closed or removed, the date closed or removed, the total funds removed in order to close the account, and the name of the person or entity to whom such account or other asset was remitted;

3. the identification of any safe deposit box that is either titled in the name of Defendant, or is otherwise subject to access by Defendant; and

4. if an account, safe deposit box, or other asset has been closed or removed, the date

¹ Counsel for Plaintiff means FTC attorneys Carolyn L. Hann and Laureen Kapin, and any other FTC attorneys who appear in this action after the entry of this Order. Counsel for Plaintiff's mailing address for all materials mailed pursuant to this Order is 601 New Jersey Avenue, N.W., Room NJ-2122, Washington, DC 20001. Counsel for Plaintiff's fax number is (202) 326-2558.

closed or removed, the balance on such date, and the manner in which such account or asset was closed or removed.

D. Provide counsel for Plaintiff, within three (3) business days after being served with a request, copies of all documents pertaining to such account or asset, including but not limited to originals or copies of account applications, account statements, 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. Cooperate with all reasonable requests of counsel for Plaintiff relating to this Order's implementation.

III.

FINANCIAL REPORTS AND ACCOUNTING

IT IS FURTHER ORDERED that, to the extent Defendant has not yet fully complied with Section III of the Temporary Restraining Order, Defendant shall immediately prepare and serve on counsel for Plaintiff:

A. Completed financial statements fully disclosing his own finances and those of all corporations, partnerships, trusts or other entities that he now owns, controls, or is associated with in any capacity on the forms attached to this Order as **Attachment A**, accurate as of the date of service of this Order upon Defendant;

B. Copies of signed and completed federal and state income tax forms, including all schedules and attachments for the four (4) most recent filing years; and

C. For all revenues obtained in connection with Defendant's participation in any

Affiliate Marketing Program, provide the FTC with a completed statement, verified under oath reporting:

1. All revenues collected and obtained by Defendant, directly or through any other corporation, partnership, limited liability corporation, or other entity since April 9, 2002, the date of entry of the Permanent Injunction;
2. The full names, addresses, and telephone numbers, of all individuals and entities from whom Defendant receives revenues in connection with his participation in any Affiliate Marketing Program;
3. All costs and expenses incurred by Defendant, directly or indirectly; and
4. All net profits collected and obtained by Defendant, directly or indirectly.

Defendant also shall provide copies of such other financial statements as Plaintiff may, from time to time, request in order to monitor Defendant's compliance with the provisions of this Order.

IV. FOREIGN ASSET REPATRIATION

IT IS FURTHER ORDERED that, to the extent Defendant has not yet fully complied with Section IV of the Temporary Restraining Order, Defendant shall immediately:

- A. Provide counsel for Plaintiff a full accounting of all funds and Assets outside of the territory of the United States which are held either: (1) by Defendant; (2) for Defendant's benefit; or (3) under Defendant's direct or indirect control, individually or jointly, as required by the forms included in **Attachment A**;

B. Transfer to the territory of the United States all such funds and Assets in foreign countries; and

C. Hold and retain all repatriated funds and Assets, and prevent any disposition, transfer, or dissipation whatsoever of any such Assets or funds, except as required by this Order.

Defendant shall provide access to records and documents held by Financial Institutions outside the territorial United States, by signing the Consent to Release of Financial Records attached to this Order as **Attachment B**, immediately upon service of this Order upon them, or within such time as permitted by counsel for Plaintiff in writing.

V.
NON-INTERFERENCE WITH REPATRIATION

IT IS FURTHER ORDERED that Defendant, and those persons in active concert or participation with him who receive actual notice of this Order by personal service or otherwise, are hereby preliminarily restrained and enjoined from taking any action, directly or indirectly, which may result in the encumbrance or dissipation of foreign Assets, or in the hindrance of the repatriation required by the preceding Paragraph IV of this Order, including but not limited to:

A. Sending any statement, letter, fax, e-mail or wire transmission, telephoning or engaging in any other act, directly or indirectly, that results in a determination by a foreign trustee or other entity that a "duress" event has occurred under the terms of a foreign trust agreement, until such time that all Assets have been fully repatriated pursuant to Paragraph IV of this Order; and

B. Notifying any trustee, protector or other agent of any foreign trust or other related

entities of either the existence of this Order, or of the fact that repatriation is required pursuant to a court order, until such time that all Assets have been fully repatriated pursuant to Paragraph IV of this Order.

**VI.
PRESERVATION OF RECORDS**

IT IS FURTHER ORDERED that Defendant, and those persons in active concert or participation with him who receive actual notice of this Order by personal service or otherwise, are hereby preliminarily restrained and enjoined from destroying, erasing, mutilating, concealing, altering, transferring, writing over, or otherwise disposing of, in any manner, directly or indirectly, any documents or records of any kind that relate to the business practices or business or personal finances of Defendant, including but not limited to, computers, computerized files and storage media on which information has been saved (including, but not limited to, thumb drives, floppy disks, hard drives, CD-ROMS, zip disks, punch cards, magnetic tape, backup tapes, and computer chips) and any and all equipment needed to read any such material, contracts, accounting data, correspondence (including, but not limited to, electronic correspondence), advertisements (including, but not limited to, advertisements placed on the World Wide Web or the Internet), FTP logs, Server Access Logs, World Wide Web pages, handwritten notes, written or printed records, telephone logs, receipt books, ledgers, personal and business canceled checks and check registers, bank statements, appointment books, copies of federal, state or local business or personal income or property tax returns, and other documents or records of any kind that relate to the business practices or business finances of Defendant.

VII.
MAINTENANCE OF CURRENT BUSINESS RECORDS

IT IS FURTHER ORDERED that, in connection with the advertising, promotion, offering for sale, sale, or provision of any goods or services on the Internet, the World Wide Web, and/or any web page or web site, the Defendant is hereby restrained and enjoined from:

- A. Failing to create and maintain documents that, in reasonable detail, accurately, fairly, and completely reflect the Defendant's incomes, disbursements, transactions, and use of money; and
- B. Creating, operating, or exercising any control over any business entity, including any partnership, limited partnership, joint venture, sole proprietorship or corporation, without first providing Plaintiff 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.

VIII.
COMMISSION ACCESS TO BUSINESS RECORDS

IT IS FURTHER ORDERED that to the extent Defendant has not yet fully complied with Section VIII of the Temporary Restraining Order, Defendant shall immediately:

- A. Produce to the Commission for inspection, inventory and/or copying, at a location designated by the Commission, all materials related or referring, directly or indirectly to Defendant's domain names, web pages and web sites, Defendant's

contracts or agreements with any third parties relating to his domain names, web pages and web sites, and any materials, information, products or data related thereto, including but not limited to computers, computerized files and storage media on which information has been saved (including, but not limited to, thumb drives, floppy disks, hard drives, CD-ROMS, zip disks, punch cards, magnetic tape, backup tapes, and computer chips) and any and all equipment needed to read any such material, contracts, accounting data, correspondence (including, but not limited to, electronic correspondence), advertisements (including, but not limited to, advertisements placed on the World Wide Web or the Internet), FTP logs, Server Access Logs, World Wide Web pages, handwritten notes, written or printed records, telephone logs, receipt books, ledgers, personal and business canceled checks and check registers, bank statements, appointment books, copies of federal, state or local business or personal income or property tax returns, and other documents or records of any kind that relate to the business practices or business finances of Defendant;

- B. Produce to the Commission for inspection, inventory and/or copying, at a location designated by the Commission, within 50 miles or less from Defendant's residence, all computers, laptops and data in whatever form, used by the Defendant, in whole or in part, relating to the Defendant's business practices; and
- C. In order to prevent the destruction of computer data, any such computers not already provided to the Commission, pursuant to the Temporary Restraining Order, shall be powered down (turned off) in the normal course for the operating

systems used on such computers and shall not be powered up or used again until produced for copying and inspection, along with any codes needed for access.

The Commission shall return the materials so removed, or produced by the Defendant, within three (3) business days of completing inventorying and copying.

IX. EXPEDITED DISCOVERY

IT IS FURTHER ORDERED that the FTC is granted leave to conduct certain expedited discovery, and that, commencing with the time and date of this Order, in lieu of the time periods, notice provisions, and other requirements of Rules 26, 30, 34, and 45 of the Federal Rules of Civil Procedure, expedited discovery as to parties and non-parties shall proceed as follows:

A. The FTC may, upon two (2) business days notice, take the deposition of any person or entity, whether or not a party, for the purpose of discovering: (1) the nature, location, status and extent of Assets of Defendant; (2) the nature and location of documents reflecting the business transactions of Defendant; and (3) compliance with the Permanent Injunction and this Order. Deposition transcripts that have not been signed by the witness may be used at the contempt hearing in this matter. *Provided that*, notwithstanding Fed. R. Civ. P. 30(a)(2), this Subparagraph shall not preclude any future depositions by the FTC. *Provided further*, that any deposition taken pursuant to this Subsection shall be in addition to, and not subject to, the presumptive limits on depositions set forth in Fed. R. Civ. P. 30(a)(2)(A). Service of discovery upon a party, taken pursuant to this Subsection, shall be sufficient if made by facsimile or by overnight delivery.

B. The FTC may, upon five (5) business days notice, including through the use of a Rule 45 Subpoena, demand the production of documents from any person or entity, whether or not a party, relating to (1) the nature, status, extent, or location of Assets of Defendant or his affiliates or subsidiaries; (2) the nature and location of documents reflecting the business transactions of Defendant or his affiliates or subsidiaries; and (3) compliance with the Court's Permanent Injunction and this Order. *Provided* that two (2) days notice shall be deemed sufficient for the production of any such documents that are maintained or stored only as electronic data. For purposes of this Subsection, the FTC may serve any such subpoena by facsimile or overnight courier.

C. The FTC is granted leave to subpoena documents immediately from any Financial Institution, account custodian, or other entity or person that holds, controls, or maintains custody of any account or asset of Defendant, or has held, controlled or maintained custody of any account or asset of Defendant concerning the nature, location, status, and extent of Defendant's Assets, and compliance with this Order, and such financial institution, account custodian or other entity shall respond to such subpoena within five business days after service. For purposes of this Subsection, the FTC may serve any such subpoena by facsimile or overnight courier.

X.

CONSUMER CREDIT REPORTS

IT IS FURTHER ORDERED that pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(1), any consumer reporting agency may furnish a consumer report concerning Defendant to counsel for Plaintiff.

**XI.
SERVICE OF ORDER**

IT IS FURTHER ORDERED that copies of this Order may be served by any means, including facsimile transmission or email, by employees or agents of the FTC, upon any Financial Institution or other entity or person that may have possession, custody, or control of any documents or Assets of Defendant, or that may otherwise be subject to any provision of this Order. Service upon any branch or office of any Financial Institution shall effect service upon the entire Financial Institution.

**XII.
CORRESPONDENCE WITH AND NOTICE
TO THE COMMISSION**

IT IS FURTHER ORDERED that, for purposes of this Preliminary Injunction, all correspondence and pleadings to the Commission shall be addressed to:

Carolyn L. Hann
Federal Trade Commission
601 New Jersey Avenue, N.W.
Room NJ-2122
Washington, DC 20001
(202) 326-2745 (telephone)
(202) 326-2558 (facsimile)

**XIII.
DURATION OF
PRELIMINARY INJUNCTION**

IT IS FURTHER ORDERED that the Preliminary Injunction granted herein shall remain in effect until further order of the Court.

XIV.
RETENTION OF JURISDICTION

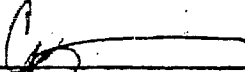
IT IS FURTHER ORDERED the Court shall continue to retain jurisdiction of this matter for all purposes.


XV.
STIPULATION OF THE PARTIES

The Commission and Defendant Zuccarini stipulate to the entry of this Stipulated Preliminary Injunction.

FOR THE PLAINTIFF:

FOR THE DEFENDANT:


CAROLYN L. HANN
LAUREEN KAPIN


JOHN ZUCCARINI
Defendant

Attorneys for Plaintiff
Federal Trade Commission
601 New Jersey Avenue, N.W.
Room NJ-2122

190 SW Kanner Highway
Stuart, FL 34997
(772) 631-3887 (telephone)

Washington, DC 20001

(202) 326-2745 (Hann); 3257 (Kapin)

(202) 326-2558 (facsimile)

chann@ftc.gov; lkapin@ftc.gov

IT IS SO ORDERED, this 4 day of JAN, 2007, at 3⁰⁰ P.m.



BERLE M. SCHILLER
United States District Judge
United States District Court for the
Eastern District of Pennsylvania

ATTACHMENT A

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. "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.
3. "Assets" and "Liabilities" include ALL assets and liabilities, located within the United States or elsewhere, whether held individually or jointly.
4. 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.
5. Type or print legibly.
6. Initial each page in the space provided in the lower right corner.
7. 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.*

Owner's Name _____ Name & Address of Depository Institution _____ Box No. _____

_____	_____	_____
_____	_____	_____
_____	_____	_____

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

