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11
12
13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 v.

2:06-cv-01305

18 NATIONAL PRIZE INFORMATION
19 GROUP CORP. dba Las Vegas
Actionable Awards Program, Prize Search
20 Express, Department of Unclaimed
Awards, United States Sweepstakes
21 Advisory, United States of America
Patriotism Awards, National Bureau of
22 Prize Information, Lapham Vargas and
Cornell, and Directors Office; and

23 JOHN RINCON, individually and as an
24 officer of NATIONAL PRIZE
INFORMATION GROUP CORP.,

25 Defendants.

**FINAL JUDGMENT AND
ORDER FOR PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF
AGAINST NATIONAL PRIZE
INFORMATION GROUP
CORP. AND JOHN RINCON**

26
27 Plaintiff, the Federal Trade Commission (“Commission”), commenced this action
28 on October 18, 2006, by filing its Complaint for Injunctive and Other Equitable Relief

1 pursuant to Section 13(b) of the Federal Trade Commission act (“FTC Act”), 15 U.S.C.
2 § 53(b), charging that Defendants National Prize Information Group Corp. dba Las Vegas
3 Actionable Awards Program, Prize Search Express, Department of Unclaimed Awards,
4 United States Sweepstakes Advisory, United States of America Patriotism Awards,
5 National Bureau of Prize Information, Lapham Vargas and Cornell, and Directors Office
6 (“NPIG”), and John Rincon, individually and as an officer of NPIG, were engaged in
7 deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, in
8 connection with a multi-million dollar sweepstakes scam.

9 The FTC filed a motion for summary judgment in this matter (#62, #66), which the
10 Court granted on July 28, 2008 (#93). On June 23, 2009, the Court found Defendants
11 jointly and severally liable for consumer restitution in the amount of \$26,885,185.92
12 (#99).

13 This Order constitutes a final judgment against both Defendants.

14
15 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

16 **FINDINGS**

17 1. This Court has jurisdiction over the subject matter of this case and
18 jurisdiction over all parties. Venue in the District of Nevada is proper.

19 2. The activities of Defendants NPIG and Rincon are in or affecting
20 commerce, as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

21 3. The Commission’s Complaint states claims upon which relief may be
22 granted against Defendants NPIG and Rincon under Sections 5(a) and 13(b) of the FTC
23 Act, 15 U.S.C. §§ 45(a) and 53(b).

24 4. This Order is in addition to, and not in lieu of, any other civil or criminal
25 remedies that may be provided by law.

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

27 **DEFINITIONS**

28 1. “Individual Defendant” means John Rincon.

1 2. “Corporate Defendant” means National Prize Information Group Corp. dba
2 Las Vegas Actionable Awards Program, Prize Search Express, Department of Unclaimed
3 Awards, United States Sweepstakes Advisory, United States of America Patriotism
4 Awards, National Bureau of Prize Information, Lapham Vargas and Cornell, and
5 Directors Office, and its successors and assigns, doing business under any name
6 whatsoever.

7 3. “Defendants” means the Individual Defendant and the Corporate
8 Defendant, individually or collectively.

9 4. “Assisting others” means providing any of the following goods or services
10 to another entity: (a) performing customer service functions, including, but not limited to,
11 receiving or responding to consumer complaints; (b) formulating or providing, or
12 arranging for the formulation or provision of, any telephone sales script or any other
13 marketing material; (c) providing names of, or assisting in the generation of, potential
14 customers; (d) performing marketing services of any kind; (e) acting as an officer or
15 director, including but not limited to a “nominee” officer or director, of a business entity;
16 or (f) having an ownership interest (10% or more) in any business entity.

17 5. “Asset” or “assets” means any legal or equitable interest in, right to, or
18 claim to, any real or personal property, including, but not limited to, chattels, goods,
19 instruments, equipment, fixtures, general intangibles, effects, leaseholds, mail or other
20 deliveries, inventory, checks, notes, accounts, credits, receivables (as those terms are
21 defined in the Uniform Commercial Code), and all cash, wherever located, and shall
22 include both existing assets and assets acquired after the date of entry of this Order.

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

1 7. “Consumer” means an actual or potential purchaser, customer, member, or
2 subscriber.

3 8. “Person” means a natural person, organization, or other legal entity,
4 including a corporation, partnership, proprietorship, association, cooperative, government
5 or governmental subdivision or agency, or any other group or combination acting as an
6 entity.

7 9. “Clearly and prominently” shall mean as follows:

8 (A) In an advertisement communicated through an electronic medium
9 (such as television, video, radio, and interactive media such as the
10 Internet and online services), the disclosure shall be presented
11 simultaneously in both the audio and video portions of the
12 advertisement. Provided, however, that in any advertisement
13 presented solely through video or audio means, the disclosure may
14 be made through the same means in which the advertisement is
15 presented. The audio disclosure shall be delivered in a volume and
16 cadence sufficient for an ordinary consumer to hear and comprehend
17 it. The video disclosure shall be of a size and shade, and shall appear
18 on the screen for a duration, sufficient for an ordinary consumer to
19 read and comprehend it. In addition to the foregoing, in interactive
20 media the disclosure shall also be unavoidable and shall be presented
21 prior to the consumer incurring any financial obligation;

22 (B) In a print advertisement, solicitation, label, or other promotional
23 material, the disclosure shall be in a type size and location
24 sufficiently noticeable for an ordinary consumer to read and
25 comprehend it, in print that contrasts with the background against
26 which it appears; in multi-page promotional materials, the disclosure
27 shall appear on the cover or first page; and

28 (C) The disclosure shall be in understandable language and syntax, and

1 shall be provided in the same written or spoken language as the rest
2 of the advertisement, solicitation, label, or other promotional
3 material, except that if the advertisement, solicitation, label, or other
4 promotional material is provided in more than one written or spoken
5 language, the disclosure shall be provided in each such language.

6 *Provided, however*, that nothing contrary to, inconsistent with, or in mitigation of
7 the disclosure shall be used in any advertisement, solicitation, label, or other promotional
8 material.

9 10. "Sweepstakes promotion" means a sweepstakes or other game of chance, or
10 an oral or written representation, whether express or implied, that a person has won, has
11 been selected to receive, or may be eligible to receive, or enter a contest to receive, a
12 prize or purported prize, whether in the form of money, merchandise, or anything of
13 value.

14 11. The terms "and" and "or" in this Order shall be construed conjunctively or
15 disjunctively, as necessary, to make the applicable phrase or sentence inclusive rather
16 than exclusive.

17 **I.**

18 **PROHIBITED CONDUCT**

19 **IT IS THEREFORE ORDERED** that, in connection with the marketing,
20 advertising, promotion, labeling, distribution, offer for sale, or sale of any product or
21 service, Defendants, whether acting directly or indirectly through any corporation,
22 partnership, subsidiary, division, agent, or other device, and their officers, agents,
23 servants, employees, and attorneys, and all persons in active concert or participation with
24 them who receive actual notice of this Order by personal service or otherwise, are hereby
25 permanently restrained and enjoined from:

26 A. Making or assisting others in making, expressly or by implication, any false
27 or misleading statement or representation of material fact relating to any good or service
28 or the offer of any good or service, including, but not limited to:

- 1 1. Misrepresenting, or assisting others to misrepresent, expressly or by
2 implication, that a consumer has won or will receive anything of
3 value, or that anything of value will be given to a consumer, or the
4 conditions under which anything of value will or may be given; and
- 5 2. Misrepresenting, or assisting others to misrepresent, directly or by
6 implication, any fact material to a consumer's decision to participate
7 in a sweepstakes promotion; and

8 B. Failing to disclose clearly and prominently:

- 9 1. That the advertisement, promotion, or offer for sale of any product or
10 service is being distributed for the purpose of soliciting a purchase, if
11 such is the case, along with a complete description of the goods or
12 services being sold and the total price thereof;
- 13 2. That the consumer who receives the advertisement, promotion, or
14 offer for sale has not won anything of value, if such is the case; and
- 15 3. If the consumer has won anything in connection with the
16 advertisement, promotion, or offer for sale, the exact monetary value
17 of the item won;

18 *Provided, however*, that nothing contrary to, inconsistent with, or in mitigation of
19 any required disclosure shall be included with any advertisement, promotion, or offer for
20 sale.

21 **II.**

22 **CUSTOMER INFORMATION**

23 **IT IS FURTHER ORDERED** that:

24 A. Defendants shall, within fourteen (14) days after service of this order upon
25 Defendants, deliver to the Commission a list, in the form of a sworn affidavit, of all
26 consumers who paid money to the Corporate Defendant at any time. Such list shall
27 include each consumer's name, address, and telephone number, if available, and the total
28 amount of monies paid less any amount credited for returns or refunds; and

1 B. Except as provided in this Order, Defendants, and their officers, agents,
2 servants, employees, and attorneys, and all persons in active concert or participation with
3 them who receive actual notice of this Order by personal service or otherwise, are
4 permanently restrained and enjoined from:

- 5 1. disclosing, using, or receiving any benefit from customer
6 information, including the name, address, telephone number, email
7 address, social security number, other identifying information, or any
8 data that enables access to a customer's account (including a credit
9 card, bank account, or other financial account), of any person which
10 either Defendant obtained prior to entry of this Order in connection
11 with the sale of sweepstakes information found by the Court in this
12 matter to have been in violation of Section 5 of the FTC Act, 15
13 U.S.C. § 45; and
- 14 2. failing to dispose of such customer information in all forms in their
15 possession, custody, or control within thirty (30) days after
16 complying with the requirements of Subparagraph A above.
17 Disposal shall be by means that protect against unauthorized access
18 to the customer information, such as by burning, pulverizing, or
19 shredding any papers, and by erasing or destroying any electronic
20 media, to ensure that the customer information cannot practicably be
21 read or reconstructed.

22 *Provided, however*, that customer information need not be disposed of, and may be
23 disclosed, to the extent requested by a government agency or required by a law,
24 regulation, or court order.

25 III.

26 MONETARY RELIEF

27 **IT IS FURTHER ORDERED** that

28 A. In accordance with the Court's previous finding (#99), judgment is hereby

1 entered against Defendants, jointly and severally, in the amount of twenty-six million
2 eight hundred eighty-five thousand one hundred eighty-two dollars and ninety-two cents
3 (\$26,885,182.92). This monetary judgment shall become immediately due and payable
4 by Defendants upon entry of this Order, and interest computed at the rate prescribed
5 under 28 U.S.C. § 1961(a), as amended, shall immediately begin to accrue on the unpaid
6 balance;

7 B. All payments under this Section III shall be made by wire transfer in
8 accordance with directions provided by the Commission;

9 C. Any funds received by the Commission pursuant to this Section III of this
10 Order shall be deposited into a fund administered by the Commission or its agent to be
11 used for equitable relief, including, but not limited to, restitution and any attendant
12 expenses for the administration of any monetary fund. In the event that direct restitution
13 to consumers is wholly or partially impracticable or funds remain after restitution is
14 completed, the Commission may apply any remaining funds for such other equitable
15 relief, including but not limited to consumer information remedies, as the Commission
16 determines to be reasonably related to the activities found by the Court in this matter to
17 have been in violation of Section 5 of the FTC Act, 15 U.S.C. § 45. Any funds not used
18 for such equitable relief shall be deposited to the U.S. Treasury as equitable
19 disgorgement. Defendants shall have no right to challenge the Commission's choice of
20 remedies or the manner of distribution. No portion of any payments under this Order
21 shall be deemed a payment of any fine, penalty, punitive assessment, or forfeiture;

22 D. Defendants shall furnish to the Commission, in accordance with 31 U.S.C.
23 § 7701, their taxpayer identification numbers (Social Security number or employer
24 identification number), which shall be used for purposes of collecting and reporting on
25 any delinquent amount arising out of this Order; and

26 E. The Individual Defendant is further required to provide the Commission
27 with clear, legible, and full-sized photocopies of all valid driver's licenses he possesses,
28 which will be used for collection, reporting, and compliance purposes, within ten (10)

1 days of the Court’s entry of this Order.

2 **IV.**

3 **TURNOVER OF ASSETS HELD BY THIRD PARTIES**

4 **IT IS FURTHER ORDERED** that in order to partially satisfy the monetary
 5 judgment set forth in Section III above, any law firm, financial or brokerage institution,
 6 escrow agent, title company, commodity trading company, automated clearing house,
 7 network transaction, business entity, or person served with a copy of this Order, that
 8 holds, controls, or maintains custody of any account or asset of, on behalf of, or for the
 9 benefit of, either Defendant shall turn over such asset and all funds in such account to the
 10 Commission within ten (10) business days of receiving notice of this Order by any means,
 11 including, but limited to, notice provided by facsimile. Such turnover or payment shall be
 12 made by the methods specified in Subsection III.B above. Assets to be turned over
 13 pursuant to this Section IV include, but are not limited to:

14

Entity	Defendant	Account Number
The Lustigman Firm	National Prize Information Group and John Rincon	N.A.
US Bank	National Prize Information Group	x-xxx-xxxx-4955
Bank of America, N.A	National Prize Information Group	xxxx-xxxx-9362
Bank of America, N.A.	John Rincon	xxxx-xxxx-6788
Citibank	John Rincon	xxxx-xxxx-8516
Citibank	John Rincon	xxxx-xxxx-1932
Citibank	John Rincon	xxxx-xxxx-0769

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1 V.

2 CONTINUATION OF ASSET FREEZE

3 IT IS FURTHER ORDERED that the freeze on Defendants' assets as ordered
4 previously by this Court (Order signed November 21, 2006, and filed November 27,
5 2006, Doc. #49) shall remain in effect until the Commission has received all payments
6 required by Section III above. Within five (5) business days after all such payments have
7 been received, the Commission shall file with the Court a notice of satisfaction of
8 judgment, at which time the asset freeze shall be lifted.

9 *Provided, however*, that nothing in this provision shall be construed to prevent a
10 financial institution from closing an account in which no funds remain, after providing ten
11 (10) business days' notification to the Commission, as specified in Section VIII. D below.

12 VI.

13 PROCEDURES IN AID OF ATTEMPTS TO COLLECT MONETARY
14 JUDGMENT

15 IT IS FURTHER ORDERED that, the Commission is authorized to obtain
16 discovery from any person, without further leave of court, using the procedures
17 prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, 45 and 69, in aid of its attempts to collect
18 the monetary judgment in this matter. The Commission is also authorized to obtain
19 consumer reports concerning the Individual Defendant pursuant to Section 604(a)(1) of
20 the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(1). Upon written request, any credit
21 reporting agency from which such reports are requested shall provide them to the
22 Commission. The Commission is also authorized to obtain reports concerning the
23 Individual Defendant from any "nationwide specialty consumer reporting agency," as
24 defined in Section 603(w) of the Fair Credit Reporting Act, 15 U.S.C. § 1681a(w). Upon
25 written request, any nationwide specialty consumer reporting agency from which such
26 reports are requested shall provide them to the Commission.

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1 **VII.**

2 **COMPLIANCE MONITORING**

3 **IT IS FURTHER ORDERED** that, for the purpose of monitoring and
4 investigating compliance with any provision of this Order:

5 A. Within ten (10) days of receipt of written notice from a representative of the
6 Commission and in addition to the reports required by Paragraph B of Section VIII
7 below, Defendants each shall submit written reports which are true and accurate and
8 sworn to under penalty of perjury; produce documents for inspection and copying; appear
9 for deposition; and provide entry during normal business hours to any business location in
10 each Defendant's possession or direct or indirect control to inspect the business operation;

11 B. In addition, the Commission is authorized to use all other lawful means,
12 including but not limited to:

- 13 1. Obtaining discovery from any person, without further leave of court,
14 using the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36,
15 45 and 69;
- 16 2. Having its representatives pose as consumers and suppliers to
17 Defendants, their employees, or any other entity managed or
18 controlled in whole or in part by any Defendant, without the
19 necessity of identification or prior notice; and

20 C. Defendants each shall permit representatives of the Commission to
21 interview any employer, consultant, independent contractor, representative, agent, or
22 employee who has agreed to such an interview, relating in any way to any conduct subject
23 to this Order. The person interviewed may have counsel present.

24 ***Provided however,*** that nothing in this Order shall limit the Commission's lawful
25 use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C.
26 §§ 49, 57b-1, to obtain any documentary material, tangible things, testimony, or
27 information relevant to unfair or deceptive acts or practices in or affecting commerce
28 (within the meaning of 15 U.S.C. § 45(a)(1)).

1 **VIII.**

2 **COMPLIANCE REPORTING**

3 **IT IS FURTHER ORDERED** that, in order that compliance with the provisions
4 of this Order may be monitored:

5 A. For a period of five (5) years from the date of entry of this Order,

6 1. The Individual Defendant shall notify the Commission of the
7 following:

8 a. Any changes in such Defendant's residence, mailing
9 addresses, and telephone numbers, within ten (10) days of the
10 date of such change;

11 b. Any changes in such Defendant's employment status
12 (including self-employment), and any change in such
13 Defendant's ownership in any business entity, within ten (10)
14 days of the date of such change. Such notice shall include the
15 name and address of each business that such Defendant is
16 affiliated with, employed by, creates or forms, or performs
17 services for; a detailed description of the nature of the
18 business; and a detailed description of such Defendant's
19 duties and responsibilities in connection with the business or
20 employment; and

21 c. Any changes in such Defendant's name or use of any aliases
22 or fictitious names;

23 2. Defendants shall notify the Commission of any changes in structure
24 of any Corporate Defendant or any business entity that any
25 Defendant directly or indirectly controls, or has an ownership
26 interest in, that may affect compliance obligations arising under this
27 Order, including but not limited to: incorporation or other
28 organization; a dissolution, assignment, sale, merger, or other action;

1 the creation or dissolution of a subsidiary, parent, or affiliate that
2 engages in any acts or practices subject to this Order; or a change in
3 the business name or address, at least thirty (30) days prior to such
4 change, *provided* that, with respect to any proposed change in the
5 business entity about which a Defendant learns less than thirty (30)
6 days prior to the date such action is to take place, such Defendant
7 shall notify the Commission as soon as is practicable after obtaining
8 such knowledge;

9 B. One hundred eighty (180) days after the date of entry of this Order and
10 annually thereafter for a period of five (5) years, Defendants each shall provide a written
11 report to the Commission, which is true and accurate and sworn to under penalty of
12 perjury, setting forth in detail the manner and form in which they have complied and are
13 complying with this Order. This report shall include, but not be limited to:

14 1. For the Individual Defendant:

- 15 a. Such Defendant's then-current residence address, mailing
16 addresses, and telephone numbers;
- 17 b. Such Defendant's then-current employment status (including
18 self-employment), including the name, addresses, and
19 telephone numbers of each business that such Defendant is
20 affiliated with, employed by, or performs services for; a
21 detailed description of the nature of the business; and a
22 detailed description of such Defendant's duties and
23 responsibilities in connection with the business or
24 employment; and
- 25 c. Any other changes required to be reported under Subsection
26 A of this Section;

27 2. For all Defendants:

- 28 a. A copy of each acknowledgment of receipt of this Order,

1 obtained pursuant to the Section titled "Distribution of
2 Order;"

3 b. Any other changes required to be reported under Subsection
4 A of this Section;

5 C. Each Defendant shall notify the Commission of the filing of a bankruptcy
6 petition by such Defendant within fifteen (15) days of filing;

7 D. For the purposes of this Order, Defendants shall, unless otherwise directed
8 by the Commission's authorized representatives, send by overnight courier all reports and
9 notifications required by this Order to the Commission, to the following address:

10 Associate Director for Enforcement
11 Federal Trade Commission
12 600 Pennsylvania Avenue, N.W., Room NJ-2122
Washington, D.C. 20580
RE: FTC v. National Prize Information Group

13 *Provided, however*, that, in lieu of overnight courier, Defendants may send such
14 reports or notifications by first-class mail, but only if Defendants contemporaneously
15 send an electronic version of such report or notification to the Commission at
16 DEBrief@ftc.gov; and

17 E. For purposes of the compliance reporting and monitoring required by this
18 Order, the Commission is authorized to communicate directly with each Defendant.

19 **IX.**

20 **RECORD KEEPING PROVISIONS**

21 **IT IS FURTHER ORDERED** that, for a period of eight (8) years from the date of
22 entry of this Order, Defendants and their agents, employees, officers, corporations, and
23 those persons in active concert or participation with them who receive actual notice of
24 this Order by personal service or otherwise, in connection with the marketing,
25 advertising, or promotion of any product or service, or for any business in which the
26 Individual Defendant is the majority owner or directly or indirectly controls or manages
27 it, are hereby restrained and enjoined from failing to create and retain the following
28 records:

1 A. Accounting records that reflect the cost of goods or services sold, revenues
2 generated, and the disbursement of such revenues;

3 B. Personnel records accurately reflecting: the name, address, and telephone
4 number of each person employed in any capacity by such business, including as an
5 independent contractor; that person's job title or position; the date upon which the person
6 commenced work; and the date and reason for the person's termination, if applicable;

7 C. Customer files containing the names, addresses, phone numbers, dollar
8 amounts paid, quantity of items or services purchased, and description of items or
9 services purchased, to the extent such information is obtained in the ordinary course of
10 business;

11 D. Complaints and refund requests (whether received directly, indirectly, or
12 through any third party) and any responses to those complaints or requests;

13 E. Copies of all sales scripts, training materials, advertisements, or other
14 marketing materials, including all materials sent to consumers; and

15 F. All records and documents necessary to demonstrate full compliance with
16 each provision of this Order, including but not limited to, copies of acknowledgments of
17 receipt of this Order required by the Sections titled "Distribution of Order" and
18 "Acknowledgment of Receipt of Order" and all reports submitted to the Commission
19 pursuant to the Section titled "Compliance Reporting."

20 **X.**

21 **DISTRIBUTION OF ORDER**

22 **IT IS FURTHER ORDERED** that, for a period of five (5) years from the date of
23 entry of this Order, Defendants shall deliver copies of the Order as directed below:

24 A. Corporate Defendant: The Corporate Defendant must deliver a copy of this
25 Order to (1) all of its principals, officers, directors, and managers; (2) all of its employees,
26 agents, and representatives who engage in conduct related to the subject matter of the
27 Order; and (3) any business entity resulting from any change in structure set forth in
28 Subsection A.2 of the Section titled "Compliance Reporting." For current personnel,

1 delivery shall be within five (5) days of service of this Order upon such Defendant. For
2 new personnel, delivery shall occur prior to them assuming their responsibilities. For any
3 business entity resulting from any change in structure set forth in Subsection A.2 of the
4 Section titled "Compliance Reporting," delivery shall be at least ten (10) days prior to the
5 change in structure;

6 B. Individual Defendant as Control Person: For any business that the
7 Individual Defendant controls, directly or indirectly, or in which such Defendant has a
8 majority ownership interest, such Defendant must deliver a copy of this Order to (1) all
9 principals, officers, directors, and managers of that business; (2) all employees, agents,
10 and representatives of that business who engage in conduct related to the subject matter of
11 the Order; and (3) any business entity resulting from any change in structure set forth in
12 Subsection A.2 of the Section titled "Compliance Reporting." For current personnel,
13 delivery shall be within five (5) days of service of this Order upon such Defendant. For
14 new personnel, delivery shall occur prior to them assuming their responsibilities. For any
15 business entity resulting from any change in structure set forth in Subsection A.2 of the
16 Section titled "Compliance Reporting," delivery shall be at least ten (10) days prior to the
17 change in structure;

18 C. Individual Defendant as employee or non-control person: For any business
19 where the Individual Defendant is not a controlling person of a business but otherwise
20 engages in conduct related to the subject matter of this Order, such Defendant must
21 deliver a copy of this Order to all principals and managers of such business before
22 engaging in such conduct; and

23 D. Defendants must secure a signed and dated statement acknowledging
24 receipt of the Order, within thirty (30) days of delivery, from all persons receiving a copy
25 of the Order pursuant to this Section X.

26 **XI.**

27 **ACKNOWLEDGMENT OF RECEIPT OF ORDER**

28 **IT IS FURTHER ORDERED** that each Defendant, within five (5) business days

1 of receipt of this Order as entered by the Court, must submit to the Commission a truthful
2 sworn statement acknowledging receipt of this Order.

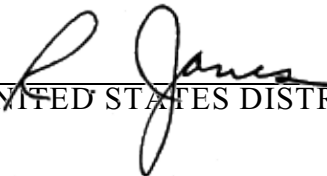
3 **XII.**

4 **RETENTION OF JURISDICTION**

5 **IT IS FURTHER ORDERED** that this Court shall retain jurisdiction of this
6 matter for purposes of construction, modification, and enforcement of this Order.

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8 **IT IS SO ORDERED.**

9 Dated: August 13, 2009

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11 UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I, Laura Fremont, hereby certify that on this 4th day of August, 2009, I served the foregoing **[PROPOSED] FINAL JUDGMENT AND ORDER FOR PERMANENT INJUNCTION AND OTHER EQUITABLE RELIEF AGAINST NATIONAL PRIZE INFORMATION GROUP CORP. AND JOHN RINCON** on defendants in this action by causing them to be sent via U.S. Mail, airmail, to:

John Rincon and

National Prize Information Group Corp. (via John Rincon)

at the following address:

P.I. Amsterdam
Huis van Bewaring Demersluis
T.a.v. Dhr. J.H. Rincon
Postbus 41901
1009 CE Amsterdam
The Netherlands

/s/

LAURA FREMONT