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DATE FILED: 10/30/2015

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CAPITAL ENTERPRISES, INC., formerly known as DAVID GATES, INC. and also doing business as GORDON JAMES ENTERPRISES, MAXWELL GATES ENTERPRISES, MAXWELL SCOTT ENTERPRISES, PRESTON LORD ENTERPRISES, AND WARNER DANIEL ENTERPRISES, a former New Jersey corporation,

CARSON LORD ENTERPRISES, LLC, a Delaware limited liability company,

JAVA ENTERPRISES, LLC, a Delaware limited liability company,

MASON GRACE ENTERPRISES, LLC, also doing business as MASON GRACE VENTURES, a Delaware limited liability company,

PRESTON LORD ENTERPRISES OF NEW YORK, LLC, also doing business as PRESTON LORD ENTERPRISES, a Delaware limited liability company,

DAVID S. BROOKMAN, individually and as an officer and owner of CAPITAL ENTERPRISES, INC., CARSON LORD ENTERPRISES, LLC, JAVA ENTERPRISES, LLC, MASON GRACE ENTERPRISES, LLC, and PRESTON LORD ENTERPRISES OF NEW YORK, LLC,

Defendants.

Case No. 15-CV-8407

STIPULATED PRELIMINARY INJUNCTION ORDER

Plaintiff Federal Trade Commission ("FTC") has filed a Complaint for Permanent Injunction and Other Equitable Relief (the "Complaint") in this matter, pursuant to Sections 5(a), 13(b), and 19b of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 45(a), 53(b), and 57b, and has moved for an *ex parte* temporary restraining order with asset freeze and other equitable relief, and for an order to show cause why a preliminary injunction should not issue pursuant to Fed. R. Civ. P. 65, and on consent of Plaintiff and all Defendants, the Court hereby finds as follows:

1. This Court has jurisdiction over the subject matter of this case.
2. There is good cause to believe that venue lies properly with this Court under 15 U.S.C. § 53(b) and 28 U.S.C. § 1391(b) and (c).
3. Plaintiff asserts there is good cause to believe that Defendants Capital Enterprises, Inc. (formerly known as David Gates, Inc. and also doing business as Gordon James Enterprises, Maxwell Gates Enterprises, Maxwell Scott Enterprises, Preston Lord Enterprises, and Warner Daniel Enterprises), Carson Lord Enterprises, LLC, Java Enterprises, LLC, Mason Grace Enterprises, LLC (also doing business as Mason Grace Ventures), and Preston Lord Enterprises of New York, LLC (also doing business as Preston Lord Enterprises) (all collectively, "Corporate Defendants"), and David S. Brookman (together with the Corporate Defendants, "Defendants") have engaged in and are likely to continue to engage in acts and practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the FTC's Trade Regulation Rule entitled "Disclosure Requirements and Prohibitions Concerning Business Opportunities" (the "Business

Opportunity Rule"), 16 C.F.R. Part 437, as amended, and that the FTC is likely to prevail on the merits of this action.

4. Plaintiff asserts there is good cause to believe that immediate and irreparable harm will result from the Defendants' ongoing violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45, and the Business Opportunity Rule, 16 C.F.R. Part 437, as amended, in the future unless the Defendants are restrained and enjoined by Order of this Court.
5. The FTC is an independent agency of the United States of America and no security is required of any agency of the United States for the issuance of a temporary restraining order. Fed. R. Civ. P. 65(c).
6. Plaintiff asserts that weighing the equities and considering the FTC's likelihood of ultimate success on the merits, the entry of this Stipulated Order is in the public interest.

DEFINITIONS

For purposes of this preliminary injunction order ("Order"), the following definitions shall apply:

1. The terms **"and"** and **"or"** shall be construed conjunctively or disjunctively as necessary, and to make the applicable phrase or sentence inclusive rather than exclusive.
2. **"Asset"** means any legal or equitable interest in, right to, or claim to, any real or personal property including, but not limited to, chattel, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, premises, mail or other deliverables, inventory, checks, notes, accounts, credits, contracts, receivables, shares of stock, lists of consumer names, funds, all cash, and reserve funds or other accounts associated with any payments

processed on behalf of any Defendant, including, but not limited to, such reserve funds held by a payment processor, credit card processor, or bank, wherever located.

3. "**Consumer**" means any person.

4. **"Corporate Defendants"** means Capital Enterprises, Inc., formerly known as David Gates, Inc. and also doing business as Gordon James Enterprises, Maxwell Gates Enterprises, Maxwell Scott Enterprises, Preston Lord Enterprises, and Warner Daniel Enterprises; Carson Lord Enterprises, LLC; Java Enterprises, LLC; Mason Grace Enterprises, LLC, also doing business as Mason Grace Ventures; and Preston Lord Enterprises of New York, LLC, also doing business as Preston Lord Enterprises; and any fictitious business entities or business names created or used by these entities; along with their successors and assigns.

5. **"Defendants"** means the Individual Defendant and the Corporate Defendants, individually, collectively, or in any combination.

6. **"Document"** is defined to be synonymous in meaning and equal in scope to the usage of the term "documents or electronically stored information" in Fed. R. Civ. P. 34(a)(1)(A) and Local Civil Rule 26.3(c)(2). A draft of a document or non-identical copy (whether different from the original because of notations, different metadata, or otherwise) is a separate document within the meaning of this term. "Document" includes, but is not limited to, any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium (whether tangible or electronic) from which information can be obtained either directly or, if necessary, after translation into a reasonably usable form. Examples include, but are not limited to: any

advertisement, book, pamphlet, periodical, contract, correspondence, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, code book, or label.

7. **"Financial Institution"** means any bank, savings and loan institution, credit union, financial depository, brokerage house, broker-dealer, commodity trading company, credit card processing company, payment processor, merchant bank, acquiring bank, precious metal dealer, escrow agent, money market or mutual fund, storage company, trustee or any other person, partnership, corporation, or other legal entity maintaining or having control of any records, accounts or other Assets, owned directly or indirectly, of record or beneficially, by any Defendant, including accounts or Assets which any Defendant may control by virtue of being a signatory on said accounts.
8. **"Individual Defendant"** means David S. Brookman.
9. **"Person" or "Persons"** 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.
10. **"Plaintiff" or "FTC"** means the Federal Trade Commission.
11. **"Work-At-Home Opportunity"** means any program, plan, product, or service that claims to enable a participant or purchaser to earn money or consideration while working primarily from the participant's or purchaser's home.

ORDER

I. PROHIBITED BUSINESS PRACTICES

IT IS THEREFORE ORDERED that Defendants, whether acting directly or through an intermediary, are hereby preliminarily restrained and enjoined from:

A. Advertising, marketing, promoting, offering for sale, or selling any Work-At-Home Opportunity; and

B. Assisting others engaged in advertising, marketing, promoting, offering for sale, or selling any Work-At-Home Opportunity.

II. AUTHORIZATION TO COLLECT MAIL

IT IS FURTHER ORDERED that:

A. The Plaintiff shall be designated as the recipient of all mail that is addressed to any Corporate Defendant and/or addressed to any other name under which any Corporate Defendant is doing or has done business, including, but not limited to, Carson Lord Enterprises, Gordon James Enterprises, Java Enterprises, Mason Grace Enterprises, Mason Grace Ventures, Maxwell Gates Enterprises, Maxwell Scott Enterprises, Preston Lord Enterprises, and Warner Daniel Enterprises, where such mail is directed to a Post Office Box or to any Commercial Mail Receiving Agency ("CMRA") where any Defendant maintains an account and/or mail receiving box, including, but not limited to, 275 New Jersey Route 10 East 220, #124, Succasunna, NJ 07876; 88 East Main Street, Suite H, #433, Mendham, NJ 07945; 95 West Main Street, Suite 5, #221, Chester, NJ 07930; 5 Lyons Mall, Suite 777, Basking Ridge, NJ 07920; 14 Wall Street, 20th Floor, New York, NY 10005; 400 Rella Blvd., Suite 165, Suffern,

NY 10901; 200 Park Avenue, Suite 1700, New York, NY 10166; and 100 Church Street, 8th Floor, New York, NY 10007. Under this section, the Plaintiff is authorized to collect the mail and inspect its contents for the duration of this Order, or any such superseding Order; and

B. Defendants, within three (3) business days of entry of this Order, shall provide to counsel for the Plaintiff a complete list of all Post Office Boxes and CMRA accounts and/or mail receiving boxes used by any Defendant from October 1, 2009 through the date of entry of this Order. Defendants shall notify counsel for the FTC of any Post Office Boxes and CMRA accounts and/or mail receiving boxes created by any Defendant after the date of entry of this Order, within three (3) business days of its creation. Such notice shall include: the name of the Post Office and/or the CMRA; a copy of any PS Form 1093, PS Form 1583, and the CMRA agreement or application; the Post Office Box number, the CMRA account number or mail receiving box number; the address of the Post Office and/or CMRA; the name and telephone number of a contact person at the Post Office and/or CMRA; and all business names used by said Defendant receiving mail at that Post Office Box and/or CMRA service.

III. DISABLEMENT AND PRESERVATION OF WEBSITES

IT IS FURTHER ORDERED that Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, and any individual or entity hosting any website or webpages for any Defendant shall:

A. Immediately take whatever steps may be necessary to ensure that the following websites cannot be accessed by the public:

   i. websites or webpages operated under the names www.masongraceenterprises.com, www.masongraceventures.com, www.javaenterprisesinc.com, and www.javaindustries.com, and

   ii. any other websites or webpages operated or controlled in whole or in part by any Defendant that violate Section I of this Order.

B. Immediately take whatever steps may be necessary to prevent the destruction or erasure of the websites or webpages identified in subparagraph A above by preserving such websites or webpages in the format in which they are currently maintained; and

C. Notify FTC counsel of all websites and webpages operated or controlled in whole or in part by any Defendant within three (3) business days of service of this Order.

IV. ASSET FREEZE

IT IS FURTHER ORDERED that Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, gifting, conveying, granting a lien or security interest or other interest in, or otherwise disposing of any funds, real or personal property, accounts, contracts, shares of

stocks, lists of consumer names, or other Assets, wherever located, including outside the United States, that are:

1. Owned or controlled, directly or indirectly, in whole or in part, by any Defendant, including, but not limited to, any Assets held by, for, or in the name of any Defendant at any bank or savings and loan institution or credit card processing agent, payment processor, merchant bank, acquiring bank, or with any broker-dealer, escrow agent, title company, commodity trading company, precious metal dealer, merchant account processor, check processor, or other financial institution, depository of any kind, or business entity;
2. Held in whole or in part for the direct or indirect benefit of any Defendant;
3. In the actual or constructive possession of any Defendant; or
4. Owned, controlled by, or in the actual or constructive possession of, any corporation, partnership, limited liability company, or other entity directly or indirectly owned, managed, or controlled by any Defendant, or of which any Defendant is an officer, director, member, or manager. This includes, but is not limited to, any Assets held by or for, or subject to access by, any Defendant, at any bank or savings and loan institution, payment processor, merchant bank, acquiring bank, merchant account processor, check processor, or with any broker-dealer, escrow agent, title company, commodity trading company, precious metals dealer, or other financial institution or depository of any kind; or

5. Held in any account for which any Defendant is an authorized signer.

B. Opening or causing to be opened, unless accompanied by counsel for the Plaintiff, any safe deposit boxes titled, individually or jointly, in the name of any Defendant, or subject to access by any Defendant;

C. Cashing any checks or depositing any money orders or cash received from consumers, clients, or customers of any Defendant;

D. Incurring charges or cash advances, or redeeming any reward program benefits, on any credit or debit card issued in the name, individually or jointly, of any Defendant, or any corporation, partnership, limited liability company, or other entity directly or indirectly owned, managed, or controlled by any Defendant, or of which any Defendant is an officer, director, member, or manager;

E. Obtaining a personal or secured loan encumbering the Assets of any Defendant;

F. Incurring liens or other encumbrances on real property, personal property, or other Assets of any Defendant in the name of any Defendant, individually or jointly; and

G. Collecting, opening, or causing to be collected or opened (except by Plaintiff) any mail received by or on behalf of the Corporate Defendants at any address, including but not limited to the following:

1. 275 New Jersey Route 10 East 220, #124, Succasunna, NJ 07876;
2. 88 East Main Street, Suite H, #433, Mendham, NJ 07945;
3. 95 West Main Street, Suite 5, #221, Chester, NJ 07930;
4. 5 Lyons Mall, Suite 777, Basking Ridge, NJ 07920;
5. 14 Wall Street, 20th Floor, New York, NY 10005;

6. 400 Rella Blvd., Suite 165, Suffern, NY 10901;

7. 200 Park Avenue, Suite 1700, New York, NY 10166;

8. 100 Church Street, 8th Floor, New York, NY 10007.

The Assets affected by this Section shall include both (1) existing Assets as of the time this Order is entered, and (2) Assets obtained after the time this Order is entered that are derived, directly or indirectly, from any of the Defendants' activities as described in the Complaint.

V. FINANCIAL REPORTS

IT IS FURTHER ORDERED that the Individual Defendant, within ten (10) business days of entry of this Order by the Court, shall prepare and deliver to Plaintiff's counsel:

A. Completed financial statements on the forms attached to this Order as **Attachment A** ("Financial Statement of Individual Defendant") for himself individually, and **Attachment B** ("Financial Statement of Corporate Defendant") for each business entity (whether or not incorporated) under which the Individual Defendant conducts business or of which the Individual Defendant is an owner or officer. The financial statements shall be accurate as of the date of entry of this Order; and

B. All federal tax returns filed by the Individual Defendant and each Corporate Defendant since October 1, 2009.

VI. IDENTIFYING INFORMATION RELATING TO ACCOUNTANTS, FINANCIAL PLANNERS, INVESTMENT ADVISORS, STOCK BROKERS, AND OTHERS

IT IS FURTHER ORDERED that Defendants, within ten (10) business days of entry of this Order by the Court, shall provide counsel for the FTC the name, address, and telephone

number for each accountant, financial planner, investment advisor, stock broker or other individual, corporation or partnership that any of them has hired for any services, including, but not limited to, preparation of tax returns and investment advice, since October 1, 2009.

VII. DUTIES OF ASSET HOLDERS

IT IS FURTHER ORDERED that any financial or brokerage institution, credit card processing entity (including any merchant acquiring bank, payment processor, independent sales organization, or sales agent), trust, business entity, or any other person served with a copy of this Order that (a) holds, controls, or maintains custody of any account or Asset of any Defendant, (b) holds, controls, or maintains custody of any account or Asset titled in the name of any Defendant, either individually or jointly, or held for the benefit of any Defendant, or (c) has held, controlled, or maintained custody of any such account or Asset at any time since October 1, 2009, shall:

A. Prohibit the Defendants from transferring, selling, concealing, pledging, hypothecating, assigning, spending, withdrawing, disbursing, conveying, gifting, dissipating, liquidating, converting, encumbering, loaning, granting a lien or security interest or other interest in, or otherwise disposing of any such account or Asset except as directed by further order of the Court;

B. Deny the Defendants access to any safety deposit box that is titled in the name of any of the Defendants, either individually or jointly, or otherwise subject to access by any of the Defendants, either individually or jointly;

C. Provide counsel for the FTC, within thirty (30) days of notice of this Order, with a sworn statement setting forth:

1. The identification number and description of each such account or Asset titled in the name, individually or jointly, of any of the Defendants or held on behalf of, or for the benefit of, any Defendant;

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 notification of this Order is served, and, if the account or other Asset has been closed or removed, the date closed or removed, the balance or value removed, and the name of the person or entity to whom such account or other Asset was transferred; and

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

D. Upon the request of the FTC, provide Plaintiff's counsel within ten (10) business days with copies of all records or other documentation pertaining to any account or Asset of any Defendant, 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.

VIII. REPATRIATION OF ASSETS AND DOCUMENTS

IT IS FURTHER ORDERED that the Defendants shall:

A. Within three (3) business days following the service of this Order, take such steps as are necessary to transfer to the territory of the United States all funds, documents, and Assets that are located outside of such territory and are held by

or for the benefit of the Defendants or are under their direct or indirect control, jointly, severally, or individually;

B. Within ten (10) business days following the entry of this Order by the Court, provide counsel for the FTC with a full accounting of all documents, accounts, and Assets that are located outside of such territory and are held by or for the benefit of the Defendants or are under their direct or indirect control, whether jointly, severally, or individually;

C. Within three (3) business days following the entry of this Order by the Court, provide counsel for the FTC access to all records of accounts or Assets of any Defendant held by financial institutions located outside the territorial United States by signing and delivering to Plaintiff's counsel the Consent to Release of Financial Records attached to this Order as **Attachment C;** and

D. Hold and retain all documents and Assets transferred pursuant to Subsection A above, and prevent any transfer, disposition, or dissipation whatsoever of any such Assets or funds.

IX. NONINTERFERENCE WITH REPATRIATION

IT IS FURTHER ORDERED that Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, 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 Section VIII of this Order, including, but not limited to:

A. Sending any statement, letter, facsimile, 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 Section VIII 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 Section VIII of this Order.

X. PRESERVATION OF RECORDS

IT IS FURTHER ORDERED that Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from:

A. Destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any documents or records that relate to the business practices, business, Assets, or personal finances of Defendants, or any other entity directly or indirectly under the control of Defendants; and

B. Failing to create and maintain books, records, and accounts, which, in reasonable detail, accurately, fairly, and completely reflect the incomes, Assets,

disbursements, transactions, and use of monies by any Defendant or any other entity directly or indirectly under the control of Defendants.

XI. CONSUMER CREDIT REPORTS

IT IS FURTHER ORDERED that Plaintiff may obtain credit reports concerning any Defendant pursuant to Section 604(a)(1) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(1), and that, upon written request, any consumer reporting agency served with this Order shall promptly furnish such consumer reports.

XII. PROHIBITION ON RELEASE OF CUSTOMER INFORMATION OR CUSTOMER LISTS

IT IS FURTHER ORDERED that Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, credit card number, bank account number, e-mail address, Social Security number or other identifying information of any person who paid money to any of the Defendants for a Work-At-Home Opportunity or who were contacted or are on a list to be contacted, directly or indirectly, by any of the Defendants, *provided, however*, that Defendants may disclose such identifying information to Plaintiff, any other law enforcement agency, or as required by any law, regulation, or court order.

XIII. NOTIFICATION OF BUSINESS ACTIVITIES

IT IS FURTHER ORDERED that the Individual Defendant is hereby preliminarily restrained and enjoined from directly or indirectly creating, operating, or exercising any control over any business entity, including any partnership, limited partnership, joint venture, sole

proprietorship, limited liability company, or corporation, without first serving on counsel for the FTC a written statement disclosing the following:

A. The name of the business entity;

B. The address and telephone number of the business entity;

C. The names of the business entity's officers, directors, principals, managers, and employees; and

D. A detailed description of the business entity's intended or actual activities.

XIV. LIMITED EXPEDITED DISCOVERY

IT IS FURTHER ORDERED that, notwithstanding the provisions of Federal Rules of Civil Procedure 26(d), (f) and 30(a)(2), and pursuant to Federal Rules of Civil Procedure 30(a), 34, and 45, Plaintiff is granted leave, at any time after service of this Order, to conduct limited expedited discovery concerning the (1) nature, location, status, and extent of the Defendants' Assets, (2) nature and location of documents reflecting the business transactions of Defendants, and (3) Defendants' compliance with this Order, in accordance with the following provisions:

A. Plaintiff may take the depositions of parties on at least three (3) calendar days' notice and of non-parties on at least ten (10) calendar days' notice. Depositions may be taken Monday through Friday and may be taken in person, by telephone, or through other electronic means;

B. Plaintiff may serve upon any Defendant requests for production or inspection of documents that require production or inspection within five (5) calendar days of service, and may serve subpoenas upon non-parties that direct production or inspection within three (3) weeks of service;

C. Plaintiff may serve interrogatories for the purpose of discovering: (1) the assets of Defendants; (2) the location of documents; and (3) compliance with this Order. Defendants shall respond within five (5) calendar days after Plaintiff serves such interrogatories.

D. The Plaintiff may serve deposition notices and other discovery requests by facsimile, e-mail, or overnight courier; and

E. Any discovery taken pursuant to this Order is in addition to, and is not subject to, the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure and Local Rules of this Court. If a Defendant fails to appear for a properly noticed deposition or fails to comply with a request for production or inspection, the Defendants may be prohibited from introducing evidence at the hearing on Plaintiff's request for a preliminary injunction. Deposition transcripts that have not been signed may be used for the purpose of the hearing on the Order To Show Cause Why A Preliminary Injunction Should Not Issue.

XV. NONINTERFERENCE WITH CONSUMER WITNESSES

IT IS FURTHER ORDERED that:

A. Defendants and Defendants' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from taking any action, directly or indirectly, that may result in the intimidation and noncooperation of consumer witnesses, or in the

hindrance of the expedited discovery required by Section XIV of this Order, including, but not limited to:

1. Requiring consumers seeking a refund to sign an agreement preventing them from providing information about the Corporate Defendants or sharing their experiences with the Corporate Defendants;

2. Enforcing such agreements; and

3. Sending any statement, letter, fax, email or wire transmission, or telephoning or engaging in any other act, directly or indirectly, that results in the intimidation or noncooperation of consumers or potential witnesses;

B. Consumers may cooperate with Plaintiff without regard to any existing agreement preventing consumers from communicating with outside parties about the Corporate Defendants.

XVI. DISTRIBUTION OF ORDER BY DEFENDANTS

IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of this Order to each of their employees, directors, officers, subsidiaries, affiliates, divisions, sales entities, successors, assigns, independent contractors, attorneys, representatives, all persons in active concert or participation with Defendants, and any person who has solicited customers for Defendants' Work-At-Home Opportunities or provided any service in connection with Defendants' marketing and sale of any Work-At-Home Opportunity or other good or service. Within ten (10) business days from the date of entry of this Order by the Court, Defendants shall provide Plaintiff's counsel with a sworn statement that Defendants have complied with this provision of the Order, which statement shall identify the names,

addresses, and telephone numbers of each person or entity that Defendants have served with a copy of the Order. Furthermore, Defendants shall not take any action that would encourage officers, agents, members, directors, employees, salespersons, independent contractors, attorneys, subsidiaries, affiliates, successors, assigns or other persons or entities in active concert or participation with them to disregard this Order or believe that they are not bound by its provisions.

XVII. USE OF ALIASES

IT IS FURTHER ORDERED that Defendants are hereby enjoined from using any fictitious, false, or assumed title or name, other than their own proper name, or otherwise misrepresenting their true identities in the course of business dealings or in publicly filed documents.

XVIII. SERVICE ON FINANCIAL INSTITUTIONS OR OTHER THIRD-PARTY ENTITIES OR PERSONS

IT IS FURTHER ORDERED that copies of this Order may be served by any means, including facsimile transmission, e-mail, 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 otherwise be subject to any provision of this Order. Service upon any branch or office of any financial institution or entity shall effect service upon the entire financial institution or entity.

XIX. CORRESPONDENCE WITH PLAINTIFF

IT IS FURTHER ORDERED that, for the purposes of this Order, all correspondence and service of pleadings on Plaintiff shall be addressed to:

Savvas S. Diacosavvas
Darren H. Lubetzky
Laura A. Zuckerwise
Federal Trade Commission
Northeast Region
One Bowling Green, Suite 318
New York, NY 10004
Email: sdiacosavvas@ftc.gov
Email: dlubetzky@ftc.gov
Email: lzuckerwise@ftc.gov
Telephone: (212) 607-2829
Facsimile: (212) 607-2822

XX. RETENTION OF JURISDICTION

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

SO STIPULATED:

For Plaintiff

FEDERAL TRADE COMMISSION

10/29/2015

Savvas S. Diacosavvas
Darren H. Lubetzky
Laura A. Zuckerwise
Federal Trade Commission
Northeast Region
One Bowling Green, Suite 318
New York, NY 10004
Tel: (212) 607-2829
Fax: (212) 607-2822
Email: sdiacosavvas@ftc.gov
Email: dlubetzky@ftc.gov
Email: lzuckerwise@ftc.gov

FOR DEFENDANTS:

_____ Date: _____

David S. Brookman
Individually and as an officer of all Corporate Defendants

SO ORDERED, this _____ day of _____, 2015, at _____ o'clock __.m.

_____
UNITED STATES DISTRICT JUDGE

SO STIPULATED:

For Plaintiff

FEDERAL TRADE COMMISSION

Savvas S. Diacosavvas
Darren H. Lubetzky
Laura A. Zuckerwise
Federal Trade Commission
Northeast Region
One Bowling Green, Suite 318
New York, NY 10004
Tel: (212) 607-2829
Fax: (212) 607-2822
Email: sdiacosavvas@ftc.gov
Email: dlubetzky@ftc.gov
Email: lzuckerwise@ftc.gov

FOR DEFENDANTS:

Date: 10-29-15

David S. Brookman
Individually and as an officer of all Corporate Defendants

SO ORDERED, this 30th day of October, 2015, at 2:02 o'clock p.m.

UNITED STATES DISTRICT JUDGE