

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

STEVEN J. BRANSFIELD, et al.,

Defendants.

Case No. \_\_\_\_\_

**STIPULATED ORDER FOR  
PERMANENT INJUNCTION AND  
MONETARY JUDGMENT AS TO  
SCOTT A. ZUCKMAN AND ALPHA  
QUAD ENTERPRISES, INC.**

Plaintiff, the Federal Trade Commission (“FTC” or “Commission”), filed its Complaint for Permanent Injunction and Other Relief pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §53(b) (“Complaint”). The FTC, individual Defendant Scott A. Zuckman (“Zuckman”), and corporate Defendant Alpha Quad Enterprises, Inc. (“Alpha Quad”) stipulate to the entry of this Stipulated Order for Permanent Injunction and Monetary Judgment (“Order”) to resolve all matters in dispute in this action between them.

THEREFORE, IT IS ORDERED as follows:

**FINDINGS**

- A. This Court has jurisdiction over this matter.
- B. The Complaint charges that Zuckman and Alpha Quad participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45.
- C. Zuckman and Alpha Quad neither admit nor deny any of the allegations in the Complaint, except as specifically stated in this Order. Only for purposes of this action,

Zuckman and Alpha Quad admit the facts necessary to establish jurisdiction.

D. Zuckman and Alpha Quad waive any claim that they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action through the date of this Order, and agree to bear their own costs and attorney fees.

E. Zuckman, Alpha Quad and the FTC waive all rights to appeal or otherwise challenge or contest the validity of this Order.

### **DEFINITIONS**

For the purpose of this Order, the following definitions apply:

A. **“Alpha Quad”** means Alpha Quad Enterprises, Inc., and each of its subsidiaries, affiliates, successors, and assigns.

B. **“Business Coaching Program”** means any program, plan, or product, including those related to work-at-home opportunities, that is represented, expressly or by implication, to train or teach a participant or purchaser how to establish a business or earn money or other consideration through a business or other activity.

C. **“Defendant(s)”** means Zuckman, Alpha Quad, SB & A Media, Inc., SB&A Group, LLC, and WeRunAds, LLC, TTZ Media, Inc., Steven J. Bransfield, and Gar Leong Chow a/k/a John Chow, individually, collectively, or in any combination.

D. **“Money-Making Method”** means any method, process, or technique that is offered, offered for sale, or sold, based wholly or in part on representations, either express or implied, that such method, process, or technique is non-generic or not generally available to the public, and will generate income for users or prospective purchasers.

E. **“MOBE Defendant(s)”** means MOBE Ltd., MOBEProcessing.com, Inc.,

Transaction Management USA, Inc., MOBETraining.com, Inc., 9336-0311 Quebec Inc.,  
MOBE Pro Limited, MOBE Inc., MOBE Online Ltd., Matt Lloyd Publishing.com Pty Ltd.,  
Matthew Lloyd McPhee a/k/a Matt Lloyd, Russell W. Whitney, and Susan Zanghi.

F. **“Settling Defendants”** means Zuckman and Alpha Quad, individually,  
collectively or in any combination.

G. **“Zuckman”** means individual Defendant Scott Alan Zuckman.

### **ORDER**

#### **I. BAN ON SALE OR MARKETING OF BUSINESS COACHING PROGRAMS AND MONEY-MAKING METHODS**

IT IS ORDERED that Settling Defendants are permanently restrained and enjoined  
from:

A. Creating, advertising, marketing, promoting, offering for sale, or selling, or  
assisting others in creating, advertising, marketing, promoting, offering for sale, or selling  
any Business Coaching Program or any Money-Making Method;

B. Holding, directly or through a third-person, any ownership or other financial  
interest in any business entity that is creating, advertising, marketing, promoting, offering for  
sale, or selling, or that assists others in creating, advertising, marketing, promoting, offering  
for sale, or selling any Business Coaching Program, any Money-Making Method, or any  
product to assist in the creation or development of a Business Coaching Program or a  
Money-Making Method.

#### **II. PROHIBITION AGAINST MISREPRESENTATIONS**

IT IS FURTHER ORDERED that Settling Defendants, their officers, agents,  
employees, and attorneys, 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, in connection with the advertising, marketing, promoting, or offering for sale of any goods or services, are permanently restrained and enjoined from misrepresenting or assisting others in misrepresenting, expressly or by implication:

A. That consumers who purchase any goods or services will earn or are likely to earn substantial income; or

B. Any other fact material to consumers concerning any good or service, such as: the total costs; any refund policy; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

### **III. MONETARY JUDGMENT**

A. Judgment in the amount of one million, eight hundred forty-two thousand, five hundred fifteen dollars (\$1,842,515) is entered in favor of the Commission against the Settling Defendants, jointly and severally, as equitable monetary relief.

B. Settling Defendants are ordered to pay the Commission four hundred six thousand, one hundred fifty dollars (\$406,150), which amount Settling Defendants stipulate their undersigned counsel holds in escrow for no purpose other than payment to the Commission. Such payment must be made within 7 days of entry of this Order by electronic fund transfer in accordance with instructions previously provided by a representative of the Commission. Upon such payment, the remainder of the judgment is suspended, subject to the Subsections below.

C. The Commission's agreement to the suspension of the judgment is expressly premised upon the truthfulness, accuracy, and completeness of Defendants' sworn financial

statements and related documents (collectively, “Financial Representations”) submitted to the Commission, namely:

1. the Financial Statement of Zuckman signed on August 29, 2019 and sent to FTC counsel on August 30, 2019, including attachments or addendums, and Zuckman’s tax returns for the years 2016 thru 2018;

2. the Financial Statement of Corporate Defendant Alpha Quad Enterprises, Inc., signed by Zuckman on August 29, 2019, including its tax return for the year 2018;

3. the Financial Statement of Cedar Estates, LLC, signed by Zuckman on August 29, 2019, including its tax return for the year 2018;

4. the Financial Statement of DS9 Enterprises, Inc., signed by Zuckman on August 29, 2019, including its tax return for the year 2018;

5. the Financial Statement of Next Generation Enterprises, Inc., signed by Zuckman on August 29, 2019, including attachments or addendums, and its tax return for the year 2018;

6. the Financial Statement of Next Gen Holdings, LLC, signed by Zuckman on August 29, 2019, including attachments or addendums, and its tax return for the year 2018;

7. the Financial Statement of Reynolds Road, LLC, signed by Zuckman on August 29, 2019, including its tax return for the year 2018;

8. the Financial Statement of Voyager Enterprises, Inc., signed by Zuckman on August 29, 2019, including its tax return for the year 2018;

9. the documentation and information submitted via email from Zuckman's counsel, Theodore Monroe, to FTC counsel Sung W. Kim on September 17, 2019 at approximately 10:51 pm EDT, including all attachments; and

10. the documentation and information submitted via email from Zuckman's counsel, Theodore Monroe, to FTC counsel Sung W. Kim on October 11, 2019 at approximately 3:16 pm EDT.

D. The suspension of the judgment will be lifted as to any Settling Defendant if, upon motion by the Commission, the Court finds that Settling Defendant failed to disclose any material asset, materially misstated the value of any asset, or made any other material misstatement or omission in the Financial Representations identified above.

E. If the suspension of the judgment is lifted, the judgment becomes immediately due as to that Settling Defendant in the amount specified in Subsection A above (which the parties stipulate only for purposes of this Section represents the unjust enrichment alleged in the Complaint), plus interest computed from the date of entry of this Order.

F. Settling Defendants relinquish dominion and all legal and equitable right, title, and interest in all assets transferred pursuant to this Order and may not seek the return of any assets.

G. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the Commission, including in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.

H. The facts alleged in the Complaint establish all elements necessary to sustain

an action by the Commission pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.

I. Settling Defendants acknowledge that their Taxpayer Identification Numbers (Social Security Number or Employer Identification Number) may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. § 7701.

J. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Commission may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Complaint. Any money not used for such equitable relief is to be deposited to the U.S. Treasury as disgorgement. Settling Defendants have no right to challenge any actions the Commission or its representatives may take pursuant to this Subsection.

#### **IV. CUSTOMER INFORMATION**

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

A. Failing to provide sufficient customer information to enable the Commission to efficiently administer consumer redress. If a representative of the Commission requests in writing any information related to redress, Settling Defendants must provide it, in the form prescribed by the Commission, within 14 days; and

B. Disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, Social Security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that any Defendant or any MOBE Defendant obtained prior to entry of this Order in connection with any activity that pertains to the sale of any Business Coaching Program or Money-Making Method; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within 30 days after receipt of written direction to do so from a representative of the Commission.

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

## **V. COOPERATION**

IT IS FURTHER ORDERED that Settling Defendants must fully cooperate with representatives of the Commission in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Settling Defendants must provide truthful and complete information, evidence, and testimony. Settling Defendants must appear for interviews, discovery, hearings, trials, and

any other proceedings that a Commission representative may reasonably request upon 5 days written notice, or other reasonable notice, at such places and times as a Commission representative may designate, without the service of a subpoena.

**VI. ORDER ACKNOWLEDGMENTS**

IT IS FURTHER ORDERED that Settling Defendants obtain acknowledgments of receipt of this Order:

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

B. For 10 years after entry of this Order, Zuckman for any business that he, individually or collectively with any other Defendants or any MOBE Defendant, is the majority owner or controls directly or indirectly, and Alpha Quad must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for conduct related to the subject matter of the Order and all agents and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery must occur within 7 days of entry of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.

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

## VII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Settling Defendants make timely submissions to the Commission:

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

1. Each Settling Defendant must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission may use to communicate with Settling Defendant; (b) identify all of that Settling Defendant's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant or any MOBE Defendant (which Zuckman must describe if he knows or should know due to his own involvement); (d) describe in detail whether and how that Settling Defendant is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.

2. Additionally, Zuckman must: (a) identify all telephone numbers and all physical, postal, email and Internet addresses, including all residences; (b) identify all business activities, including any business for which Zuckman performs services whether as an employee or otherwise and any entity in which Zuckman has any ownership interest; and (c) describe in detail his involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For 15 years after entry of this Order, each Settling Defendant must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:

1. Each Settling Defendant must report any change in: (a) any designated point of contact; or (b) the structure of Alpha Quad or any entity that a Settling Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, Zuckman must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which he performs services whether as an employee or otherwise and any entity in which he has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Each Settling Defendant must submit to the Commission notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Settling Defendant within 14 days of its filing.

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

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

### **VIII. RECORDKEEPING**

IT IS FURTHER ORDERED that Settling Defendants must create certain records for 15 years after entry of the Order, and retain each such record for 5 years. Specifically, Alpha Quad and Zuckman for any business that he, individually or collectively with any other Defendants or any MOBE Defendant, is a majority owner or controls directly or indirectly, must create and retain the following records:

- A. Accounting records showing the revenues from all goods or services sold;
- B. Personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. Records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;
- D. All records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission; and
- E. A copy of each unique advertisement or other marketing material.

## **IX. COMPLIANCE MONITORING**

IT IS FURTHER ORDERED that, for the purpose of monitoring Settling Defendants' compliance with this Order, including the financial representations upon which part of the judgment was suspended, and any failure to transfer any assets as required by this Order:

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

B. For matters concerning this Order, the Commission is authorized to communicate directly with each Settling Defendant. Settling Defendants must permit representatives of the Commission to interview any employee or other person affiliated with any Defendant or any MOBE Defendant who has agreed to such an interview. The person interviewed may have counsel present.

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

D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Zuckman, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(1).

**X. RETENTION OF JURISDICTION**

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

SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2019.

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UNITED STATES DISTRICT COURT JUDGE

**SO STIPULATED AND AGREED:**

**FOR PLAINTIFF:**

FEDERAL TRADE COMMISSION

Alden F. Abbott  
General Counsel

Date: 3/3/2020



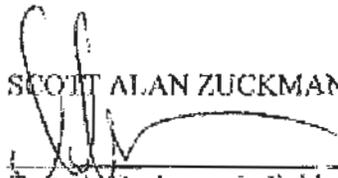
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**FOR INDIVIDUAL DEFENDANT:**

SCOTT ALAN ZUCKMAN

Date: 12/12/19



Scott A. Zuckman, individually

**FOR ALPHA QUAD ENTERPRISES, INC.:**

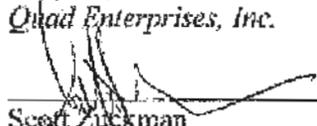
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Date: 12/12/19



Scott Zuckman  
Manager & Principal Owner  
Alpha Quad Enterprises, Inc.