

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FINANCIAL RESOURCES UNLIMITED, INC.,

SUPREME MAILING SERVICES, INC.,

MARK E. SHELTON, individually and as an

~~officer of the corporate defendants~~

Civil Action No. 03 C 8864

Judge Joan B. Gottschall

Magistrate Martin C. Ashman

dba

~~FTC v. Financial Resources Unlimited, Inc., Supreme Mailing Services, Inc., and Mark E. Shelton, individually and as an officer of the corporate defendants~~

Defendants.

**TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE AND ORDER TO
SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

Plaintiff, Federal Trade Commission ("FTC" or "Commission"), having filed its
~~complaint for a permanent injunction and other relief in this matter pursuant to Sections 13(b)~~

1. This Court has jurisdiction over the subject matter of this case and there is good

~~and there is good cause to exercise jurisdiction of all parties hereto.~~

[REDACTED]

"equipment," "fixtures," "general intangibles," "inventory," "checks," or "notes" (as these terms are defined in the Uniform Commercial Code), and all cash, wherever located.

3. "Material" means likely to affect a person's choice of, or conduct regarding, goods or services.

limited or general partnership, corporation, or other business entity.

5. "Customer" means any person who has paid or may be required to pay for goods or services.

6. The term "document" or "documents" means any materials listed in Federal Rule of Civil Procedure 34(a) and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which information can be obtained and translated, if necessary, into reasonably usable form through detection devices. A

I.

CEASE AND DESIST

IT IS HEREBY ORDERED THAT [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

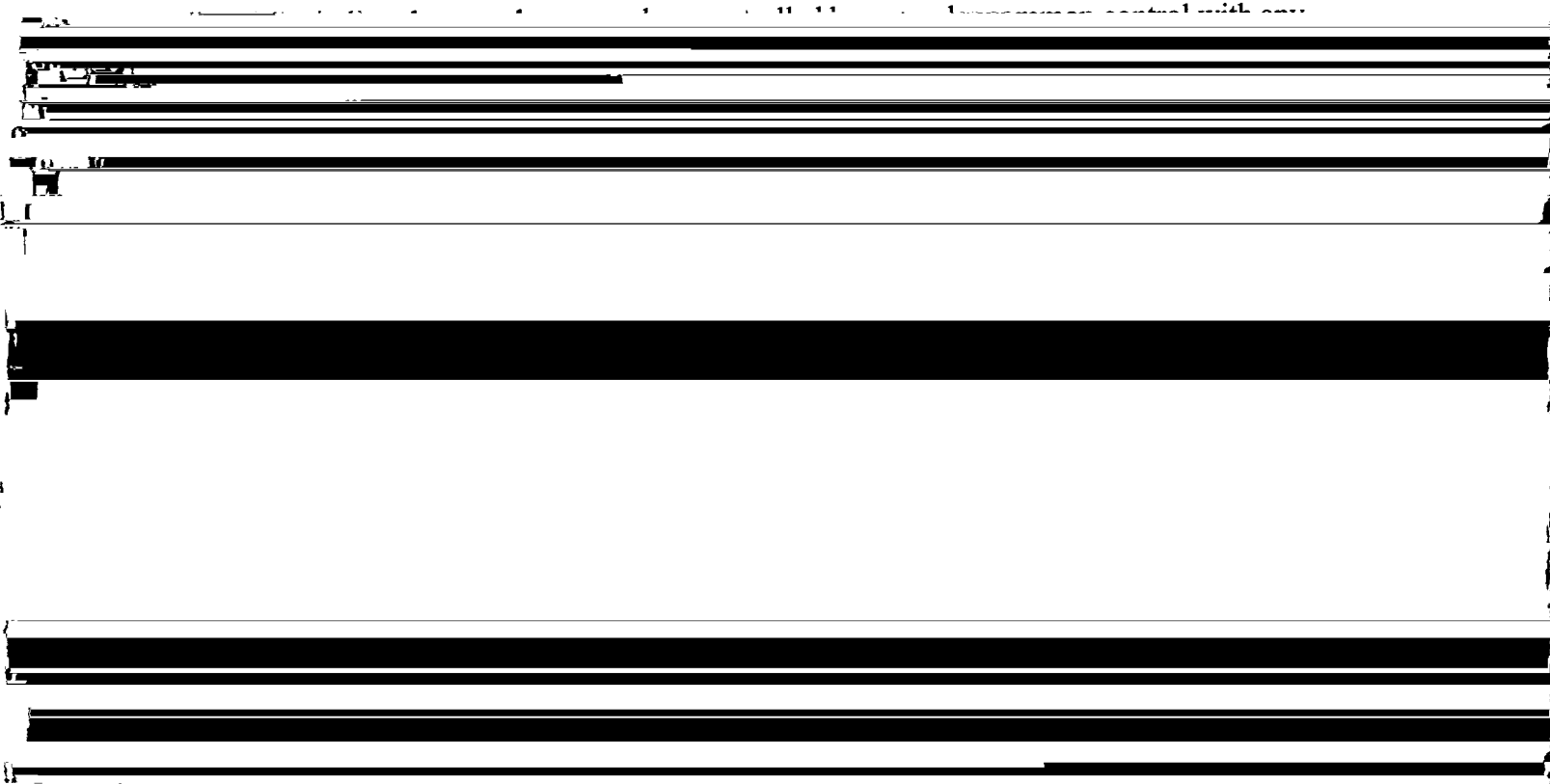
[REDACTED]

II.

ASSET FREEZE

IT IS FURTHER ORDERED that Defendants, and their officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, affiliates, successors, and assigns, all other persons or entities in active concert or participation with them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary division, or other device, or any of them, except as provided in Section III below, as stipulated by the parties, or as directed by further order of the Court, are hereby restrained and enjoined from:

A. Transferring, converting, encumbering, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, or otherwise disposing of any funds, property, artwork, coins, precious metals, jewelry, contracts, shares of stock, or other assets, wherever located, that are (1) owned or controlled by any Defendant, in whole or in part; or (2) in the actual or constructive possession of any Defendant; or (3) owned, controlled by, or in the actual or constructive possession of any Defendant, or any other corporation, partnership, or other entity



with any broker-dealer, escrow agent, title company, commodity trading company, precious metal dealer, or other financial institution of any kind either within or outside the United States;

B. Opening or causing to be opened any safe deposit boxes or storage facilities titled in the name of any Defendant, or subject to access by any Defendant or under any Defendant's control, without providing Plaintiff prior notice and an opportunity to inspect the contents in order to determine that they contain no assets covered by this Section; and

C. Incurring charges or cash advances on any credit card issued in the name, singly or jointly of any Defendant

Notwithstanding the asset freeze provisions of Paragraph II. A - C above, and unless otherwise ordered by the Court: (1) Defendant Mark E. Shelton, may pay from his individual personal funds reasonable, usual, ordinary, and necessary living expenses of up to \$500 per week; and (2) Defendants Financial Resources Unlimited, Inc., and Supreme Mailing Services, Inc., together, may pay reasonable, usual, ordinary, and necessary business expenses, including, but not limited to, travel expenses, aggregating up to \$500 per week. Defendants shall maintain

III.

MAINTAIN RECORDS AND REPORT NEW BUSINESS ACTIVITY

IT IS FURTHER ORDERED that Defendants, and their officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, ~~affiliates, successors and assigns.~~ all other persons or entities in active concert or participation

with them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary division, or other device, or any of them, are hereby restrained and enjoined from:

- A. Failing to make and keep books, records, accounts, bank statements, current

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.

IV.

COMPLETE AND FILE FINANCIAL STATEMENT

IT IS FURTHER ORDERED that the D.C. Superior Court shall have jurisdiction over the

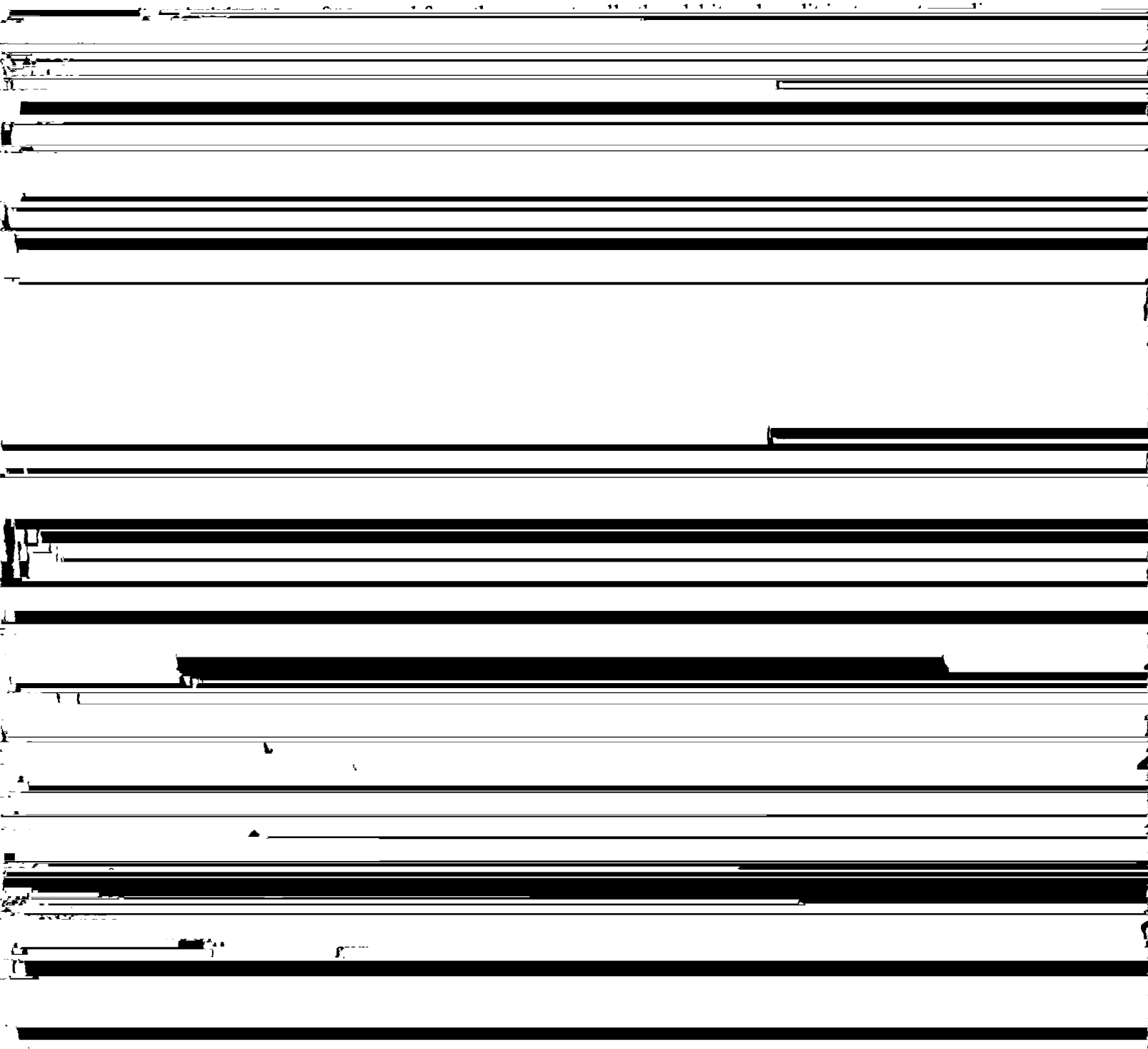
common control with any Defendant, or that at any time since August 2000, has maintained or had custody of any such account or other asset, and which is served with a copy of this Order, or ~~who has actual or constructive knowledge of this Order shall:~~

A. Hold and retain within its control and prohibit the withdrawal, removal, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion,

~~and the use of any such funds, or other property held by or under its control~~

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

D. Allow representatives of Plaintiff immediate access to inspect and copy any records or other documents pertaining to such account or asset, including, but not limited to, originals or copies of account applications, account statements, signature cards, checks, drafts,



VII.

EXPEDITED DISCOVERY

IT IS FURTHER ORDERED that Plaintiff is granted leave, at any time after service of this Order and pursuant to Federal Rules of Civil Procedure 30(a), 34, and 45 to: (1) take the deposition of any person or entity for the purpose of discovering the nature, location, status, and extent of Defendants' assets, the nature and location of documents reflecting the business

[REDACTED]

VIII.

~~OFFICE OF ANSWERING AFFIDAVITS MEMORANDA AND OTHER EVIDENCE~~

IT IS FURTHER ORDERED that Defendants shall serve answering affidavits, pleadings, and legal memoranda on counsel for Plaintiff not less than three (3) business days prior to the hearing on Plaintiff's request for a preliminary injunction. Defendants shall serve copies of all such materials on Plaintiff by delivery or facsimile to John C. Hallerud, Esq., Federal Trade Commission, 55 East Monroe Street, Suite 1860, Chicago, Illinois 60603, facsimile (312) 960-5600.

IX

brokerage house, escrow agent, retirement fund custodian, money market or mutual fund, title

~~company, commodity trading company, common carrier, storage company, trustee, credit card~~

processing agent, automated clearing house, network transaction processor, bank debit processing agent, commercial mail receiving agency, mail holding or forwarding company, Internet service provider, or any other person, partnership, corporation, or legal entity that may be in possession of any documents, records, assets, property, or property right of any Defendant, and any other person, partnership, corporation, or legal entity that may be subject to any provision of this Order.

XI.

~~CONSULTED REPORTING AGENCIES~~

XIII.

DATE OF NEXT COURT PROCEEDING

IT IS FURTHER ORDERED that the Defendant shall appear before this Court on the

_____ day of _____, 2003, at _____ .m. at the United States

_____ day of To be set by Magistrate Judge Ashman, 2003, at _____ .m. at the United States

Courthouse, Courtroom _____, Chicago, Illinois, to show cause, if any there be, why this

Court should not enter a preliminary injunction, pending final ruling on the complaint, enjoining

~~the Defendant from further violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a)~~