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the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. § 6101 *et seq.*, charging the Defendants Internet Marketing Group, Inc., OneSetPrice, Inc., First Choice Terminal, Inc. (a Louisiana corporation), First Choice Terminal, Inc. (an Arizona corporation), B & C Ventures, Inc., RPM Marketing Group, Inc., National Event Coordinators, Inc., David G. Cutler, Cindy Gannon, Paul D. Bonnallie, Tisa Christiana Spraul, and Michael J. Hatch with deceptive acts and practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, the Commission's Trade Regulation Rules entitled "Telemarketing Sales Rule," 16 C.F.R. Part 310, and "Disclosure Requirements and Prohibitions Concerning Franchising and Business

David G. Cutler under Sections 5, 13(b), and 19 of the FTC Act, 15 U.S.C. §§ 45, 53(b), and
57b, and the Telemarketing Sales Rule and the Franchise Rule;
3. Venue in this district is proper under 28 U.S.C. § 1391(b) and 15 U.S.C. § 53(b);
The activities of Defendant David G. Cutler are "in or affecting commerce" as
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located.

- B. "Franchise Rule" is defined as the Commission's Trade Regulation Rule entitled "Disclosure Requirements and Prohibitions Concerning Franchising and Business Opportunity Ventures," 16 C.F.R. Part 436, as currently promulgated or as it may hereafter be amended. A copy of the current Franchise Rule is attached hereto.
- C. "**Franchise**" means any written or oral business arrangement, however denominated, which is a "franchise" as that term is defined in Section 436.2(a) of the Franchise Rule, 16 C.F.R. § 436.2(a).

denominated. whether or not covered by the Franchise Rule. 16 C.F.R. Part 436. which consists	D. "Business Venture" means any written or oral business arrangement however	
denominated. whether or not covered by the Franchise Rule. 16 C.F.R. Part 436. which consists		
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	include the solicitation of sales through the mailing of a catalog which: contains a written
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	of the seller; includes multiple pages of written material or illustrations; and has been issued not

product or service offered by the seller, within the three (3) months immediately preceding the date of a telemarketing call.

K. "Outbound telephone call" means a telephone call initiated by a telemarketer to induce the purchase of goods or services or to solicit a charitable contribution.

		t Receiver" means Robb			
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of the term.

## **CONDUCT PROHIBITIONS**

## I. INJUNCTIVE PROVISIONS

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	connection wit	h the advertising, promotion, offering for sale, or sale of any Franchise or
	connection wit	The advertising, promotion, offering for safe, or safe of any Franchise of
	Business Ventu	ire, Defendant David G. Cutler, his agents, servants, employees, and attorneys,
	and all other pe	ersons or entities in active concert or participation with him who receive actual
	notice of this E	inal Iridamant and Ordar har narranal carries anotherwise suchather estine directly.
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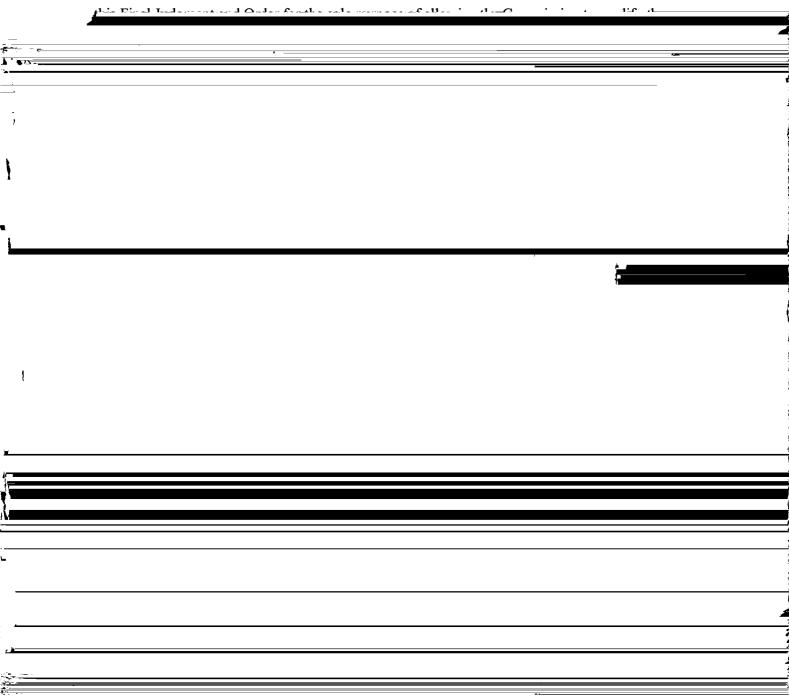
B. IT IS FURTHER ORDERED that in connection with the advertising.	
promotion, offering for sale, or sale of any Franchise or Business Venture, Defendant Davi	d G.
Cutler, his agents, servants, employees, and attorneys, and all other persons or entities in ac	etive
concert or participation with him who receive actual notice of this Final Judgment and Ord	er by
personal service or otherwise, whether acting directly or through any business entity, corpo	ration,
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	1.	Initiating or causing others to initiate an outbound call to a telephone number
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name, address, telephone number, social security number, or other identifying information of any nerson who nurchased services from Defendants Internet Marketing Group. Inc. OneSetPrice Inc., First Choice Terminal, Inc. (a Louisiana corporation), First Choice Terminal, Inc. (an Arizona corporation), B & C Ventures, Inc., RPM Marketing Group, Inc., National Event Coordinators, Inc., David G. Cutler, Cindy Gannon, Paul D. Bonnallie, Tisa Christiana Spraul, and Michael J. Hatch at any time prior to the date this Final Judgment and Order is entered.

to the terms of this Final Judgment and Order.

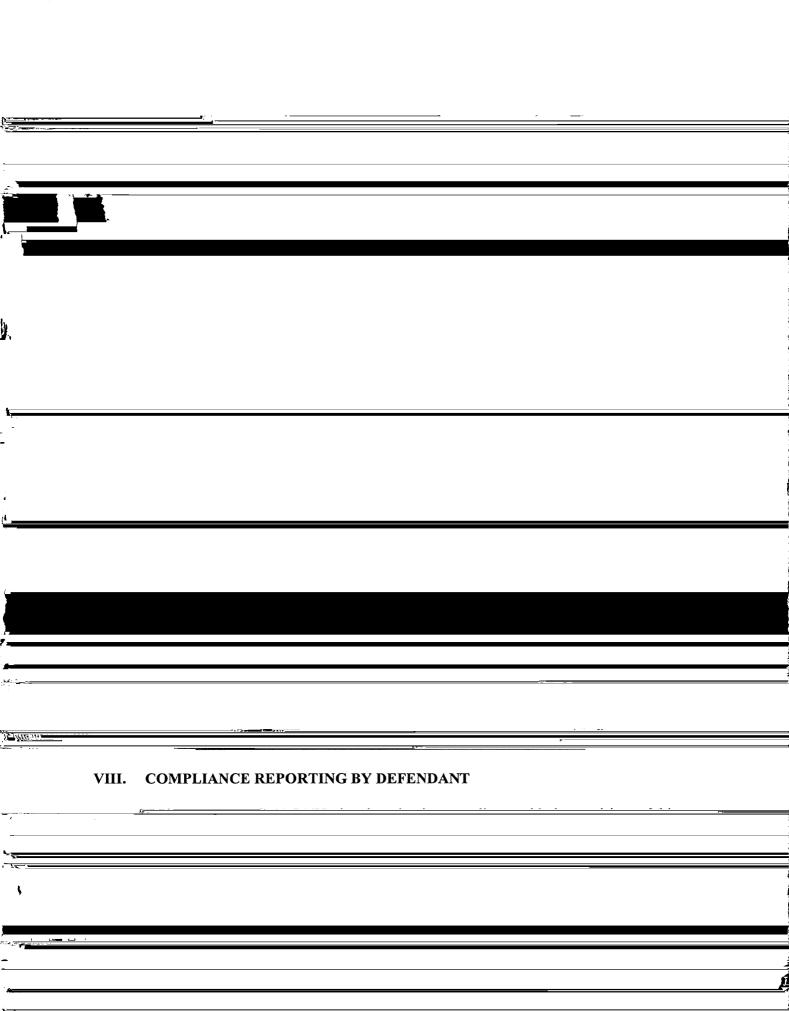
B. IT IS FURTHER ORDERED that if the Commission should have evidence that the above-referenced financial statements and information failed to disclose any material asset the value of which exceeds \$1,000, materially misrepresented the value of any asset, or made any other material misrepresentation or omission, the Commission may move that the Court reopen



	onforce its mights numericant to this Final Judgment and Ondon including a non-dischargeability
	enforce its rights pursuant to this Final Judgment and Order, including a nondischargeability
	complaint filed in any bankruptcy case.
	C. Proceedings initiated under this Paragraph are in addition to, and not in lieu of,
	any other civil or criminal negalties that may be provided by law including any other
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	proceedings the Plaintiff may initiate to enforce this Final Judgment and Order.
	RECEIVERSHIP
	V. COOPERATION WITH PERMANENT RECEIVER
	IT IS FURTHER ORDERED that Defendant David G. Cutler shall cooperate fully with
	the Dermanent Deceiver
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	VI_CI, AIMS ACAINST THE PERMANENT RECEIVER

he may have against the Permanent Receiver or the receivership estate.

IT IS FURTHER ORDERED that Defendant David G. Cutler hereby waives any claim



successor entity; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Final Judgment and Order; the filing of a bankruptcy petition; or a change in the corporate name or address, at

assignment, sale, merger, or other action that would result in the emergence of a



David G. Cutler.

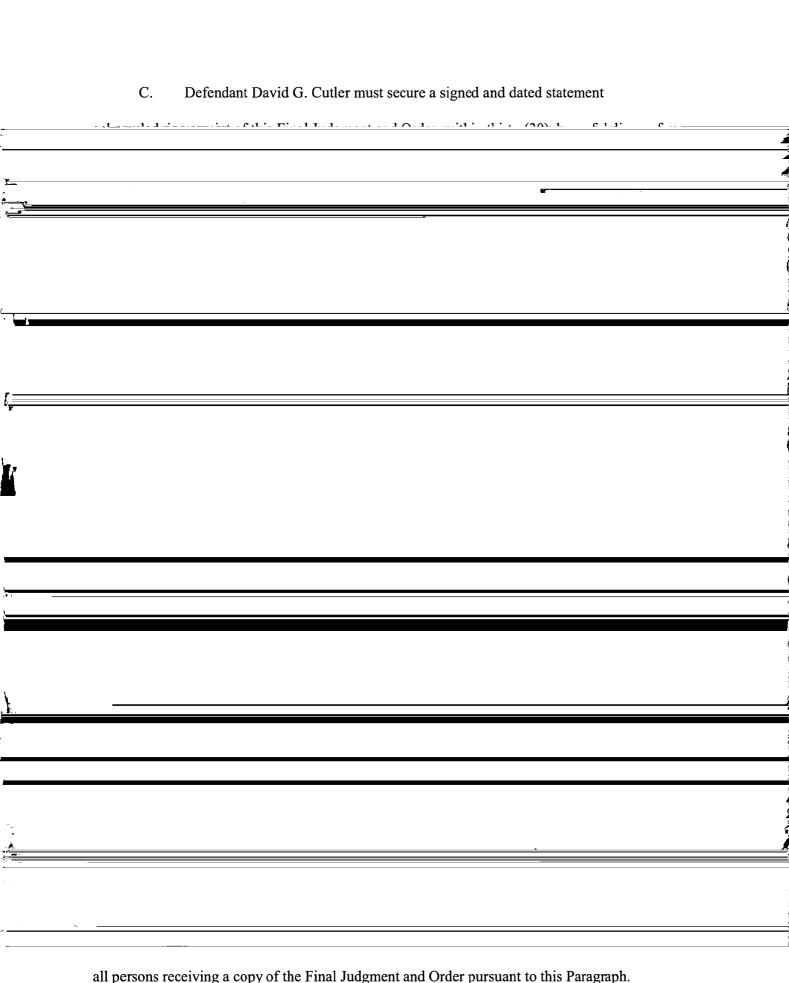
## IX. COMPLIANCE MONITORING

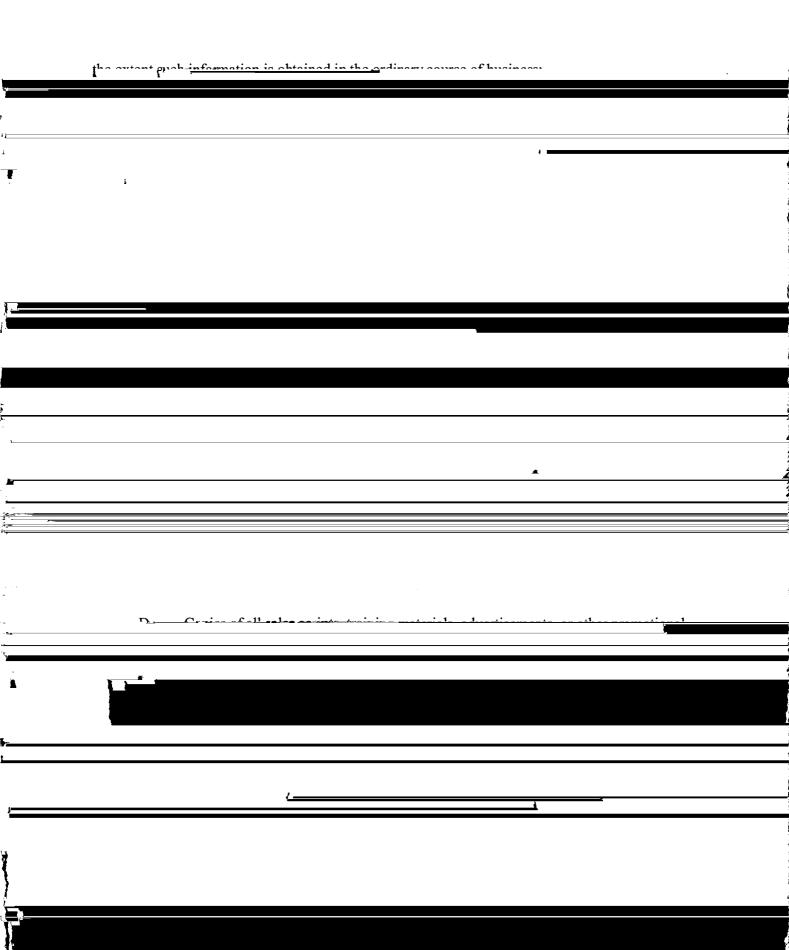
IT IS FURTHER ORDERED that, for the purpose of monitoring and investigating

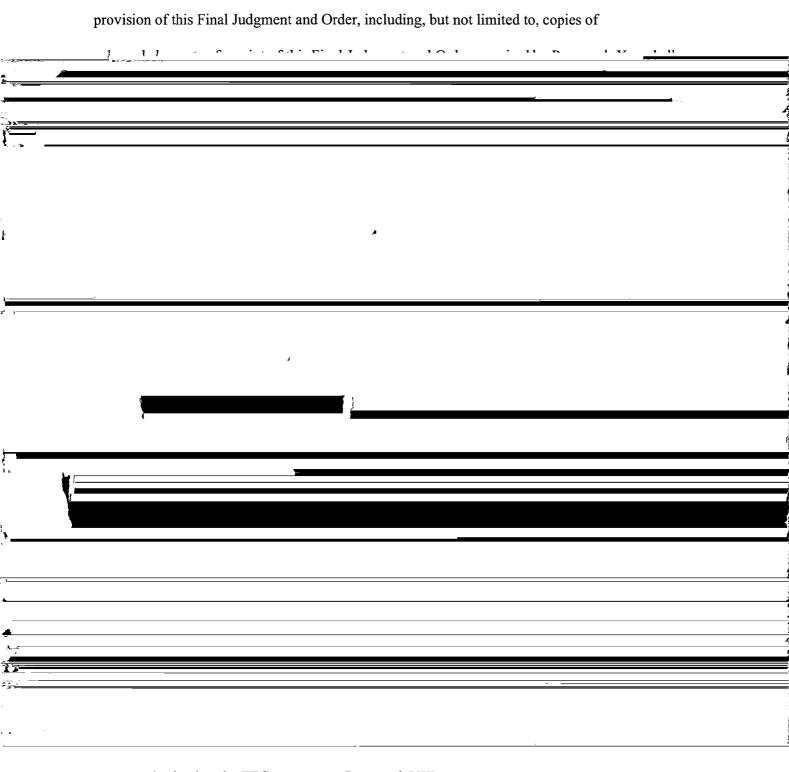
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- A. Within ten (10) days of receipt of written notice from a representative of the Commission, Defendant David G. Cutler shall submit additional written reports, sworn to under penalty of perjury; produce documents for inspection and copying; appear for deposition; and/or provide entry during normal business hours to any business location in his possession or under his direct or indirect control to inspect the business operation;
  - B. In addition, the Commission is authorized to monitor compliance with this Final

	Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act,
	15 JLS C 88 49 and 57h-1 to obtain any documentary material tangible things testimony or
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	information relevant to unfair or deceptive acts or practices in or affecting commerce (within the
	meaning of 15 U.S.C. § 45(a)(1)).
15. Mary	
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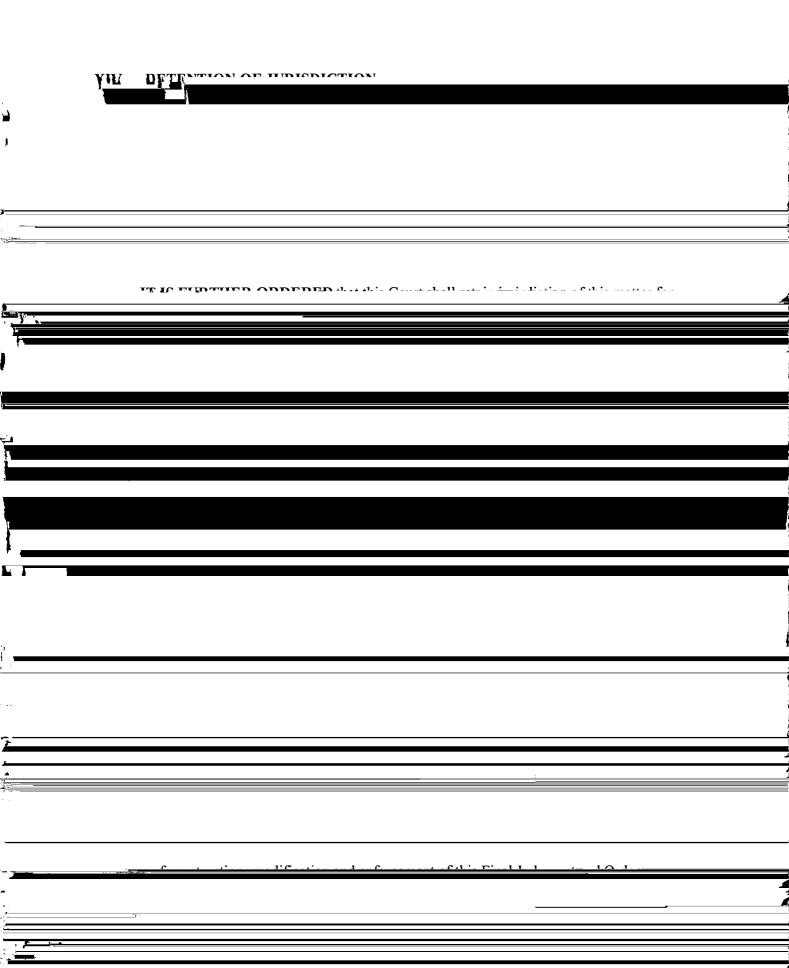




reports submitted to the FTC pursuant to Paragraph VIII.

## XII. COOPERATION WITH FTC COUNSEL

IT IS FURTHER ORDERED that Defendant David G. Cutler shall, in connection with this action or any subsequent investigations related to or associated with the transactions or the



DAYID G. CUTLER

Defendant

MICHAEL J. ENTIN, ESQ.

Michael J. Entin, PA

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(954) 522-7000

(954) 522-7008 Facsimile

ATTORNEY FOR DEFENDANT

Billiam V VALUE ALE