

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**ODYSSEUS MARKETING, INC.,
and WALTER RINES,**

Defendants.

Case No. 05-CV-330-SM

**PLAINTIFF'S MOTION FOR AN ORDER HOLDING
WALTER RINES, ONLINE TURBO MERCHANT, INC., AND
SANFORD WALLACE IN CIVIL CONTEMPT FOR THEIR
VIOLATIONS OF THIS COURT'S PERMANENT INJUNCTION**

Plaintiff, the Federal Trade Commission ("FTC" or "Commission") respectfully moves for an order holding defendant Walter Rines ("Rines"), his firm, Online Turbo Merchant, Inc., and his business partner, Sanford Wallace ("Wallace") (collectively, "contempt defendants") in civil contempt for violating numerous provisions of the Stipulated Final Order for Permanent Injunction ("Permanent Injunction" or "Order") entered by this Court on October 24, 2006.¹

The FTC originally brought this case in 2005 to halt defendant Rines' deceptive or unfair online advertising practices. The parties agreed to resolve the case by stipulating to the Court's

¹ Cognizant of LR 7.1(c), the FTC wishes to certify that it has not attempted to obtain the contempt defendants' concurrence in this motion for two reasons: First, this motion is dispositive, for a ruling on its merit will conclude contempt proceedings. Second, providing the contempt defendants with advance notice of this motion likely would prompt one person, contempt defendant Wallace, to evade service of the motion. Wallace is not presently known to be represented by counsel and the FTC encountered significant difficulty in serving Wallace with papers and obtaining his compliance with a subpoena relating to another case filed in this district. *See, e.g., Order, FTC v. Seismic Entm't Prods., Inc.*, No. 2:07CV302RCJ-PAL (D. Nev. Apr. 3, 2007) (unpublished order attached hereto) (granting motion to compel subpoena issued in connection with *FTC v. Seismic Entm't Prods., Inc.*, Civ. No. 04-377-JD (D.N.H.)).

Respectfully submitted,

WILLIAM BLUMENTHAL
General Counsel

Date: January 23, 2008

 /s/ Joshua S. Millard
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