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IN THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA

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- g. Purple Bulldog LLC, BBVA Compass, 2401;
- h. Cenex Hub Distribution, Bank of America, 0396;
- i. Max Results Marketing LLC, Chase Bank, 9625;
- j. Oro Canyon Marketing LLC, BBVA Compass, 1055;
- k. Southwest Billing & Payments, Chase Bank, 2226;
- l. Southwest Billing & Payments, Goldenwest Credit Union, 2754;
- m. Southwest Billing & Payments, Wells Fargo, 9752;
- n. M&V Venture Group, Bank of America, 1325;
- o. Paramount Business Services, Mountain America Credit Union, 9041;
- p. Bluhm Enterprises, Bank of America, 5100;
- q. Oro Canyon Marketing LLC, Chase Bank, 6599;
- r. Do Rite Plumbing & Remodeling, LLC, Chase Bank, 0265;
- s. Do Rite Plumbing and Remodeling, Wells Fargo, 2232;
- t. Stephanie A. Bateluna, Capital One Credit Card, 1151;
- u. Tj/TT8 unknown.aWel32 0 9.3TJ
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1 with any of them, who receive actual notice of this Order, whether acting directly or  
2 indirectly, shall:

3 A. Immediately take all necessary steps to ensure that any Internet website  
4 used by Stipulating Defendant for the advertising, marketing, promotion, offering for  
5 sale, sale, or provision of services or products prohibited by Section I of this Order  
6 cannot be accessed by the public; and

7 B. Prevent the alteration, destruction or erasure of any (1) Internet website  
8 used by Stipulating Defendant for the advertising, marketing, promotion, offering for  
9 sale, sale, or provision of services or products prohibited by Section I of this Order by  
10 preserving such websites in the format in which they are maintained currently and (2) any  
11 electronically stored information stored on behalf of Stipulating Defendant.

12 **IV. SUSPENSION OF INTERNET DOMAIN NAME REGISTRATIONS**

13 **IT IS FURTHER ORDERED** that, any domain name registrar shall suspend the  
14 registration of any Internet website used by Stipulating Defendant for the advertising,  
15 marketing, promotion, offering for sale, sale, or provision of services or products  
16 prohibited by Section I of this Order and provide immediate notice to counsel for the  
17 FTC of any other Internet domain names registered by Stipulating Defendant, Stipulating  
18 Defendant's officers, agents, servants, employees, and attorneys, and all other persons in  
19 active concert or participation with any of them who receive actual notice of this Order  
20 by personal service or otherwise.

21 **V. PROHIBITION ON USE OF CUSTOMER INFORMATION**

22 **IT IS FURTHER ORDERED** that Stipulating Defendant, and his officers,  
23 agents, directors, servants, employees, salespersons, and attorneys, as well as all other  
24 persons or entities in active concert or participation with them, who receive actual notice  
25 of this Order by personal service or otherwise, whether acting directly or through any  
26 trust, corporation, subsidiary, division, or other device, are hereby temporarily restrained  
27 and enjoined from using, benefitting from, selling, renting, leasing, transferring, or  
28 otherwise disclosing the name, address, telephone number, email address, Social Security



1 number, credit card number, debit card number, bank account number, any financial  
2 account number, or any data that enables access to any customer's account, or other  
3 identifying information of any person which the Stipulating Defendant obtained prior to  
4 when this Order is signed, in connection with the marketing or sale of any good or  
5 service, including those who were contacted or are on a list to be contacted by the  
6 Stipulating Defendant; provided that Stipulating Defendant may disclose such identifying  
7 information to the Receiver, a law enforcement agency, or as required by any law,  
8 regulation, or court order.

9 **VI. ASSET FREEZE**

10 **IT IS FURTHER ORDERED** that Stipulating Defendant, and his officers,  
11 agents, servants, employees, and attorneys, and all other persons or entities directly or  
12 indirectly under the control of any of them, and all other persons or entities in active  
13 concert or participation with any of them who receive actual notice of this Order are  
14 hereby temporarily restrained and enjoined from directly or indirectly:

15 A. Transferring, liquidating, converting, encumbering, pledging, loaning,  
16 selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a  
17 lien or security interest or other interest in  
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1 Defendant at any bank or savings and loan institution, or with any broker-  
2 dealer, escrow agent, title company, commodity trading company, payment  
3 processing company, precious metal dealer, or other Financial Institution or  
4 depository of any kind;

5 B. Opening or causing to be opened any safe deposit boxes titled in the name  
6 of any Defendant, or subject to access by any Defendant;

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

9 D. Obtaining a personal or secured loan;

10 E. Incurring liens or encumbrances on real property, personal property or other  
11 Assets in the name, singly or jointly, of any Defendant; and

12 F. Cashing any checks or depositing any money orders or cash received from  
13 consumers, clients, or customers of any Defendant.

14 **IT IS FURTHER ORDERED** that the Assets affected by this Section shall  
15 include: (1) all Assets of Defendants as of the time the TRO was entered; and (2) for  
16 Assets obtained after the time the TRO was entered, only those Assets of Defendants that  
17 are derived, directly or indirectly, from the Defendants' activities as described in the  
18 Commission's Complaint, including the activities of any Receivership Entity. This  
19 Section does not prohibit transfers to the Receiver, as specifically required in the Section  
20 titled "Transfer of Funds to the Receiver by Financial Institutions and Other Third  
21 Parties," nor does it prohibit the repatriation of foreign Assets, as specifically required in  
22 the Section titled "Repatriation of Foreign Assets" of this Order.

23 **VII. RETENTION OF ASSETS AND DOCUMENTS BY THIRD PARTIES**

24 **IT IS FURTHER ORDERED** that any Financial Institution, business entity,  
25 Electronic Data Host, or person served with a copy of this Order that holds, controls, or  
26 maintains custody of any account, Document, or Asset of, on behalf of, in the name of,  
27 for the benefit of, subject to withdrawal by, subject to access or use by, or under the  
28 signatory power of the Stipulating Defendant, or other party subject to the Asset Freeze

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above, or has held, controlled, or maintained any such account, Document, or Asset, shall:

A. Hold, preserve, and retain within such entity's or person's control, and prohibit the withdrawal, removal, alteration, assignment, transfer, pledge, hypothecation,

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1 **XI. NON-INTERFERENCE WITH REPATRIATION**

2 **IT IS FURTHER ORDERED** that Stipulating Defendant, and each of his  
3 successors, assigns, members, officers, agents, servants, employees, and attorneys, and  
4 those persons in active concert or participation with them who receive actual notice of  
5 this Order by personal service or otherwise, whether acting directly or through any entity,  
6 corporation, subsidiary, division, affiliate or other device, are hereby temporarily  
7 restrained and enjoined from taking any action, directly or indirectly, that may result in  
8 the encumbrance or dissipation of foreign Assets, or in the hindrance of the repatriation  
9 required by the preceding “Repatriation of Assets” Section of this Order, including, but  
10 not limited to:

11 A. Sending any statement, letter, fax, email or wire transmission, or  
12 telephoning or engaging in any other act, directly or indirectly, that results in a  
13 determination by a foreign trustee or other entity that a “duress” event has occurred under  
14 the terms of a foreign trust agreement until such time that all Assets have been fully  
15 repatriated pursuant to the “Repatriation of Assets” Section of this Order; or

16 B. Notifying any trustee, protector, or other agent of any foreign trust or other  
17 related entities of either the existence of this Order, or of the fact that repatriation is  
18 required pursuant to a court order, until such time that all Assets have been fully  
19 repatriated pursuant to “Repatriation of Assets” Section of this Order.

20 **XII. NON-INTERF**

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1 statement disclosing: (1) the name of the business entity; (2) the address and telephone  
2 number of the business entity; (3) the names of the business entity's officers, directors,  
3 principals, managers, and employees; and (4) a detailed description of the business  
4 entity's intended activities; and

5 C. Affiliating with, becoming employed by, or performing any work for any  
6 business that is not a named Stipulating Defendant in this action without first providing  
7 the Commission with a written statement disclosing: (1) the name of the business; (2) the  
8 address and telephone number of the business; and (3) a detailed description of the nature  
9 of the business or employment and the nature of the Stipulating Defendant's duties and  
10 responsibilities in connection with that business or employment.

### 11 **XIII. APPOINTMENT OF RECEIVER**

12 **IT IS FURTHER ORDERED** that Robb Evans & Associates LLC is appointed  
13 Receiver for the Receivership Entities, with the full power of an equity Receiver. The  
14 Receiver shall be the agent of this Court and solely the agent of this Court in acting as  
15 Receiver under this Order. The Receiver shall be accountable directly to this Court. The  
16 Receiver shall comply with all local rules and laws governing federal equity receivers.

### 17 **XIV. COOPERATION WITH THE RECEIVER**

18 **IT IS FURTHER ORDERED** that to the extent it does not violate his Fifth  
19 Amendment right not to be compelled to incriminate himself, Stipulating Defendant shall  
20 fully cooperate with and assist the Receiver. Stipulating Defendant's cooperation and  
21 assistance shall include, but not be limited to, providing any information to the Receiver  
22 that the Receiver deems necessary to exercise the authority and discharge the  
23 responsibilities of the Receiver under this Order; providing any login, password, or  
24 biometric identifier required to access any computer or electronic files or information in  
25 or on any medium; and advising all persons who owe money to the Receivership Entities  
26 that all debts should be paid directly to the Receiver. Stipulating Defendant is hereby  
27 restrained and enjoined from directly or indirectly:

28 A. Transacting any of the business of the Receivership Entities;





1 The Receiver shall have full power to divert mail; change usernames, passwords or other  
2 log-in credentials for any online access to accounts held by any Receivership Entity (such  
3 as online access to financial accounts and remote access to electronic Documents held by  
4 cloud service providers, email service providers and web hosts); and take possession of  
5 all electronic Documents of the Receivership Entities stored remotely by copying all such  
6 Documents and obtaining the assistance of the FTC's litigation support staff for the  
7 purpose of obtaining electronic Documents stored remotely. The Receiver shall assume  
8 control over the income and profits therefrom and all sums of money now or hereafter  
9 due or owing to the Receivership Entities. *Provided, however,* that the Receiver shall not  
10 attempt to collect any amount from a consumer if the Receiver believes the consumer was  
11 a victim of the unfair or deceptive acts or practices or other violations of law alleged in  
12 the Complaint in this matter, without prior Court approval;

13 C. Take all steps necessary to secure the business premises of the Receivership  
14 Entities, which may include, but are not limited to, taking the following steps as the  
15 Receiver deems necessary or advisable: (1) serving and filing this Order; (2) completing  
16 a written inventory of all receivership Assets; (3) obtaining pertinent information from all  
17 employees and other agents of the Receivership Entities, including, but not limited to, the  
18 name, home address, Social Security number, job description, method of compensation,  
19 and all accrued and unpaid commissions and compensation of each such employee or

20 agent, (4) provide recording and/or filing information to the relevant court in the jurisdiction of the  
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this Order is signed, except payments that the Receiver deems necessary or advisable to secure Assets of the Receivership Entities, such as rental payments;

- K. Collect any money due or owing to the Receivership Entities;
- L. Institute, compromise, adjust, appear in, intervene



1 **XX. RECEIVER’S ACCESS TO BUSINESS PREMISES AND RECORDS**

2 **IT IS FURTHER ORDERED** that:

3 A. The Receiver, and his representatives, agents, and assistants, shall have  
4 immediate access to all business premises and storage facilities, owned, controlled, or  
5 used by any Receivership Entity, including but not limited to the offices and facilities at:  
6 13201 North 35<sup>th</sup> Avenue, Suite B12, Phoenix, AZ 85029; 13201 North 35<sup>th</sup> Avenue,  
7 Suite B20, Phoenix, AZ 85029; 4045 East McDowell Road, Phoenix, AZ 85008; 10640  
8 North 28<sup>th</sup> Drive, Phoenix, AZ 85053; and any offsite commercial mail boxes or virtual  
9 offices used by any Receivership Entity. The Receiver is authorized to employ the  
10 assistance of law enforcement as he deems necessary to effect service and peacefully  
11 implement this Order. The Receiver may exclude Receivership Entities and their  
12 employees from part or all of the business premises during the immediate access. The  
13 purpose of the immediate access shall be to effect service and to inspect and copy the  
14 business and financial records of the Receivership Entities, including forensic imaging of  
15 electronically stored information. Such business records include, but are not limited to,  
16 correspondence, contracts, emails, and financial data;

17 B. The Receiver and its representatives, agents, and assistants, shall have the  
18 right to remove materials from the above-listed premises for inspection and copying;

19 C. Receivership Entities and all employees or agents of Receivership Entities  
20 shall provide the Receiver with any necessary means of access to Documents and records,  
21 including, without limitation, the locations of the Receivership Entities’ business  
22 premises, keys and combinations to locks, alarm codes, computer access codes, and  
23 storage area access information;

24 D. If any Individual Stipulating Defendant possesses a smartphone or tablet on  
25 receivership premises, they will turn over the device to the Receiver for imaging. Within  
26 two (2) business days, the Receiver will return the device; and

27 E. If any Documents, computers, smartphones, tablets, or electronic data  
28 storage devices containing information related to the business practices or finances of the

1 Receivership Entities are at a location other than those listed herein, including but not  
2 limited to, the personal residence of the Stipulating Defendant, then, immediately upon  
3 notice of this Order, Stipulating Defendant shall produce to the Receiver all such  
4 Documents, computers, smartphones, tablets, or electronic data storage devices. To  
5 prevent the destruction of electronic data, upon service of this Order upon any  
6 Receivership Entity, any computers, smartphones, tablets, or electronic data storage  
7 devices containing such information shall be powered down (turned off) in the normal  
8 course for the operating systems used on

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1 creditors, stockholders, lessors, and other persons seeking to establish or enforce any  
2 claim, right, or interest against or on behalf of the Receivership Entity, and all others  
3 acting for or on behalf of such persons, including attorneys, trustees, agents, sheriffs,  
4 constables, marshals, and other officers and their deputies, and their respective attorneys,  
5 servants, agents, and employees be and are hereby stayed from:

6 1. Commencing, prosecuting, continuing, entering, or enforcing any  
7 suit or proceeding, except that such actions may be filed to toll any  
8 applicable statute of limitations;

9 2. Accelerating the due date of any obligation or claimed obligation;  
10 filing or enforcing any lien; taking or attempting to take possession,  
11 custody, or control of any Asset; attempting to foreclose, forfeit, alter, or  
12 terminate any interest in any Asset, whether such acts are part of a judicial  
13 proceeding, are acts of self-help, or otherwise;

14 3. Executing, issuing, serving, or causing the execution, issuance or  
15 service of, any legal process, including but not limited to attachments,  
16 garnishments, subpoenas, writs of replevin, writs of execution, or any other  
17 form of process, whether specified in this Order or not; or

18 4. Doing any act or thing whatsoever to interfere with the Receiver's  
19 taking custody, control, possession, or management of Assets or  
20 Documents subject to this receivership; or to harass or interfere with the  
21 Receiver in any way; or to interfere in any manner with the exclusive  
22 jurisdiction of this Court over the Assets or Documents of the Receivership  
23 Entities.

24 B. This Section does not stay:

25 1. The commencement or continuation of a criminal action or  
26 proceeding;



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shall include, but not be limited to testifying at any hearing and providing any information to the FTC that the FTC deems necessary to obtain relief for consumers in this case. Nothing herein shall prevent Stipulating Defendant from asserting any privilege

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shall provide the FTC with an affidavit identifying the names, titles, addresses, and telephone numbers of the persons that Stipulating Defendant has served with a copy of

# **ATTACHMENT A**

FEDERAL TRADE COMMISSION

FINANCIAL STATEMENT OF INDIVIDUAL DEFENDANT

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**Definitions and Instructions:**

1. Complete all items. Enter "None" or "N/A" ("Not Applicable") in the first field only of any item that does not apply to you. If you cannot fully answer a question, explain why.
2. "Dependents" include your spouse, live-in companion, dependent children, or any other person, whom you or your spouse (or your children's other parent) claimed or could have claimed as a dependent for tax purposes at any time during the past five years.
3. "Assets" and "Liabilities" include ALL assets and liabilities, located within the United States or any foreign country

## BACKGROUND INFORMATION

### Item 1. Information About You

Full Name

Social Security No.

Current Address of Primary Residence

**Item 5. Information About Dependents** (whether or not they reside with you)

Name and Address	Social Security No.	Date of Birth / / (mm/dd/yyyy)
	Relationship	
Name and Address	Social Security No.	Date of Birth / / (mm/dd/yyyy)
	Relationship	
Name and Address	Social Security No.	Date of Birth / / (mm/dd/yyyy)
	Relationship	
Name and Address	Social Security No.	Date of Birth / / (mm/dd/yyyy)
	Relationship	

**Item 6. Employment Information/Employment Income**

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## FINANCIAL INFORMATION

**REMINDER:** When an item asks for information regarding your "assets" and "liabilities" include ALL assets, located within the United States or in any foreign country or territory, or institution, whether held individually or jointly, a spouse, or any of your dependents, or held by others for the benefit of you, your spouse, or any of your dependents. In addition, provide all documents requested in Item 24 with your completed Financial Statement.

### ASSETS

#### Item 9. Cash, Bank, and Money Market Accounts

List cash on hand (as opposed to cash in bank accounts or other financial accounts) and all bank accounts, money market accounts, including but not limited to checking accounts, savings accounts, and certificates of deposit. The term "cash" is limited to cash in the form of currency, uncashed checks, and money orders.

a. Amount of Cash on Hand \$	Form of Cash on Hand	
b. Name on Account	Name & Address of Financial Institution	Account Number

liabilities, located within the United States or in any foreign country or territory, or institution, whether held by you, your spouse, or any of your dependents. In addition, provide all documents requested in Item 24 with your completed Financial Statement.

assets, or other financial accounts, including but is not limited to checking accounts, savings accounts, and certificates of deposit.

Current Balance

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\$

\$

**Item 11. Non-Public Business and Financial Interests**

List all non-public business and financial interests, including but not limited to any interest in a non-public corporation, subchapter-S corporation, limited liability corporation ("LLC"), general or limited partnership, joint venture, sole proprietorship, international business corporation or personal investment corporation, and oil or mineral lease.

Entity's Name & Address	Type of Business or Financial Interest (e.g., LLC, partnership)	Owner (e.g., self, spouse)	Ownership %	If Officer, Director, Member or Partner, Exact Title

**Item 12. Amounts Owed to You, Your Spouse, or Your Dependents**

Debtor's Name & Address	Date Obligation Incurred (Month/Year) /	Original Amount Owed \$	Nature of Obligation (if the result of a final court judgment or settlement, provide court name and docket number)
	Current Amount Owed \$	Payment Schedule \$	
Debtor's Telephone	Debtor's Relationship to You		
Debtor's Name & Address	Date Obligation Incurred (Month/Year) /	Original Amount Owed \$	Nature of Obligation (if the result of a final court judgment or settlement, provide court name and docket number)
	Current Amount Owed \$	Payment Schedule \$	
Debtor's Telephone	Debtor's Relationship to You		





**Item 21. Other Amounts Owed by You, Your Spouse, or Your Dependents**

List all other amounts, not listed elsewhere in this financial statement, owed by you, your spouse, or your dependents.

**Item 24. Document Requests**

Provide copies of the following documents with your completed Financial Statement.

Federal tax returns filed during the last three years by or on behalf of you, your spouse, or your dependents.

All applications for bank loans or other extensions of credit (o

**Item 26. Combined Current Monthly Income and Expens**



# **ATTACHMENT C**

**ATTACHMENT C**

**CONSENT TO RELEASE OF FINANCIAL RECORDS**

I, \_\_\_\_\_, do hereby direct any bank, savings and loan association, credit union, depository institution, finance company, commercial lending company, credit card processor, credit card processing entity, automated clearing house, network transaction processor, bank debit processing entity, brokerage house, escrow agent, money market or mutual fund, title company, commodity trading company, trustee, or person that holds, controls or maintains custody of assets, wherever located that are owned or controlled by me or at which I have an account of any kind, or at which a corporation or other entity has a bank account of any kind upon which I am authorized to draw, and its officers, employees and agents, to disclose all information and deliver