

to the entry of this Stipulated Order for Permanent

Judgment (s) to resolve all matters in dispute in this

and/or

and/or

FINDINGS

has jurisdiction over this matter.

complaint charges that Settling Defendant participated in deceptive

practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, and the TSR,

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1 any manner in obtaining a grant or similar financial assistance from the government or
2 any other source.

3 9. **“Person”** means a natural person, organization, or other legal entity,
4 including a corporation, limited liability company, partnership, proprietorship,
5 association, cooperative, government or governmental subdivision or agency, or any
6 other group or combination acting as an entity.

7 10. **“Receiver”** means the receiver appointed in Section XIII of the Preliminary
8 Injunction Order with Asset Freeze, Appointment of Receiver, and Other Equitable Relief
9 as to Paramount Business Services, LLC (“Stipulated Preliminary Injunction”) (Dkt. No.
10 61) and any deputy receivers that shall be named by the Receiver.

11 11. **“Receivership Estate”** means all the assets that are in the Receiver’s
12 control or possession pursuant to the Stipulated Preliminary Injunction (Dkt. No. 61).

13 12. **“Related Product or Service”** means any product or service (a) offered
14 using consumer information obtained in connection with the sale of any business
15 opportunity or grant product or service, and (b) offered to: (i) fulfill a consumer’s order
16 for a business opportunity or grant product or service; (ii) increase the profitability of a
17 business opportunity (including but not limited to search engine optimization and
18 customer maximization services); (iii) increase the amount of grant money available to a
19 consumer through the use of a grant product or service; or (iv) improve a consumer’s
20 ability to use a business opportunity or grant product or service.

21 13. **“Seller”** means a person who offers for sale or sells a business opportunity.

22 14. **“Settling Defendant”** means Paramount Business Services, LLC.

23 15. **“Telemarketing”** means any plan, program, or campaign that is conducted
24 to induce the purchase of goods or services by use of one or more telephones, and which
25 involves a telephone call, whether or not covered by the TSR.

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ORDER

I.

BAN ON TELEMARKETING

1 E. Any fact material to consumers concerning any product, service, plan or
2 program, such as: the total costs; any material restrictions, limitations, or conditions; or
3 any material aspect of its performance, efficacy, nature, or central characteristics.

4 **IV.**

5 **MONETARY JUDGMENT AND SUSPENSION**

6 **IT IS FURTHER ORDERED** that:

7 A. Judgment in the amount of **eleven million eight hundred ninety-eight**
8 **thousand five hundred fifty-five dollars and eighty-nine cents (\$11,898,555.89)** is
9 entered in favor of the Commission against Settling Defendant, jointly and severally, as
10 equitable monetary relief.

11 B. The judgment is suspended subject to Sections IV.C – IV.E, below.

12 C. The Commission’s agreement to the suspension of the judgment is
13 expressly premised upon the truthfulness, accuracy, and completeness of Settling
14 Defendant’s sworn Financial Statement signed on February 7, 2017 (“Financial
15 Statement”).

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

20 E. If the suspension of the judgment is lifted, the judgment becomes
21 immediately due as to Settling Defendant in the amount specified in Section IV.A above
22 (which the parties stipulate only for purposeNSof th in Ts lifteduf5T pec8gin fav Courtmp-

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1 Preliminary Injunction (Dkt. 61, Paragraph VI) is lifted as to Settling Defendant.

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VII.

CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Settling Defendant, its 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, are **permanently restrained and enjoined from:**

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to the Commission:

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1 States of America that the foregoing is true and correct. Executed on: _____” and
2 supplying the date, signatory’s full name, title (if applicable), and signature.

3 E. Unless otherwise directed by a Commission representative in writing, all
4 submissions to the Commission pursuant to this Order must be emailed to
5 DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

6 Associate Director for Enforcement
7 Bureau of Consumer Protection
8 Federal Trade Commission
9 600 Pennsylvania Avenue NW
10 Washington, DC 20580

11 The subject line must begin: FTC v. Paramount Business Services, LLC, *et al.*, X170003.

12 **XI.**

13 **RECORDKEEPING**

14 **IT IS FURTHER ORDERED** that Settling Defendant must create certain
15 records for twenty (20) years after entry of the Order, and retain each such record for five
16 (5) years. Specifically, Settling Defendant must create and retain the following records:

17 A. Accounting records showing the revenues from all goods or services sold;

18 B. Personnel records showing, for each person providing services, whether as
19 an employee or otherwise, that person’s: name; addresses; telephone numbers; job title or
20 position; dates of service; and (if applicable) the reason for termination;

21 C. Records of all consumer complaints and refund requests, whether received
22 directly or indirectly, such as through a third party, and any response;

23 D. All records necessary to demonstrate full compliance with each provision
24 of this Order, including all submissions to the Commission;

25 E. A copy of each unique advertisement or other marketing material; and

26 F. Records of payment transactions, sufficient to show all payments from and
27 credits to consumers.

28 **XII.**

COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring Settling

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