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- any manner in obtaining a grant or similar financial assistance from the government or any other source.
- 9. "Person" means a natural person, organization, or other legal entity, including a corporation, limited liability company, partnership, proprietorship, association, cooperative, government or governmental subdivision or agency, or any other group or combination acting as an entity.
- "**Receiver**" means the receiver appointed in Section XIII of the Preliminary 10. Injunction Order with Asset Freeze, Appointment of Receiver, and Other Equitable Relief as to Paramount Business Services, LLC ("Stipulated Preliminary Injunction") (Dkt. No. 61) and any deputy receivers that shall be named by the Receiver.
- "Receivership Estate" means all the assets that are in the Receiver's 11. control or possession pursuant to the Stipulated Preliminary Injunction (Dkt. No. 61).
- 12. "Related Product or Service" means any product or service (a) offered using consumer information obtained in connection with the sale of any business opportunity or grant product or service, and (b) offered to: (i) fulfill a consumer's order for a business opportunity or grant product or service; (ii) increase the profitability of a business opportunity (including but not limited to search engine optimization and customer maximization services); (iii) increase the amount of grant money available to a consumer through the use of a grant product or service; or (iv) improve a consumer's ability to use a business opportunity or grant product or service.
 - 13. "Seller" means a person who offers for sale or sells a business opportunity.
 - "Settling Defendant" means Paramount Business Services, LLC. 14.
- 15. "Telemarketing" means any plan, program, or campaign that is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the TSR.

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1	<u>ORDER</u>
2	I.
3	BAN ON TELEMARKETING
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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	
0	equitable monetary relief.	
1	B. The judgment is suspended subject to Sections IV.C – IV.E, below.	
2	C. The Commission's agreement to the suspension of the judgment is	
13	expressly premised upon the truthfulness, accuracy, and completeness of Settling	
4	Defendant's sworn Financial Statement signed on February 7, 2017 ("Financial	
15	Statement").	
6	D. The suspension of the judgment will be lifted as to Settling Defendant if,	
7	upon motion by the Commission, the Court finds that Settling Defendant failed to	
8	disclose any material asset, materially misstated the value of any asset, or made any other	
9	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 Court	mj
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title, and interest in the Receivership Estate, and may not seek the return of any assets.

B. The facts alleged in the Complaint will be taken as true, without further

Settling Defendant relinquishes dominion and all legal and equitable right,

- B. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the Commission, including in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.
- C. The facts alleged in the Complaint establish all elements necessary to sustain an action by the Commission pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.
- D. Settling Defendant acknowledges that its Taxpayer Identification Number (Employer Identification Number), which Settling Defendant previously submitted to the Commission may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. §7701.
- E. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Commission may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Settling Defendants' practices alleged in the Complaint. Any money not used for such equitable relief is to be deposited to the U.S. Treasury as disgorgement. Settling Defendant has no right to challenge any actions the Commission or its representatives may take pursuant to this subsection.

VI.

LIFTING OF ASSET FREEZE

IT IS FURTHER ORDERED that the asset freeze set forth in the Stipulated

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

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to the Commission:

A.

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 8	Bureau of Consumer Protection Federal Trade Commission 600 Pennsylvania Avenue NW Washington, DC 20580					
9	The subject line must begin: FTC v. Paramount Business Services, LLC, et al., X170003.					
10	XI.					
11	RECORDKEEPING					
12	IT IS FURTHER ORDERED that Settling Defendant must create certain					
13	records for twenty (20) years after entry of the Order, and retain each such record for five					
14	(5) years. Specifically, Settling Defendant must create and retain the following records:					
15	A. Accounting records showing the revenues from all goods or services sold;					
16	B. Personnel records showing, for each person providing services, whether as					
17	an employee or otherwise, that person's: name; addresses; telephone numbers; job title or					
18	position; dates of service; and (if applicable) the reason for termination;					
19	C. Records of all consumer complaints and refund requests, whether received					
20	directly or indirectly, such as through a third party, and any response;					
21	D. All records necessary to demonstrate full compliance with each provision					
22	of this Order, including all submissions to the Commission;					
23	E. A copy of each unique advertisement or other marketing material; and					
24	F. Records of payment transactions, sufficient to show all payments from and					
25	credits to consumers.					
26	XII.					
27	COMPLIANCE MONITORING					
28	IT IS FURTHER ORDERED that, for the purpose of monitoring Settling					