

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	
)	
PHOENIX AVATAR, LLC doing business as AVATAR NUTRITION,)	
)	Case No. 04C 2897
DJL, LLC,)	
)	Judge Holderman
DANIEL J. LIN,)	
)	Magistrate Judge Schenkier
MARK M. SADEK,)	
)	
JAMES LIN, and)	
)	
CHRISTOPHER M. CHUNG)	
doing business as A I T HERBAL)	
MARKETING,)	
)	
Defendants.)	
)	

**STIPULATION AND ORDER AS TO DEFENDANTS DANIEL J. LIN,
MARK M. SADEK, JAMES LIN, AND CHRISTOPHER M. CHUNG
EXTENDING TEMPORARY RESTRAINING ORDER WITH ASSET
FREEZE AND OTHER EQUITABLE RELIEF AND ORDER TO SHOW
CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

Plaintiff, Federal Trade Commission (“FTC”), and Defendants, Daniel J. Lin, Mark M. Sadek, James Lin, and Christopher M. Chung, by and through their counsel, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, Fed. R. Civ. P. 65(b), hereby stipulate and agree to extend the Temporary Restraining Order with Asset Freeze and Other Equitable Relief and

Order to Show Cause Why a Preliminary Injunction Should Not Issue (“TRO”), originally entered by this Court on April 23, 2004, until May 24, 2004, or until such time thereafter as the Court rules on Plaintiff’s motion for a preliminary injunction.

The parties therefore agree, and stipulate, that the TRO entered on April 23, 2004, is modified as follows:

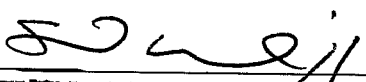
1. That Section XVII of the TRO is modified so that the TRO shall not expire until May 24, 2004, at 11:59 p.m., or until such time as the Court rules on Plaintiff’s motion for a preliminary injunction, whichever is later, unless within such time, the TRO is further extended with the consent of the parties.
2. That Section XIII of the TRO is modified to provide that the hearing on Plaintiff’s motion for a preliminary injunction shall be held on May 24, 2004, at 10:30 a.m., or if the Court is not available on that date, then subsequently on _____, 2004, at _____m., in the Courtroom of the Honorable James F. Holderman, Room 2141, Dirksen Federal Courthouse, 219 South Dearborn Street, Chicago, Illinois.
3. That the remaining provisions of the TRO are to remain in full force and effect.

By stipulating to the entry of this extension, Defendants Daniel J. Lin, Mark M. Sadek, James Lin, and Christopher M. Chung do not waive, release, relinquish, or compromise any defense to any suit, whether civil or criminal, and that it is only operational as to this instant action. This stipulation is not an admission of any fact or law relating to any claim, charge, complaint, indictment, or cause of action, and does not operate to limit any constitutional right upon which the parties will rely, throughout the pendency of this action or any other action, civil

or criminal, at the time of trial. By agreeing to this stipulation, Defendants Daniel J. Lin, Mark M. Sadek, James Lin, and Christopher M. Chung do not waive challenges to personal and subject matter jurisdiction or venue for this matter.

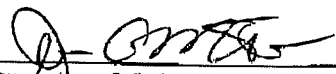
So Stipulated:

FOR THE PLAINTIFF:

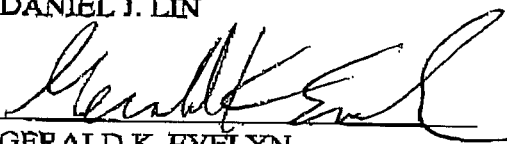

STEVEN M. WERNIKOFF
WILLIAM J. HODOR
JASON K. BOWLER
Federal Trade Commission
55 East Monroe Street, Suite 1860
Chicago, Illinois 60603
(312) 960-5634 [Telephone]
(312) 960-5600 [Facsimile]

Attorneys For Plaintiff
FEDERAL TRADE COMMISSION

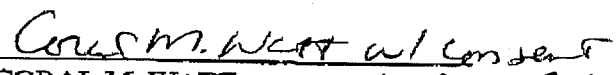
FOR THE DEFENDANTS:


JUAN A. MATEO
645 Griswold, Suite 2000
Detroit, Michigan 48226
(313) 962-3500 [Telephone]
(313) 962-9190 [Facsimile]

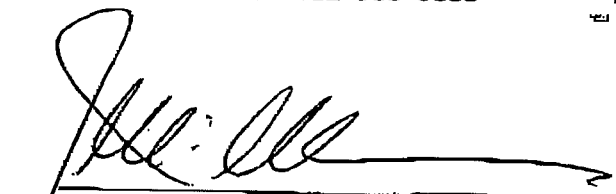
Attorney for Defendant
DANIEL J. LIN


GERALD K. EVELYN
645 Griswold, Suite 2000
Detroit, Michigan 48226
(313) 962-3500 [Telephone]
(313) 962-9190 [Facsimile]

Attorney for Defendant
MARK M. SADEK


CORAL M. WATT *w/ consent by Juan A. Mateo*
645 Griswold, Suite 717
Detroit, Michigan 48226
(313) 963-8464 [Telephone]
(313) 961-8811 [Facsimile]

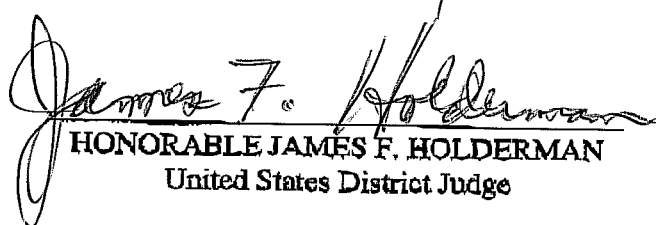
Attorney for Defendant
JAMES LIN



JOHN M. MCMANUS
645 Griswold, Suite 2000
Detroit, Michigan 48226
(313) 962-3500 [Telephone]
(313) 962-9190 [Facsimile]

Attorney for Defendant
CHRISTOPHER M. CHUNG

IT IS SO ORDERED, this 6TH day of MAY, 2004, at 10:05 m.



HONORABLE JAMES F. HOLDERMAN
United States District Judge

CERTIFICATE OF SERVICE

I, Steven M. Wernikoff, hereby certify that on this day, I cause to be served a true copy of the foregoing **Stipulation and Order as to Defendants Daniel J. Lin, Mark M. Sadek, James Lin, and Christopher M. Chung Extending Temporary Restraining Order with Asset Freeze and Other Equitable Relief and Order to Show Cause Why a Preliminary Injunction Should Not Issue** on the following via First-Class U.S. Mail to:

Juan A. Mateo, Esq.
645 Griswold, Suite 2000
Detroit, Michigan 48226
Attorney for Defendant
DANIEL J. LIN

Gerald K. Evelyn, Esq.
645 Griswold, Suite 2000
Detroit, Michigan 48226
Attorney for Defendant
MARK M. SADEK


Coral M. Watt, Esq.
645 Griswold, Suite 717
Detroit, Michigan 48226
Attorney for Defendant
JAMES LIN

John M. McManus, Esq.
645 Griswold, Suite 2000
Detroit, Michigan 48226
Attorney for Defendant
CHRISTOPHER M. CHUNG

Phoenix Avatar, LLC
c/o EastBiz.com, Inc.
4535 West Sahara Avenue, Ste. 217
Las Vegas, Nevada 89102

DJL, LLC
c/o Daniel J. Lin, Registered Agent
7080 Ten Hill Drive
West Bloomfield, Michigan 48322

Dated: May 6, 2004


STEVEN M. WERNIKOFF
Federal Trade Commission
55 East Monroe Street, Suite 1860
Chicago, Illinois 60603
(312) 960-5634 [Telephone]
(312) 960-5600 [Facsimile]

Attorney for Plaintiff
FEDERAL TRADE COMMISSION