

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

RICHARD C. NEISWONGER, et al.,

Defendants.

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No. 4:96CV2225-SNL

CIVIL CONTEMPT ORDER

WHEREAS, on February 28, 1997, this Court entered a Stipulated Final Judgment and Order for Permanent Injunction and Other Equitable Relief (Permanent Injunction) containing, among other things injunctions proscribing misrepresentations and omissions of material fact in the advertising, marketing, and sale of programs by defendants and all other persons or entities acting in concert or in participation with them with actual notice of the Permanent Injunction, as well as certain reporting and performance bond requirements applicable to individual defendants under specific circumstances, as set forth in paragraphs I., II., V. and XI. of that order, and

WHEREAS plaintiff, the Federal Trade Commission (Commission or FTC), has filed a motion, with a supporting memorandum, pleadings, and exhibits, seeking to hold defendant Richard C. Neiswonger (Neiswonger) and two persons or entities with notice of the Permanent Injunction in active concert or participation with him. Contempt defendants William S. Reed (Reed) and Asset Protection Group, Inc. (APG), (all three, collectively, Contempt Defendants), in civil contempt for violations of the Permanent Injunction; and

WHEREAS this Court has fully considered the Commission's motion and supporting papers, as well as the full record, and applicable case and statutory law, and has concluded that

contempt defendants are in civil contempt, the Court now finds as follows:

1. Contempt defendants received actual notice of this Court's Final Judgment and Order for Permanent Injunction and Other Equitable Relief (Permanent Injunction or Order).
2. Contempt defendants have acted in concert and in participation with defendant Neiswonger in the advertising, marketing, promotion and/or sale of a program as defined in the Permanent Injunction and herein, specifically including a training session, course of instruction, class material, affiliation, association, period of support, or combination thereof.
3. The evidence indicates that contempt defendants' acts and practices in connection with the advertising, marketing, promotion, and/or sale of a program violate paragraphs I and I.A as well as paragraphs II and II.A of the Permanent Injunction. These violations have occurred since at least May 2002.
4. The evidence further indicates that defendant Neiswonger has also violated paragraph V of the Permanent Injunction relating to providing the Commission with proof of a *current* \$100,000 performance bond. That order violation has occurred since at least May 2004.
5. The Court finds defendant Richard C. Neiswonger and contempt defendants William S. Reed and Asset Protection Group, Inc., in civil contempt of its Final Judgment and Order for Permanent Injunction, and deems it necessary to issue the present Order to coerce compliance with the Permanent Injunction.
6. Entry of this order is in the public interest.
7. This action and the relief awarded herein are in addition to, and not in lieu of, other remedies as may be provided by law, including both civil and criminal remedies.

#### **DEFINITIONS**

For the purposes of this order, the following definitions apply:

A. "Contempt Defendants" means Richard C. Neiswonger, William S. Reed and Asset Protection Group, Inc., and each of them, individually and jointly, and their successors, assigns, officers, agents, servants, employees, and those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division or other device.

B. "Permanent Injunction" means this Court's Stipulation Final Judgment and Order for Permanent Injunction and Other Equitable Relief, entered on February 28, 1997.

C. As used in the above findings, "Program" means any training session, course of instruction, class material, computer software, affiliation, association, newsletter, period of support, joint venture opportunity or combination thereof advertised, marketed, offered or sold by any of the Contempt Defendants.

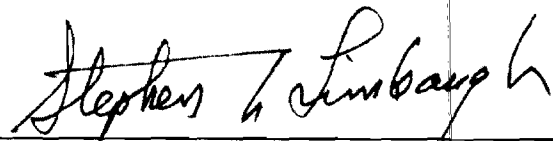
**I.**

**IT IS FURTHER ORDERED** that there is no just reason for delay of entry of this Order, and, pursuant to Fed.R.Civ.P. 54(b), the clerk shall enter this Order immediately.

**II.**

**IT IS FINALLY ORDERED** the Court shall continue to retain jurisdiction of this matter for all purposes.

Dated this 23rd day of April, 2007.



SENIOR UNITED STATES DISTRICT JUDGE