

1 STEPHEN CALKINS  
General Counsel

2 CHARLES A. HARWOOD  
3 Regional Director

4 ELEANOR DURHAM  
5 NADINE S. SAMTER  
Federal Trade Commission  
6 915 Second Avenue, Suite 2896  
Seattle, WA 98174  
7 (206) 220-6350

8 ATTORNEYS FOR PLAINTIFF

9  
10 UNITED STATES DISTRICT COURT  
11 FOR THE DISTRICT OF NEVADA

12 FEDERAL TRADE COMMISSION,

13 Plaintiff,

CV-S-97-

14 v.

15 WOOFTER INVESTMENT CORPORATION,  
and PATSY M. BARBOUR a.k.a. PATSY  
16 BARBOUR-WOOFTER,

17 Defendants.

18  
19 **TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE WHY  
PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

20 Plaintiff, the Federal Trade Commission ("Commission"), having filed a Complaint for a  
21 permanent injunction and other relief, including restitution to consumers, pursuant to Section  
22 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 53(b) and 57b, and  
23 having moved for an *ex parte* temporary restraining order and for an order to show cause why a  
24 preliminary injunction should not be granted pursuant to Rule 65(b) of the Federal Rules of Civil  
25 Procedure, and the Court having considered the pleadings, declarations, exhibits, and  
26 memorandum filed in support thereof, it is the finding of this Court that:

1           1.       This Court has jurisdiction of the subject matter of this case and there is  
2 good cause to believe it will have jurisdiction over all parties hereto.

3           2.       There is good cause to believe the Commission will ultimately succeed in  
4 establishing that defendants have engaged in and are likely to engage in acts and practices that  
5 violate Sections 310.3(a), (b) and (c) of the Telemarketing Sales Rule, 16 C.F.R. § 310.3(a), (b)  
6 and (c).

7           3.       There is good cause to believe that immediate and irreparable damage will  
8 be done to the public and to this Court's ability to grant full and effective relief among the parties  
9 hereto absent entry of this Order on an *ex parte* basis.

10          4.       Weighing the equities and considering the Commission's likelihood of  
11 ultimate success, a Temporary Restraining Order is in the public interest.

#### 12   **I. CEASE AND DESIST**

13           IT IS THEREFORE ORDERED that defendants Woofter Investment Corporation  
14 ("Woofter"), which does business as A.T.M.S., and Patsy M. Barbour a.k.a. Patsy Barbour-  
15 Woofter are hereby temporarily restrained and enjoined from:

16           A.       Promoting, offering for sale, selling, reselling, or purchasing on behalf of others,  
17 directly or indirectly, tickets, chances or interests in any foreign or U.S. lottery.

18           B.       Providing customer service, registration of tickets, chances or interests in any  
19 foreign or U.S. lottery, or any other service to any telemarketer or seller of tickets, chances or  
20 interests in any foreign or U.S. lottery.

21           C.       Providing credit card processing for any telemarketer or seller in a manner that  
22 violates the Telemarketing Sales Rule, 16 C.F.R. 310.3(c).

#### 23   **II. ASSET FREEZE**

24           IT IS FURTHER ORDERED that, except as stipulated by the parties, or as directed by  
25 further order of the Court, defendants are hereby temporarily restrained and enjoined from,  
26 directly or through any other person or entity:

1 A. Transferring, converting, encumbering, selling, concealing, dissipating, disbursing,  
2 assigning, spending, withdrawing, or otherwise disposing of any funds, real or personal property,  
3 accounts, contracts, membership or mailing lists, shares of stock or other assets, or any interest  
4 therein, wherever located, that are: (a) owned or controlled by defendants, in whole or in part; or  
5 (b) in the actual or constructive possession of defendants; or (c) owned, controlled by, or in the  
6 actual constructive possession of any corporation, partnership, or other entity directly or  
7 indirectly owned, managed, or controlled by, or under common control with, defendants,  
8 including, but not limited to, any assets held by or for defendants at any bank or savings and loan  
9 institution, or with any broker-dealer, escrow agent, title company, commodity trading company,  
10 precious metal dealer, or other financial institution or depository of any kind;

11 B. Opening or causing to be opened any safe deposit boxes titled in the name of any  
12 of these defendants, or subject to access by defendants; and

13 C. Incurring charges on any credit card issued in the name, singly or jointly, of  
14 defendants.

15 The assets affected by this section shall include both existing assets and assets acquired  
16 after issuance of this Order, and defendants shall hold and account for these assets and all  
17 payments received by them, including but not limited to borrowed funds or property and gifts.

### 18 **III. MAINTENANCE OF RECORDS**

19 **IT IS FURTHER ORDERED** that defendants are hereby temporarily restrained and  
20 enjoined from:

21 A. Failing to create and maintain books, records, and accounts which, in reasonable  
22 detail, accurately, fairly, and completely reflect the incomes, disbursements, transactions, and use  
23 of monies by defendants.

24 B. Destroying, erasing, mutilating, concealing, altering, transferring or otherwise  
25 disposing of, in any manner, directly or indirectly, any contracts, client lists, membership or  
26 mailing lists, accounting data, correspondence, advertisements, computer tapes, disks, or other

1 computerized records, books, written or printed records, handwritten notes, telephone logs,  
2 telephone scripts, "verification" tapes or other audio or video tape recordings, receipt books,  
3 invoices, postal receipts, ledgers, personal and business canceled checks and check registers, bank  
4 statements, appointment books, copies of federal, state or local business or personal income or  
5 property tax returns, and other documents or records of any kind that relate to the business  
6 practices or business or personal finances of defendants.

#### 7 **IV. DUTIES OF ASSET HOLDERS**

8 IT IS FURTHER ORDERED that, except as stipulated by the parties or as directed by  
9 further order of the Court, any financial or brokerage institution, business entity, or person that  
10 holds, controls, or maintains custody of any account or asset, including any membership or  
11 mailing lists, real or personal of property defendants, or has held, controlled, or maintained  
12 custody of any account or asset of defendants at any time since December 31, 1995, shall

13 A. Prohibit all persons and entities except, with respect to Woofter's assets, the  
14 receiver appointed by this Order and his designated representatives or agents, from withdrawing,  
15 removing, assigning, transferring, pledging, encumbering, disbursing, dissipating, converting,  
16 selling, or otherwise disposing of any of these assets.

17 B. Deny all persons and entities, except, with respect to Woofter's assets, the receiver  
18 appointed by this Order and his designated representatives and agents, access to any safe deposit  
19 box that is titled in the name of either defendant, either individually or jointly, or otherwise subject  
20 to access by either defendant.

21 C. Provide counsel for plaintiff and, with respect to Woofter's assets, the receiver,  
22 within five (5) business days of receiving a copy of this Order, a certified statement setting forth:

23 1. the identification number of each account or asset titled in the name,  
24 individually or jointly, of defendants, or held on behalf of, or for the benefit of, defendants,  
25 including all trust accounts managed on behalf of defendants or subject to defendants' control;  
26

1                   2.       the balance of each identified account, or a description of the nature and  
2 value of the asset as of the close of business on the day on which this Order is served, and, if the  
3 account or other asset has been closed or removed since January 1, 1997, the date closed or  
4 removed, the total funds removed in order to close the account, and the name of the person or  
5 entity to whom the account or other asset was remitted; and

6                   3.       the identification and location of any safe deposit box that is either titled in  
7 the name, individually or jointly, of defendants, or is otherwise subject to access by defendants.

8                   D.       Upon request and within five (5) business days, provide to counsel for plaintiff  
9 and, with respect to Woofter's assets, to the receiver, copies of all records or other  
10 documentation pertaining to the accounts or assets described in Paragraph C above, including but  
11 not limited to originals or copies of account applications, account statements, signature cards,  
12 checks, drafts, deposit tickets, transfers to and from the accounts, all other debit and credit  
13 instruments or slips, currency transaction reports, 1099 forms, and safe deposit box logs.

14                  E.       With respect to Woofter's assets, cooperate with all reasonable requests of the  
15 receiver relating to implementation of this Order, including transferring funds at the receiver's  
16 direction and producing records related to defendants' accounts.

#### 17   **V. SERVICE OF TRO**

18                  IT IS FURTHER ORDERED that copies of this Order may be served by first class mail,  
19 overnight delivery, facsimile, or personally, by employees or agents of the FTC or the receiver,  
20 upon any bank, savings and loan institution, credit union, financial institution, brokerage house,  
21 escrow agent, money market or mutual fund, title company, commodity trading company,  
22 common carrier, storage company, trustee, commercial mail receiving agency, mail holding or  
23 forwarding company, or any other person, partnership, corporation, or legal entity that may be in  
24

1 possession of any records, assets, property, or property right of defendants, and any other person,  
2 partnership, corporation, or legal entity that may be subject to any provision of this Order.

### 3 **VI. DEFENDANTS' FINANCIAL STATEMENTS**

4 IT IS FURTHER ORDERED that defendants shall, within four business days from service  
5 of this Order, prepare and deliver to the counsel for the Commission and, with respect to  
6 Woofter's assets, the receiver, completed financial statements on the forms attached to this Order.  
7 The completed financial statements shall be accurate as of the date of service of this Order upon  
8 the defendants. Defendants shall attach to these completed financial statements copies of all state  
9 and federal income and property tax returns for each individual and entity since January 1, 1995  
10 and copies of all policies of insurance in effect since January 1, 1996 with attachments and  
11 schedules thereto, insuring against loss of, or damage to, real or personal property owned or held  
12 by or for defendants.

### 13 **VII. ACCESS TO PREMISES**

14 IT IS FURTHER ORDERED that defendants shall allow plaintiff and the receiver, and  
15 their representatives, agents, and assistants, immediate access to Woofter's business premises and  
16 any other locations where Woofter's property or business records are located. The locations of  
17 defendant Woofter's business premises specifically include, but are not limited to, the Woofter  
18 offices and facilities at 1500 Tropicana in Las Vegas, NV. The purpose of plaintiff's access shall  
19 be to inspect and inventory all defendants' property, assets, and documents and to inspect and  
20 copy any documents relevant to this action. For purposes of this provision, the term "document"  
21 shall include all those items described in Paragraph III.B above. The Commission shall have the  
22 right to remove documents from defendants' premises in order that they may be inspected,  
23 inventoried, and copied. The documents so removed shall be returned to Woofter's premises, or  
24 any other location directed by the receiver, within seven business days unless the receiver agrees  
25 to a longer period. The FTC may also have immediate access to documents for purposes of  
26 inspection, inventorying, and copying, in the event they have been removed from defendants'

1 premises by, and are in the possession of, another law enforcement agency of investigative  
2 agency.

### 3 **VIII. APPOINTMENT OF RECEIVER AND RECEIVER DUTIES**

4 IT IS FURTHER ORDERED that Mahan & Ellis Chartered, is appointed as a temporary  
5 receiver with the full power of an equity receiver for Woofter and its subsidiaries and affiliates,  
6 and of all funds, properties, premises and other assets directly or indirectly owned, wherever  
7 situated, beneficially or otherwise, by this defendant with directions and authority to accomplish  
8 the following:

9 A. Take custody, control, and possession of all funds, property, premises, mail, and  
10 other assets of, or in the possession or control of Woofter, including the contents of any safe  
11 deposit box, wherever situated, with full power to divert, return to sender, hold without opening,  
12 open, or copy any mail, and to sue for, collect, receive and take in possession all goods, chattels,  
13 rights, credits, monies, effects, lands, leases, books, work papers, and records of accounts,  
14 including electronic files on any media, and other papers and documents of defendant Woofter.

15 B. Conserve, hold, and manage all such assets, pending stipulation of the parties or  
16 further order of this Court; to obtain an accounting thereof; and to report to this Court and the  
17 Commission any violations of this Order or of Sections 310.3(a), (b) and (c) of the Telemarketing  
18 Sales Rule, 16 C.F.R. § 310.3(a), (b) and (c), that the receiver may become aware of by any  
19 defendant, their respective officers, directors, agents, servants, employees, attorneys,  
20 salespersons, successors, assigns, subsidiaries, affiliates, corporations, and other persons or  
21 entities under their control and all persons in active concert or participation with them.

22 C. Hold, preserve, and administer the business of Woofter until further order of this  
23 Court, with full authority to perform all acts necessary or incidental thereto, including terminating  
24 employees, and independent contractors.

25 D. Cease all operation or maintenance of the promotion, offering for sale, sale, resale,  
26 or purchase on behalf of others, of tickets, chances or interests in any foreign or U.S. lottery, and

1 provision of services, for any telemarketer or seller of tickets, chances or interests in any foreign  
2 or U.S. lottery.

3 E. Cease all credit card laundering activity, as "credit card laundering" is defined in  
4 Section 310.3(c) of the Telemarketing Sales Rule, 16 C.F.R. 310.3(c).

5 F. Continue and conduct any lawful business of Woofter not incident to telemarketing  
6 or selling of tickets, chances or interests in any foreign or U.S. lottery, in such manner, to such  
7 extent, and for such duration as the receiver may in good faith deem to be necessary or  
8 appropriate to profitably and lawfully operate that business, if at all; **provided** that the  
9 continuation and conduct of the business shall be conditioned upon Woofter first demonstrating to  
10 the satisfaction of the Court, at the show cause hearing scheduled in Section XX below, that the  
11 business can be lawfully operated at a profit using the funds and other assets of the receivership  
12 estate. Woofter shall immediately, and thereafter from time to time upon request of the receiver,  
13 advise the receiver concerning each location at which Woofter conducts business and all matters  
14 relevant to the continuation and conduct of that business.

15 G. Employ any managers, agents, employees, servants, accountants, and technical  
16 specialists as may in the receiver's judgment be advisable or necessary in the management,  
17 conduct, control, or custody of the affairs of Woofter and the assets thereof, and otherwise  
18 generally to assist in the receivership.

19 H. Make any payments and disbursements that may be necessary and advisable for the  
20 preservation of the properties of Woofter and as may be necessary and advisable in discharging  
21 the receivership duties.

22 I. Give information, in a form to be provided or approved by counsel for the plaintiff,  
23 regarding the status of Woofter and this action to current, former, or prospective customers of  
24 Woofter that the receiver in its judgment deems advisable or necessary and practicable, including  
25 but not limited to notice through answering machines and faxes.



1 J. Receive and collect any and all sums of money due or owing Woofter in any  
2 manner whatsoever, whether the same are now due or shall hereafter become due and payable,  
3 except to the extent that debts are owed by members of the public who purchased tickets, chances  
4 or interests in any foreign or U.S. lottery, and to do such things and enter into such agreements in  
5 connection with the administration, care, preservation, and maintenance of the properties of  
6 Woofter as the receiver may deem advisable.

7 K. Institute, prosecute, and defend, compromise, adjust, intervene in, or become party  
8 to any actions or proceedings in state, federal, or foreign courts as may in the receiver's opinion  
9 be necessary or proper for the protection, maintenance, and preservation of the assets of Woofter  
10 or the carrying out of the terms of this Order, and likewise to defend, compromise, or adjust or  
11 otherwise dispose of any or all actions or proceedings instituted against the receiver or against  
12 Woofter and also to appear in and conduct the defense of any suit or adjust or compromise any  
13 actions or proceedings now pending in any court by or against Woofter where the prosecution,  
14 defense, or other disposition of those actions or proceedings will, in the judgment of the receiver,  
15 be advisable or proper for the protection of the properties of Woofter.

16 L. Make periodic reports, observations, and recommendations to this Court, and seek  
17 guidance and instructions from this Court, if the receiver deems it necessary, upon one day's  
18 written or oral notice to all parties who have filed an appearance in this proceeding.

19 M. The receiver and its accountants, attorneys, agents, and consultants shall be  
20 compensated from the assets of the receivership estate for their normal hourly charges and for all  
21 expenses incurred by them in fulfilling the terms of this Order. This compensation for the  
22 receiver's personnel shall be at the rate of \$180 per hour for the principals, \$120 per hour for the  
23 receiver's associate, and the customary hourly rates for other agents and consultants of the  
24 receiver. The receiver shall also be compensated for photocopying, long distance, postage, travel,  
25 and other expenses at actual cost. The receiver may pay itself and its accountants, attorneys,  
26 agents, and consultants on a regular basis as and when billed from assets of the receivership

1 estate, provided that the receiver shall provide a monthly accounting to the Court, that the Court  
2 shall retain the right to accept or deny any particular charges, and that the receiver shall apply to  
3 the Court for approval of these charges at regular intervals of three months.

#### 4 **IX. TURN OVER TO RECEIVER**

5 IT IS FURTHER ORDERED that, immediately upon service of this Order upon them,  
6 defendants, and any other person or entity served with a copy of this Order, shall immediately  
7 deliver over to the receiver:

8 A. Possession and custody of all funds, assets, property owned beneficially or  
9 otherwise, and all other assets, wherever situated, of Woofter.

10 B. Possession and custody of all books and records of accounts, all financial and  
11 accounting records, balance sheets, income statements, bank records (including monthly  
12 statements, canceled checks, records of wire transfers, and check registers), client lists,  
13 membership and mailing lists, title documents, and other papers of Woofter.

14 C. Possession and custody of all funds and other assets belonging to members of the  
15 public now held by Woofter.

16 D. All passwords or codes required to access any hardware, software, or electronic  
17 files on any media.

18 E. All keys, passwords, identification numbers, entry codes, and combinations to  
19 locks required to open or gain access to any of Woofter's property or effects, Woofter's  
20 computer files (including all backup tapes), and all monies in any bank deposited by or to the  
21 credit of Woofter, wherever situated.

22 F. Information identifying the accounts, employees, properties, or other assets or  
23 obligations of Woofter.

24 G. A statement providing the total number of individuals and entities, and the name,  
25 address, phone number, and account records of each of them, who is a customer or client of  
26

1 Woofter, whether directly or through any other entity, and the total dollar amount of money  
2 received from each customer or client and paid out to each customer or client.

3 **X. NON-INTERFERENCE WITH RECEIVER**

4 IT IS FURTHER ORDERED that the defendants shall refrain from interfering with the  
5 receiver taking custody, control, or possession and from interfering in any manner, directly or  
6 indirectly, with the custody, possession, and control of the receiver; shall fully cooperate with and  
7 assist the receiver appointed in this action; and shall take no action, directly or indirectly, to hinder  
8 or obstruct the receiver in the conduct of its duties or to interfere in any manner, directly or  
9 indirectly, with the custody, possession, management, or control by the receiver.

10 **XI. THIRD PARTY COOPERATION WITH RECEIVER**

11 IT IS FURTHER ORDERED that any bank, savings and loan institution, credit union,  
12 financial institution, brokerage house, money market or mutual fund, common carrier, storage  
13 company, escrow agent, title company, commodity trading company, trustee, Internet service  
14 provider, or any other person, partnership, corporation, or other legal entity that is served with a  
15 copy of this Order, shall cooperate with all reasonable requests of the receiver relating to  
16 implementation of this Order, including transferring funds and the contents of safe deposit boxes  
17 at the receiver's discretion and producing for the receiver records related to defendants' accounts.

18 **XII. RECEIVER'S BOND**

19 IT IS FURTHER ORDERED that the receiver shall file with the Clerk of this Court  
20 within five (5) days of entry of this Order, a bond in the sum of \$10,000 with sureties to be  
21 approved by the Court, conditioned that the receiver will well and truly perform the duties of the  
22 office and duly account for all monies and properties which may come into its hands and abide by  
23 and perform all things which he shall be directed to do.

24 **XIII. STAY OF OTHER ACTIONS**

25 IT IS FURTHER ORDERED that except by leave of this Court, defendants and all  
26 customers, principals, investors, creditors, stockholders, lessors, and other persons seeking to

1 establish or enforce any claim, right or interest against or on behalf of defendants, or its  
2 subsidiaries or affiliates, and all others acting for or on behalf of those persons, including  
3 attorneys, trustees, agents, sheriffs, constables, marshals, and other officers, and their deputies  
4 and their respective attorneys, agents, servants, and employees, be and are hereby stayed from:

5       A.     Commencing, prosecuting, continuing, or enforcing any suit or proceeding against  
6 Woolfter, or its subsidiaries or affiliates, or the receiver, except that any action may be filed to toll  
7 any applicable statutes of limitations.

8       B.     Commencing, prosecuting, continuing, or enforcing any suit or proceeding in the  
9 name of the defendants or their subsidiaries or affiliates.

10       C.     Accelerating the due date of any obligation or claimed obligation, enforcing any  
11 lien upon, or taking or attempting to take possession or retaining possession of, property of  
12 defendant Woolfter, or its subsidiaries or affiliates, or any property claimed by Woolfter, or  
13 attempting to foreclose, forfeit, alter, or terminate any interests of Woolfter in any property,  
14 whether these acts are part of a judicial proceeding or otherwise.

15       D.     Using self-help or executing or issuing, or causing the execution or issuance, of  
16 any court attachment, subpoena, replevin, execution, or other process for the purpose of  
17 impounding or taking possession of or interfering with or creating or enforcing a lien upon any  
18 property, wheresoever located, owned or in the possession of the Woolfter, or its subsidiaries or  
19 affiliates, or the receiver appointed pursuant to this Order or any agents appointed by the receiver.

20       E.     Doing any act or thing whatsoever to interfere with the receiver taking control,  
21 possession, or management of the property subject to this receivership, or to in any way interfere  
22 with the receiver, or to harass or interfere in any manner with the duties of the receiver; or to  
23 interfere in any manner with the exclusive jurisdiction of this Court over the property and assets  
24 of defendant Woolfter or its subsidiaries or affiliates.

1 **Provided, however,** that nothing in this section shall prohibit any federal, state, or local  
2 law enforcement or regulatory authority from commencing or prosecuting an action against any  
3 defendant.

#### 4 **XIV. EXPEDITED DISCOVERY**

5 IT IS FURTHER ORDERED that Plaintiff is granted leave to initiate discovery pursuant  
6 to FRCP 30(a), to take the deposition of any person, in any judicial district, at any time after the  
7 date of this Order, upon three (3) days notice; pursuant to FRCP 33, defendants' responses to any  
8 interrogatories served by the plaintiff shall be within ten (10) days after service of the  
9 interrogatories; pursuant to FRCP 34, defendants' response to any request by plaintiff for  
10 production of documents shall be within five (5) days after service of the request; pursuant to  
11 FRCP 36 defendants' responses to any request for admissions served by plaintiff shall be within  
12 five (5) days after service of the requests.

#### 13 **XV. CONSUMER CREDIT REPORTS**

14 IT IS FURTHER ORDERED that pursuant to Section 604(1) of the Fair Credit Reporting  
15 Act, 15 U.S.C. § 1681b(1), any consumer reporting agency may furnish a consumer report  
16 concerning any defendant to plaintiff or the receiver.

#### 17 **XVI. NOTICE TO RELATED PERSONS AND ENTITIES**

18 IT IS FURTHER ORDERED that defendants shall immediately provide a copy of this  
19 Order to each affiliate, subsidiary, division, sales entity, successor, assign, officer, director,  
20 employee, independent contractor, agent, attorney, and representative, and shall, within ten days  
21 from the date of entry of this Order, provide plaintiff with a sworn statement that defendants have  
22 complied with this provision of the Order, which statement shall include the names and addresses  
23 of each such person or entity who received a copy of the Order.

#### 24 **XVII. FILING OF PLEADINGS**

25 IT IS FURTHER ORDERED that defendants shall file their opposition, including any  
26 declarations, exhibits, memoranda, or other evidence on which defendants intend to rely, not less

1 than three (3) business days before the hearing on the order to show cause why a preliminary  
2 injunction should not issue. Defendants shall serve copies of all these materials on plaintiff by  
3 delivery or facsimile to designated counsel for the Federal Trade Commission, at 915 Second  
4 Avenue, Suite 2896, Seattle, Washington 98174, prior to 4:00 p.m. on the day that it is filed.

5 **XVIII. WITNESSES AT HEARINGS**

6 IT IS FURTHER ORDERED that, if any party to this action intends to present the  
7 testimony of any witness at the hearing on a preliminary injunction in this matter, that party shall,  
8 at least three (3) business days prior to the scheduled date and time of hearing, file with this Court  
9 and serve on counsel for the other party, a statement of the name, address, and telephone number  
10 of that witness, and either a summary of the witness' expected testimony, or the witness'  
11 declaration or affidavit revealing the substance of the witness' expected testimony; and that, after  
12 the service of the statement, the served party thereafter shall have two business days from the time  
13 of service of the witness information to provide information to the Court and to the serving party  
14 for any witness whose testimony the served party intends to present.

15 **XIX. EXPIRATION**

16 IT IS FURTHER ORDERED that the Temporary Restraining Order granted herein  
17 expires ten (10) days after entry unless, within that time, the Order for good cause shown is  
18 extended for an additional period not to exceed ten(10) days, or unless it is extended with the  
19 consent of the parties.

20 **XX. SHOW CAUSE**

21 IT IS FURTHER ORDERED that each of the defendants shall appear before this Court  
22 on the \_\_\_\_ day of \_\_\_\_\_, 1997, at \_\_\_\_\_ o'clock \_\_\_\_m., to show cause, if  
23 any there be, why this Court should not continue the appointment of the receiver and enter a  
24 preliminary injunction, pending final ruling on the Complaint against these defendants, enjoining  
25 them from further violations of Sections 310.3(a), (b) and (c)of the Telemarketing Sales Rule, 16  
26

1 C.F.R. §§ 310.3(a), (b) and (c), continuing the relief provided herein and the freeze of their assets,  
2 and imposing whatever additional relief may be appropriate.

3 **XXI. RETENTION OF JURISDICTION**

4 IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for all  
5 purposes.

6 SO ORDERED, this \_\_\_\_\_ day of April, 1997, at \_\_\_\_\_.

7  
8 \_\_\_\_\_  
9 United States District Judge

10 PRESENTED BY:

11  
12  
13 \_\_\_\_\_  
14 Eleanor Durham  
15 Nadine S. Samter  
16 Attorney for Plaintiff  
17 Federal Trade Commission  
18  
19  
20  
21  
22  
23  
24  
25  
26