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U.S. DISTRICT COURT
DISTRICT OF MARYLAND

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CLERK'S OFFICE
AT BALTIMORE

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION

FEDERAL TRADE COMMISSION,)
)
) CIVIL NO. JFM99CV3679
Plaintiff,)
v.) STIPULATED FINAL
) JUDGMENT AND ORDER FOR
JOHN T. POLK, individually and as an officer of the) PERMANENT INJUNCTION
corporate defendant(s),) AS TO DEFENDANT
PATRICK FARAH, individually and as an officer of the) PETER HIRSCH
corporate defendant(s),)
PETER HIRSCH, individually and as an officer of the)
corporate defendant(s),)
USASURANCE GROUP, INC., a Colorado corporation,)
AKAHI CORP., a Texas and Colorado corporation,)
AKAHI.COM CORP., a Texas corporation,)
2XTREME PERFORMANCE INTERNATIONAL, LLC,)
a Delaware LLC, and)
AFEW, INC., a Delaware corporation,)
)
Defendants.)

(5)

On December 9, 1999, plaintiff, the Federal Trade Commission ("FTC" or the "Commission"), filed its complaint for injunctive and other equitable relief in this matter pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), charging defendants John T. Polk, Patrick Farah, Peter Hirsch, USAurance Group, Inc., Akahi Corp., Akahi.com Corp., 2Xtreme Performance International, LLC, and AFEW, Inc. with violations of Section 5 of the FTC Act, 15 U.S.C. § 45(a). On or about January 27, 2000, the Court entered a Stipulated Preliminary Injunction as to Defendant Peter Hirsch. The Commission, by and through its counsel, and defendant Peter Hirsch, having received advice of counsel, have agreed and stipulated to the entry by this Court of a Stipulated Final Judgment and Order for Permanent Injunction as to defendant Peter Hirsch ("Final Order"). Pursuant to agreement and stipulation, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

FINDINGS

1. This Court has jurisdiction over the subject matter of this action and has personal jurisdiction over defendant Peter Hirsch;
2. Venue in this district is proper;
3. The Commission's complaint states a claim upon which relief may be granted against defendant Peter Hirsch under Section 5(a) of the FTC Act, 15 U.S.C. § 45(a);
4. The defendant waives any claim he may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, as amended by Pub. L. No. 104-121, 110 Stat. 846, 863-64 (1996), concerning the prosecution of this action;

service mark, trade name, advertising, or other commercial symbol); and b) assistance to any person in connection with or incident to the establishment, maintenance, or operation of a new business or the entry by an existing business into a new line or type of business. For purposes of this Final Order, "business opportunity" includes, but is not limited to, recruiting tools.

- D. "Clearly and conspicuously" means that any oral disclosure shall be delivered in a volume, cadence, and location sufficient for an ordinary consumer to hear and comprehend it, and any written disclosure shall be in a type size and location sufficiently noticeable for an ordinary consumer to read and comprehend it, in print that contrasts with the background against which it appears.
- E. "Multi-level marketing program" means any marketing program in which participants pay money to the program promoter in return for which the participants obtain the right to:
- (1) recruit additional participants, or have additional participants placed by the promoter or any other person into the program participant's downline, tree, cooperative, income center, or other similar program grouping;
 - (2) sell goods or services; and
 - (3) receive payment or other compensation, in whole or in part, based upon the sales of those in the participant's downline, tree, cooperative, income center or similar program grouping.
- F. "Prohibited marketing program" means any marketing program, Ponzi scheme, chain marketing scheme, or other marketing plan or program in which a person who participates makes a payment and receives the right, license or opportunity to derive income as a participant primarily from:
- (i) the recruitment of additional recruits by the participant, program promoter or others;
 - (ii) non-

retail sales made to or by such recruits or their recruits; or (iii) any other payments made by recruits. For purposes of this Final Order, a "prohibited marketing program" does not include a marketing plan or program in which the program promoter demonstrates to the defendant that it has instituted and enforced rules that have the actual effect of ensuring that the participants in the program derive income primarily from the retail sale of goods or services to persons who are end-users of the goods or services and who are not participants in the program.

- G. "Participating" in a prohibited marketing program or in a multi-level marketing program includes, but is not limited to, promoting, marketing, advertising, offering for sale, or selling, or assisting others in the offering for sale or selling the right to participate in, the program, as well as acting or serving as an officer, director, employee, salesperson, agent, shareholder, advisor, consultant, independent contractor, or distributor, or acting as a speaker or spokesperson on behalf of any prohibited marketing program or multi-level marketing program.
- H. "Recruiting tool" means any device designed to recruit new people into a participant's multi-level marketing program downline and in turn generate commissions and/or bonuses for the purchasing participant in the multi-level marketing program, whether denominated "Business-in-a-Box," "position," or otherwise.
- I. "Retail sales" means sales of goods or services to third-party end users who are not participants or recruits in the program.

CONDUCT PROHIBITIONS

I.

IT IS THEREFORE ORDERED that the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from engaging in, participating in, promoting, advertising, marketing, offering for sale, selling, or assisting in any manner or in any capacity whatsoever in, any prohibited marketing program.

II.

IT IS FURTHER ORDERED that the defendant is permanently restrained and enjoined from (1) engaging in, participating in, promoting, advertising, marketing, offering for sale, selling, or assisting in any manner or capacity whatsoever in any multi-level marketing program not subject to Paragraph I, or (2) promoting, marketing, advertising, offering for sale, or selling, or assisting in any manner or in any capacity whatsoever in promoting, marketing, advertising, offering for sale or selling, any business opportunity, unless the defendant first obtains a bond, at least two (2) weeks prior to commencing such activities, as follows:

- A. The principal sum of the bond required by this Paragraph shall be in the amount of no less than five hundred thousand dollars (\$500,000);
- B. The bond required by this Paragraph shall be an insurance agreement providing surety for financial loss issued by a surety company that is admitted to do business in each of the states in which the defendant does business and that holds a Federal Certificate of Authority As Acceptable Surety On Federal Bond and Reinsuring;

- C. The bond required by this Paragraph shall cite this Final Order as the subject matter of the bond and shall provide surety thereunder against financial loss resulting from whole or partial failure of performance due, in whole or in part, to (1) any violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, in connection with (a) engaging in, participating in, or assisting in any manner or in any capacity whatsoever in, any multi-level marketing program not subject to Paragraph I or (b) promoting, marketing, advertising, offering for sale, or selling, or assisting in any manner or in any capacity whatsoever in promoting, marketing, advertising, offering for sale, or selling, any business opportunity, or (2) any violation of Paragraphs I through VII of this Final Order;
- D. The bond required by this Paragraph shall be executed in favor of both (1) the Federal Trade Commission, and (2) any person injured as a result of the bonded defendant's conduct;
- E. The bond required by this Paragraph shall be deemed continuous and remain in full force and effect so long as the bonded defendant is (1) engaging in, participating in, or assisting in any manner or in any capacity whatsoever in, any multi-level marketing program not subject to Paragraph I or (2) promoting, marketing, advertising, offering for sale, or selling, or assisting in any manner or in any capacity whatsoever in promoting, marketing, advertising, offering for sale, or selling, any business opportunity, and for at least five (5) years after the defendant has ceased such activities;
- F. The bond required by this Paragraph is in addition to, and not in lieu of, any other bond required by any applicable federal, state, or local law;

- G. At least ten (10) days prior to the commencement of any activity for which a bond is required by this Paragraph, the defendant shall provide a copy of the bond to the Associate Director for Marketing Practices at the address specified in Paragraph XVII;
- H. The Commission may execute against the bond if it is demonstrated to the Court, by a preponderance of the evidence, that, after the effective date of this Final Order, the bonded defendant (1) violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, in connection with (a) engaging in, participating in, or assisting in any manner or in any capacity whatsoever in, any multi-level marketing program not subject to Paragraph I or (b) promoting, marketing, advertising, offering for sale, or selling, or assisting in any manner or in any capacity whatsoever in promoting, marketing, advertising, offering for sale, or selling, any business opportunity, or (2) violated Paragraphs I through VII of this Final Order; and
- I. The defendant, the defendant's agents, or any person acting in concert or participation with him or under his authority, supervision, or control, shall not disclose the existence of the bond required by this paragraph to any consumer, or other participant or prospective participant in any multi-level marketing program, or other purchaser or prospective purchaser of any business opportunity, without also disclosing clearly and conspicuously, at the same time, the following:
"AS REQUIRED BY ORDER OF THE U.S. DISTRICT COURT IN SETTLEMENT OF CHARGES OF FALSE AND MISLEADING REPRESENTATIONS IN CONNECTION WITH ENGAGING IN MULTI-LEVEL MARKETING AND/OR IN CONNECTION WITH THE PROMOTION AND SALE OF BUSINESS OPPORTUNITIES."

III.

IT IS FURTHER ORDERED that, in connection with the advertising, promoting, marketing, offering for sale, selling, or providing, or assisting others in the advertising, promoting, marketing, offering for sale, selling, or providing of any multi-level marketing program not subject to Paragraph I, the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from making, or assisting in the making of, expressly or by implication, orally or in writing, any false or misleading statement or representation of material fact, including, but not limited to:

- A. Misrepresentations about the amount of sales, income, profits or rewards that a person who participates in the multi-level marketing program can reasonably expect to achieve;
- B. Misrepresentations about the amount of sales, income, profits, or rewards that a person who participates in the multi-level marketing program has achieved; and
- C. Misrepresentations that a person who participates in the multi-level marketing program can reasonably expect to recoup his investment.

IV.

IT IS FURTHER ORDERED that, in connection with the advertising, promoting, marketing, selling, offering for sale, or providing, or assisting others in the advertising, promoting, marketing, selling, offering for sale, or providing of any business opportunity, the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from making, or assisting in the making of,

expressly or by implication, orally or in writing, any false or misleading statement or representation of material fact, including, but not limited to:

- A. Misrepresentations about the amount of sales, income, profits or rewards that a person who acquires the business opportunity can reasonably expect to achieve;
- B. Misrepresentations about the amount of sales, income, profits, or rewards that a person who acquires the business opportunity has actually achieved; and
- C. Misrepresentations that a person who acquires the business opportunity can reasonably expect to recoup his investment.

V.

IT IS FURTHER ORDERED that, in connection with the advertising, promoting, marketing, selling, offering for sale, or providing, or assisting others in the advertising, promoting, marketing, selling, offering for sale, or providing of any multi-level marketing program not subject to Paragraph I or of any business opportunity, the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from providing to others the means and instrumentalities with which to make, expressly or by implication, orally or in writing, any false or misleading statement or representation of material fact.

VI.

IT IS FURTHER ORDERED that the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, is

permanently restrained and enjoined from, directly or indirectly, selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, facsimile number, credit or debit card number, bank account number, e-mail address, or other identifying information of any person who paid any money to any of the defendants, at any time prior to the entry of this Final Order, in connection with participation in any of the 2Xtreme Performance International, Akahi Corp., Akahi.com, and/or Cynergy multi-level marketing program(s). Provided, however, that the defendant may disclose such identifying information to a law enforcement agency or as required by any law, regulation or court order.

VII.

IT IS FURTHER ORDERED that, in connection with (1) engaging in, participating in, or assisting in any manner or in any capacity whatsoever in any multi-level marketing program not subject to Paragraph I or (2) promoting, marketing, advertising, offering for sale, or selling, or assisting in any manner or in any capacity whatsoever in promoting, marketing, advertising, offering for sale, or selling, any business opportunity, the defendant, and those persons in active concert or participation with him who receive actual notice of this Final Order by personal service or otherwise, are permanently restrained and enjoined from:

- A. Failing to take reasonable steps sufficient to monitor and ensure that all employees and independent contractors engaged in sales or other customer service functions comply with Paragraphs III-VI of this Final Order. Such steps shall include adequate monitoring of sales presentations or other calls with customers, and shall also include, at a minimum, the following:
- (1) listening to the oral representations made by persons engaged in sales or other customer

service functions; (2) establishing a procedure for receiving and responding to consumer complaints; and (3) ascertaining the number and nature of consumer complaints regarding transactions in which each employee or independent contractor is involved; provided that this Paragraph does not authorize or require the defendant to take any steps that violate any federal, state, or local laws;

- B. Failing promptly to investigate fully any consumer complaint received by any business to which this Paragraph applies; and
- C. Failing to take corrective action with respect to any sales person whom the defendant determines is not complying with this Final Order, which may include training, disciplining, and/or terminating such sales person.

**MONETARY RELIEF
VIII.**

IT IS FURTHER ORDERED that:

- A. The Commission's agreement to, and the Court's approval of, this Final Order is expressly premised upon the truthfulness, accuracy and completeness of the defendant's financial statement dated February 11, 2000, related documents that the defendant has submitted to the Federal Trade Commission, and the deposition testimony of the defendant taken on June 22, 2000 (hereinafter collectively referred to as "defendant's financial statements"). The defendant's financial statements contain material information upon which the Commission relied in negotiating and agreeing to this Order. If, upon motion by the Commission, this Court finds that any of the defendant's financial statements either failed to disclose any material asset or source

of income or materially misrepresented the value of any asset or source of income, or contained any other material misrepresentation or omission, the Court shall enter judgment in the amount of eighty million dollars (\$80,000,000), rendered immediately due and payable by the defendant; provided, however, that in all other respects this Final Order shall remain in full force and effect unless otherwise ordered by this Court;

- B. The defendant authorizes the Commission to verify all information provided on the defendant's financial statements with all appropriate third parties, including, but not limited, to financial institutions or credit reporting bureaus;
- C. The defendant agrees that the facts as alleged in the Complaint filed in this action shall be taken as true in any subsequent litigation filed by the Commission to enforce its rights pursuant to this Order, including, but not limited to, a nondischargeability complaint in any bankruptcy proceeding; and
- D. Proceedings instituted under this Paragraph are in addition to, and not in lieu of, any other civil or criminal remedies as may be provided by law, including any other proceedings the Commission may initiate to enforce this Final Order.

IX.

IT IS FURTHER ORDERED that, within five (5) business days of entry of this Final Order, the defendant shall submit to the Commission a truthful sworn statement, in the form that is Appendix A, that shall reaffirm and attest to the truth, accuracy, and completeness of the financial statement executed by the defendant on February 11, 2000.

COMPLIANCE REPORTING

X.

IT IS FURTHER ORDERED that, in order that compliance with the provisions of this Final Order may be monitored:

A. For a period of five (5) years from the date of entry of this Final Order, the defendant shall notify the Commission in writing of the following:

1. Any changes in the defendant's residence, mailing addresses, and telephone numbers, within ten (10) days of the date of such change;
2. Any changes in the defendant's employment status (including self-employment) or participation in any multi-level marketing program within ten (10) days of such change or participation. Such notices shall include the name and address of each business that the defendant is affiliated with, employed by, or participating in, a statement of the nature of the business, and a statement of the defendant's duties, responsibilities or involvement in connection with the business, employment or participation; and
3. Any proposed change in the structure of any business entity owned or controlled by the defendant, such as creation, incorporation, dissolution, assignment, sale, merger, creation or dissolution of subsidiaries, proposed filing of a bankruptcy petition, or change in the corporate name or address, or any other change that may affect compliance obligations arising out of this Final Order, thirty (30) days prior to the effective date of any proposed change; provided, however, that with respect to any proposed change in the corporation about which the defendant learns fewer than thirty (30) days prior to the date such action

is to take place, the defendant shall notify the Commission as soon as practicable after learning of such proposed change;

- B. One hundred eighty (180) days after the date of entry of this Final Order, the defendant shall provide a written report to the Commission, sworn under penalty of perjury, setting forth in detail the manner and form in which the defendant has complied and is complying with this Final Order. This report shall include, but not be limited to:
1. The defendant's then-current residence address and telephone number;
 2. The defendant's then-current employment, business address and telephone numbers, a description of the business activities of each such employer, and the defendant's title and responsibilities for each employer;
 3. A copy of each acknowledgment of receipt of this Final Order obtained by the defendant pursuant to Paragraph XIV below;
 4. A statement describing the manner in which the defendant has complied and is complying with this Final Order; and
 5. A statement indicating whether any bond has been obtained by the defendant pursuant to Paragraph II and attaching a copy of such bond so obtained;
- C. Upon written request by a representative of the Commission, the defendant shall submit additional written reports (under oath, if requested) and produce documents on fifteen (15) days' notice with respect to any conduct subject to this Final Order;

- D. For the purposes of this Paragraph, "employment" includes the performance of services as an employee, consultant, or independent contractor, and "employers" include any individual or entity for whom the defendant performs services as an employee, consultant, or independent contractor; and
- E. For purposes of the compliance reporting required by this Paragraph, the Commission is authorized to communicate directly with the defendant.

COMPLIANCE MONITORING
XI.

IT IS FURTHER ORDERED that the Commission is authorized to monitor the defendant's compliance with this Final Order by all lawful means, including, but not limited to, the following means:

- A. The Commission is authorized, without further leave of court, to obtain discovery from any person in the manner provided by Federal Rules of Civil Procedure 26-34, 36 and 37, and the use of compulsory process pursuant to Federal Rule of Civil Procedure 45, for the purpose of monitoring and investigating the defendant's compliance with any provision of this Final Order;
- B. The Commission is authorized to use representatives posing as consumers and suppliers to the defendant, the defendant's employees, or any other entity managed or controlled in whole or in part by the defendant, without the necessity of identification or prior notice;
- C. Nothing in this Final Order shall limit the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to investigate whether the defendant has violated any provision of this Final Order or Section 5 of the FTC Act, 15 U.S.C. § 45.

ACCESS TO BUSINESS PREMISES

XII.

IT IS FURTHER ORDERED that, for a period of five (5) years from the date of entry of this Final Order, for the purpose of further determining compliance with this Final Order, the defendant shall permit representatives of the Commission, within three (3) business days of receipt of written notice from the Commission:

- A. Access during normal business hours to any office, or facility storing documents, of any business where (1) the defendant is the majority owner of the business or directly or indirectly manages or controls the business, and where (2) the business is engaged in multi-level marketing or the sale of business opportunities, or assisting others engaged in these activities. In providing such access, the defendant shall permit representatives of the Commission to inspect and copy all documents relevant to any matter contained in this Final Order; and shall permit Commission representatives to remove documents relevant to any matter contained in this Final Order for a period not to exceed five (5) business days so that the documents may be inspected, inventoried, and copied; and
- B. To interview the officers, directors and employees, including all personnel involved in responding to consumer complaints or inquiries, and all sales personnel, whether designated as employees, consultants, independent contractors or otherwise, of any business to which Subsection (A) of this Paragraph applies, concerning matters relating to compliance with the terms of this Final Order. The person interviewed may have counsel present.

Provided that, upon application of the Commission and for good cause shown, the Court may enter an ex parte order granting immediate access to the defendant's business premises for the purposes of inspecting and copying all documents relevant to any matter contained in this Final Order.

RECORD KEEPING PROVISIONS

XIII.

IT IS FURTHER ORDERED that, for a period of five (5) years from the date of entry of this Final Order, the defendant, and defendant's agents, employees, officers and servants, corporations, successors and assigns, and those persons in active concert or participation with them who receive actual notice of this Final Order by personal service or otherwise, in connection with any business where (1) the defendant is the majority owner of the business or directly or indirectly manages or controls the business, and where (2) the business engages in multi-level marketing or the sale of business opportunities, or assists others engaged in these activities, are hereby restrained and enjoined from failing to create, and from failing to retain for a period of three (3) years following the date of such creation, unless otherwise specified:

- A. Books, records and accounts that, in reasonable detail, accurately and fairly reflect the cost of goods or services sold, revenues generated, and the disbursement of such revenues;
- B. Records accurately reflecting: the name, address, and telephone number of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable. The businesses subject to this Paragraph shall retain

such records for any terminated employee for a period of two (2) years following the date of termination;

- C. Records containing the names, addresses, phone numbers, dollar amounts paid, quantity of items or services purchased, and description of items or services purchased, for all consumers to whom such business has sold, invoiced or shipped any goods or services, or from whom such business accepted money or other items of value;
- D. Records that reflect, for every consumer complaint or refund request, whether received directly or indirectly or through any third party:
 - 1. the consumer's name, address, telephone number and the dollar amount paid by the consumer;
 - 2. the written complaint or refund request, if any, and the date of the complaint or refund request;
 - 3. the basis of the complaint, including the name of any salesperson complained against, and the nature and result of any investigation conducted concerning any complaint;
 - 4. each response and the date of the response;
 - 5. any final resolution and the date of the resolution; and
 - 6. in the event of a denial of a refund request, the reason for the denial; and
- E. Copies of all sales scripts, training materials, advertisements, or other marketing materials utilized; provided that copies of all sales scripts, training materials, advertisements, or other

marketing materials utilized shall be retained for three (3) years after the last date of dissemination of any such materials.

DISTRIBUTION OF ORDER BY DEFENDANT
XIV.

IT IS FURTHER ORDERED that the defendant shall:

- A. For a period of five (5) years from the date of entry of this Final Order, provide a copy of this Final Order to, and obtain a signed and dated acknowledgment of receipt of same from, each officer or director, each individual serving in a management capacity, all personnel involved in responding to consumer complaints or inquiries, and all sales personnel, whether designated as employees, consultants, independent contractors or otherwise, immediately upon employing or retaining any such persons, for any business where (1) the defendant is the majority owner of the business or directly or indirectly manages or controls the business, and where (2) the business is engaged in multi-level marketing or the sale of business opportunities, or assisting others engaged in these activities; and
- B. Maintain for a period of three (3) years after creation, and upon reasonable notice make available to representatives of the Commission, the original signed and dated acknowledgments of the receipt of copies of this Final Order, as required in Subsection (A) of this Paragraph.

SERVICE OF ORDER
XV.

IT IS FURTHER ORDERED that copies of this Final Order may be served by any means, including facsimile transmission, upon any financial institution or other entity or person that may have

possession, custody, or control of any documents or assets, as defined in this Final Order, of the defendant, or that may be subject to any provision of this Final Order. Pursuant to Fed. R. Civ. P. 4(c)(2), this Final Order and the initial papers filed in this matter may be served by agents of plaintiff, and by agents of any process service retained by the plaintiff.

**ACKNOWLEDGMENT OF RECEIPT OF ORDER
XVI.**

IT IS FURTHER ORDERED that, within five (5) business days after receipt by the defendant of this Final Order as entered by the Court, the defendant shall submit to counsel for the Commission a truthful sworn statement, in the form shown on Appendix B, that shall acknowledge receipt of this Final Order.

**NOTIFICATION
XVII.**

IT IS FURTHER ORDERED that for purposes of this Final Order, all correspondence and notification that the defendant is required by this Final Order to provide to the Commission shall be sent to:

Associate Director, Division of Marketing Practices
Federal Trade Commission, H-238
600 Pennsylvania Avenue, NW
Washington, DC 20580

**LIFTING OF PRIOR ORDERS
XVIII.**

IT IS FURTHER ORDERED that all prior orders of this Court concerning this defendant shall be lifted after the entry of this Final Order by this Court.


**RETENTION OF JURISDICTION AND ENTRY OF JUDGMENT
XIX.**

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

XX.

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

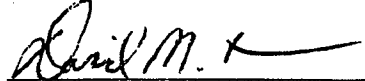
SO ORDERED, this 8th day of Sept, 2000 at Baltimore, Maryland.



J. Frederick Motz
United States District Judge.

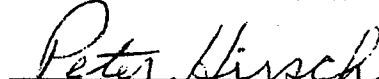
The parties hereby consent to the terms and conditions of the Final Order as set forth above and consent to entry thereof.

FOR THE COMMISSION:




DAVID M. TOROK
JAMES A. KAMINSKI
STEPHEN GURWITZ
Federal Trade Commission
600 Pennsylvania Ave., N.W., Room 238
Washington, D.C. 20580
(202) 326-3075 (Torok)
(202) 326-3395 (fax)

FOR THE DEFENDANT:



PETER HIRSCH, individually (pro se)



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Assisted Pro Se Defendant in
Preparation of this Document
Signed Pursuant to Local Rule 102(a)(ii)

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MC