

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FEDERAL TRADE COMMISSION,)
)
Plaintiff,)
)
vs.)
)
RICHARD C. NEISWONGER, ET. AL.,)
)
Defendants.)

Case No. 4:96CV2225SNL

ORDER

In accordance with the memorandum opinion filed herein this date,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law as set forth in the memorandum opinion are **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that the Civil Contempt Order (marked as Exhibit 1 to this Order) shall be in full force and effect until further order of this Court.

IT IS FURTHER ORDERED that the Second Permanent Injunction Modifying Permanent Injunction as to Defendant Neiswonger (marked as Exhibit 2 to this Order) shall be in full force and effect until further order of this Court.

IT IS FURTHER ORDERED that this Court finds defendant William S. Reed in contempt for violations, as set forth in the Memorandum Opinion, of the Court's TRO, as entered on July, 17, 2006.

IT IS FURTHER ORDERED that having found defendant Reed in contempt for post-hearing violations of the afore-referenced TRO, defendant Reed shall: 1) provide a full, complete and accurate accounting to the Receiver, under penalty of perjury, of all financial transactions which Reed has been involved with in any manner since inception of the receivership estate and

which in any way relate to or pertain to APGI (Asset Protection Group, Inc.) or any of its clients, customers, or consultants or any funds which at any time have been held, owned or controlled directly or indirectly by APGI or any of its clients or consultants; 2) return to the Receiver all funds misappropriated by Reed from APGI or from any client, customer or consultant of APGI since inception of the receivership estate (as determined by the Receiver); 3) pay to the Receiver on behalf of the receivership estate, from sources other than receivership property, an amount to be determined by the Court representing the receivership fees and costs and the attorneys' fees and costs incurred by the Receiver in connection with this contempt application; and 4) provide any other relief this Court deems appropriate. Defendant Reed shall provide the afore-referenced relief, except for the Receiver's costs and attendant attorneys' fees and costs, on or before May 25, 2007. No extensions of time shall be granted except for good cause shown.

IT IS FURTHER ORDERED that the Receiver shall file with the Court its accounting of the receivership fees and costs, as well as the attorneys' fees and costs, incurred in connection with the matter of its contempt application against defendant Reed. The Receiver shall file said accounting on or before May 15, 2007. Any objections shall be filed no later than May 25, 2007. The Receiver may file a reply to any filed objections no later than June 4, 2007. As of June 5, 2007 the Court will consider this matter ripe for disposition.

IT IS FURTHER ORDERED that the Receiver shall file, on or before May 25, 2007, a final accounting of defendants Neiswonger and Reed's proceeds each obtained from the advertising, marketing, promotion, and sales of the APGI Program. *See*, Footnote #20 of the Memorandum Opinion. Upon the filing of this final accounting, the Court will amend said Contempt Order (Exhibit 1 to this Order) to include an appropriate monetary sanction.

IT IS FINALLY ORDERED that having found that defendants Reed and APGI were in active concert and/or participated in the violations of the 1997 Permanent Injunction, as set forth in the Memorandum Opinion, and having considered all the evidence before the Court, and believing that these defendants will continue to perpetrate further frauds in connection with the advertising, marketing, promotion, and sales of the APGI Program and/or other similar programs, the Court will hold a show cause hearing as to why these defendants should not be specifically subject to a similar permanent injunction as the one now adjudicated with respect to defendant Neiswonger. The show cause hearing as to a permanent injunction against defendants Reed and APGI shall be on **June 25, 2007 at 9:30 a.m.** All interested parties may file pre-hearing briefs, witness list, and/or exhibit list no later than **June 18, 2007.**

Dated this 23rd day of April, 2007.



SENIOR UNITED STATES DISTRICT JUDGE