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12 FEDERAL TRADE COMMISSION

13 **UNITED STATES DISTRICT COURT**
14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 FEDERAL TRADE COMMISSION,
17 Plaintiff,
18 v.
19 STRATIFIED ADVERTISING AND
MARKETING, INC., et al.,
20 Defendants.
21

) Civ. No. 96-4142 TJH (VAPx) ✓

22 FEDERAL TRADE COMMISSION,
23 Plaintiff,
24 v.
25 MYSTERY SHOP LINK, LLC,
et al.,
26 Defendants.
27

) Civ. No. 07-01791 TJH (SHx)
) **STIPULATED ORDER FOR**
) **PERMANENT INJUNCTION AND**
) **FINAL JUDGMENT AS TO**
) **DEFENDANTS MYSTERY SHOP**
) **LINK, LLC, TANGENT GROUP,**
) **LLC, ROBIN LARRY MURPHY,**
) **ANDREW HOLMAN, AND**
) **KENNETH JOHNSON**

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1 Plaintiff Federal Trade Commission ("Commission" or "FTC"),
2 has filed a Complaint for Permanent Injunction and Other Equitable
3 Relief ("Complaint") against Defendants Mystery Shop Link, LLC,
4 Tangent Group, LLC, Robin Larry Murphy, Andrew Holman, Kenneth
5 Johnson, Harp Marketing Services, Inc., Aiden Reddin, and Marc
6 Gurney for deceptive acts and practices in connection with the
7 advertising and telemarketing of "mystery shopping" employment
8 opportunities. The Complaint alleges that these deceptive acts
9 and practices violated Section 5(a) of the FTC Act, 15 U.S.C.
10 § 45(a).

11 In conjunction with the filing of its Complaint, the
12 Commission also moved this Court for entry of an order holding
13 certain Defendants in contempt of the Consent Judgment And Order
14 For Permanent Injunction With Respect To Defendant Robin L.
15 Murphy, entered by this Court on April 14, 1997, in connection
16 with the case FTC v. Stratified Advertising and Marketing, Inc.,
17 et al., Civ. No. 96-4142 TJH (VAPx).

18 The Commission and Defendants Mystery Shop Link, LLC, Tangent
19 Group, LLC, Robin Larry Murphy, Andrew Holman, and Kenneth Johnson
20 ("MSL Defendants") have stipulated to the entry of the following
21 Stipulated Order For Permanent Injunction And Final Judgment As To
22 Defendants Mystery Shop Link, LLC, Tangent Group, LLC, Robin Larry
23 Murphy, Andrew Holman, and Kenneth Johnson ("Order") in settlement
24 of the Commission's Complaint and contempt action.

25 NOW, THEREFORE, the Commission and the MSL Defendants, having
26 requested the Court to enter this Order, and the Court having
27 considered the Order and being fully advised in the premises, it

1 is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

2 **FINDINGS**

3 1. The Complaint is an action by the Commission instituted
4 under Section 13(b) of the FTC Act, 15 U.S.C. § 53(b). Pursuant
5 to this section of the FTC Act, the Commission has the authority
6 to seek the relief contained herein.

7 2. The Commission's Complaint states a claim upon which
8 relief may be granted against the MSL Defendants under Sections
9 5(a) and 13(b) of the FTC Act, 15 U.S.C. §§ 45(a) and 53(b).

10 3. This Court has jurisdiction over the subject matter of
11 this case and contempt action and the parties hereto. Venue in
12 the Central District of California is proper. The MSL Defendants
13 have been properly served with process.

14 4. The alleged activities of the MSL Defendants are in or
15 affecting commerce, as defined in Section 4 of the FTC Act, 15
16 U.S.C. § 44.

17 5. The MSL Defendants, without admitting the allegations
18 set forth in the Commission's Complaint, agree to entry of this
19 stipulated Order.

20 6. The MSL Defendants waive all rights to seek judicial
21 review or otherwise challenge or contest the validity of this
22 Order. The MSL Defendants further waive and release any claims
23 any of them may have against the Commission, its employees,
24 representatives, or agents.

25 7. The MSL Defendants agree that this Order does not
26 entitle them to seek or obtain attorney's fees as a prevailing
27 party under the Equal Access to Justice Act, 28 U.S.C. § 2412, as

1 amended; and the MSL Defendants further waive any right to
2 attorney's fees that may arise under said provision of law. The
3 parties shall each bear their own costs and attorney's fees
4 incurred in this action.

5 8. Any voluntary bankruptcy petition filed by any of the
6 MSL Defendants does not automatically stay this action, which the
7 Court finds is the "commencement or continuation of an action or
8 proceeding by a governmental unit . . . to enforce such
9 governmental unit's . . . police or regulatory power," as set
10 forth in 11 U.S.C. § 362(b)(4).

11 9. Any voluntary bankruptcy petition filed by any of the
12 MSL Defendants does not divest this Court of jurisdiction to enter
13 this Order against the MSL Defendants.

14 10. This Order is in addition to, and not in lieu of, any
15 other civil or criminal remedies that may be provided by law.

16 11. As to Defendant Robin Larry Murphy only, this Order
17 supersedes the Consent Judgment And Order For Permanent Injunction
18 With Respect To Defendant Robin L. Murphy ("Consent Judgment"),
19 entered by this Court on April 14, 1997, in connection with the
20 case FTC v. Stratified Advertising and Marketing, Inc., et al.,
21 Civ. No. 96-4142 TJH (VAPx).

22 12. The MSL Defendants stipulate and agree that all
23 conditions precedent for the Commission to execute against the
24 \$100,000 performance bond, as set forth in Section V.F of the
25 Consent Judgment in FTC v. Stratified Advertising and Marketing,
26 Inc., et al., Civ. No. 96-4142 TJH (VAPx), are met, and, further,
27 that the exhibits filed by the Commission in that case on March

1 16, 2007 or afterwards, in support of its motion for contempt or
2 to execute against the performance bond, demonstrate by a
3 preponderance of the evidence that all such conditions precedent
4 are met.

5 13. Entry of this Order is in the public interest.

6 **ORDER**

7 **DEFINITIONS**

8 For purposes of this Order, the following definitions shall
9 apply:

10 1. **"Plaintiff," "Commission,"** or **"FTC"** means the Federal
11 Trade Commission.

12 2. **"Defendants"** means Mystery Shop Link, LLC, Tangent
13 Group, LLC, Robin Larry Murphy, Andrew Holman, Kenneth Johnson,
14 Harp Marketing Services, Inc., Aiden Reddin, and Marc Gurney, and
15 each of them, by whatever names each might be known.

16 3. **"MSL Defendants"** means Mystery Shop Link, LLC, Tangent
17 Group, LLC, Robin Larry Murphy, Andrew Holman, and Kenneth
18 Johnson, and each of them, by whatever names each might be known,
19 and their successors and assigns.

20 4. **"Assets"** means any legal or equitable interest in, right
21 to, or claim to, any real and personal property, including but not
22 limited to chattels, goods, instruments, equipment, fixtures,
23 general intangibles, effects, leaseholds, mail or other
24 deliveries, inventory, checks, notes, accounts, credits,
25 receivables (as those terms are defined in the Uniform Commercial
26 Code), and all cash, wherever located.

27 5. **"Assisting others"** means: (1) performing customer
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1 service functions including, but not limited to, receiving or
2 responding to consumer complaints; (2) providing, or arranging for
3 the provision of, names of potential customers; (3) performing
4 marketing services of any kind; (4) acting as an officer or
5 director of a business entity; or (5) providing payment processing
6 services of any kind.

7 6. **"Consumer"** means any individual, group, unincorporated
8 association, limited or general partnership, corporation, or other
9 business entity.

10 7. **"Customer"** means any person who has paid, or may be
11 required to pay, for goods or services offered for sale or sold by
12 any Defendant.

13 8. **"Document"** is synonymous in meaning and equal in scope
14 to the usage of the term in Federal Rule of Civil Procedure 34(a),
15 and includes writings, drawings, graphs, charts, photographs,
16 audio and video recordings, computer records, and other data
17 compilations from which information can be obtained and
18 translated, if necessary, through detection devices into
19 reasonably usable form. A draft or non-identical copy is a
20 separate document within the meaning of the term.

21 9. **"Person"** means a natural person, an organization or
22 other legal entity, including a corporation, partnership, sole
23 proprietorship, limited liability company, association,
24 cooperative, or any other group or combination acting as an
25 entity.

26 10. **"Telemarketing"** means any plan, program or campaign
27 (whether or not covered by the Telemarketing Sales Rule, 16 C.F.R.

1 Part 310) that is conducted to induce the purchase of goods or
2 services, or the payment of money, by means of the use of one or
3 more telephones.

4 **I. BAN ON TELEMARKETING**

5 **IT IS THEREFORE ORDERED** that Defendant Robin Larry Murphy is
6 permanently restrained and enjoined from telemarketing, or
7 assisting others engaged in telemarketing, whether directly or
8 through any entity, corporation, subsidiary, division, or other
9 device. Provided, however, that the ban on telemarketing shall
10 not apply to the extent that Defendant Robin Larry Murphy is
11 engaged in the business-to-business sales of telecommunications
12 equipment.

13 **II. PROHIBITED BUSINESS ACTIVITIES**

14 **IT IS FURTHER ORDERED** that the MSL Defendants and their
15 officers, agents, servants, employees, attorneys, and all other
16 persons in active concert or participation with them who receive
17 actual notice of this Order by personal service or otherwise,
18 whether acting directly or through any person, trust, corporation,
19 subsidiary, division, or other device, or any of them, in
20 connection with the advertising, promotion, offering,
21 telemarketing, or sale of any product, program, good or service,
22 are hereby permanently restrained and enjoined from:

23 A. Misrepresenting, expressly or by implication:

24 1. that Defendants are themselves hiring consumers to
25 perform work or are hiring on behalf of others;

26 2. that a specified number of mystery shopping jobs
27 are currently available through Defendants in consumers'

1 local areas;

2 3. that a large percentage of mystery shopping jobs go
3 unfilled due to a lack of mystery shoppers; or

4 4. that consumers who pay a fee to Defendants for
5 access to mystery shopping jobs are likely to earn
6 substantial income;

7 B. Falsely representing that any consumer will receive a
8 list identifying multiple open positions or jobs in the consumer's
9 chosen field and/or geographical location;

10 C. Falsely representing the conditions a consumer must
11 satisfy to obtain a refund;

12 D. Failing to clearly disclose to any consumer all material
13 conditions of obtaining a refund if, and at the time, the
14 possibility of obtaining a refund is mentioned to the consumer;

15 E. Misrepresenting, expressly or by implication, or failing
16 to disclose, any fact material to a consumer's decision to
17 purchase or use any product, program, good, or service; and

18 F. Assisting others who violate any provision of Paragraphs
19 A through E of this Section.

20 **III. EQUITABLE MONETARY RELIEF**

21 **IT IS FURTHER ORDERED** that:

22 A. Judgment is hereby entered in favor of the Commission,
23 and against the MSL Defendants, jointly and severally, in the
24 amount of seventeen million, eight hundred eight thousand, four
25 hundred ninety-nine U.S. Dollars (\$17,808,499.00), the estimated
26 total consumer injury from 2003 through 2006, as equitable
27 monetary relief for consumer injury; provided, however, that this

1 judgment shall be suspended subject to the conditions set forth in
2 Section IV of this Order;

3 B. Upon entry of this Order, the \$100,000.00 transferred by
4 the Commission to the Court, on or about September 13, 2007,
5 pursuant to Fed. R. Civ. P. 67, Local Rules 67-1 and 67-2, and the
6 Joint Stipulation and Order entered on August 23, 2007 in FTC v.
7 Stratified Advertising and Marketing, Inc., et al., Civ. No. 96-
8 4142 TJH (VAPx), shall be paid to the Commission by wire transfer
9 or certified check in accordance with instructions to be provided
10 by counsel for the Commission;

11 C. All funds paid pursuant to this Order shall be deposited
12 into a fund administered by the Commission or its agent to be used
13 for equitable relief, including but not limited to consumer
14 redress, and any attendant expenses for the administration of such
15 equitable relief. The MSL Defendants shall cooperate fully to
16 assist the Commission in identifying consumers who may be entitled
17 to redress pursuant to this Order. In the event that direct
18 redress to consumers is wholly or partially impracticable or funds
19 remain after redress is completed, the Commission may apply any
20 remaining funds for such other equitable relief (including
21 consumer information remedies) as it determines to be reasonably
22 related to Defendants' practices alleged in the Complaint. Any
23 funds not used for such equitable relief shall be deposited to the
24 United States Treasury as disgorgement. The MSL Defendants shall
25 have no right to challenge the Commission's choice of remedies
26 under this Part. The MSL Defendants shall have no right to
27 contest the manner of distribution chosen by the Commission. No

1 portion of any payments under the judgment herein shall be deemed
2 a payment of any fine, penalty, or punitive assessment;

3 D. In accordance with 31 U.S.C. § 7701, as amended, the MSL
4 Defendants are hereby required, unless they already have done so,
5 to furnish to the Commission their respective taxpayer identifying
6 numbers (social security numbers or employer identification
7 numbers), which shall be used for purposes of collecting and
8 reporting on any delinquent amount arising out of the MSL
9 Defendants' relationship with the government. Defendants Robin
10 Larry Murphy, Andrew Holman, and Kenneth Johnson are further
11 required, unless they already have done so, to provide the
12 Commission with clear, legible and full-size photocopies of all
13 valid driver's licenses that they possess, which will be used for
14 reporting and compliance purposes;

15 E. The MSL Defendants agree that the facts as alleged in
16 the Complaint filed in this action shall be taken as true, without
17 further proof, in the event of any subsequent proceedings or
18 litigation to enforce this Order or to collect amounts due
19 pursuant to this Section, including, but not limited to, a non-
20 dischargeability complaint in any bankruptcy case; and

21 F. Proceedings instituted under this Section are in
22 addition to, and not in lieu of, any other civil or criminal
23 remedies that may be provided by law, including any other
24 proceedings the Commission may initiate to enforce this Order.

25 **IV. RIGHT TO REOPEN**

26 **IT IS FURTHER ORDERED** that:

27 A. By agreeing to this Order, the MSL Defendants reaffirm

1 and attest to the truthfulness, accuracy, and completeness of the
2 financial statements signed by or on behalf of Defendants Mystery
3 Shop Link, LLC (dated December 21, 2006), Tangent Group, LLC
4 (dated December 21, 2006), Robin Larry Murphy (dated February 15,
5 2008), Andrew Holman (dated February 12, 2008), and Kenneth
6 Johnson (dated February 7, 2008), and provided to the Commission,
7 including all attachments and subsequent amendments and
8 corrections thereto. Plaintiff's agreement to this Order is
9 expressly premised upon the truthfulness, accuracy, and
10 completeness of the MSL Defendants' financial condition, as
11 represented in the financial statements referenced above, which
12 contain material information upon which Plaintiff relied in
13 negotiating and agreeing to the terms of this Order;

14 B. If, upon motion of the FTC, the Court finds that any of
15 the MSL Defendants failed to disclose any material asset,
16 materially misrepresented the value of any asset, or made any
17 other material misrepresentation in or omission from his or its
18 financial statement or supporting documents, the suspended
19 judgment entered in Section III.A shall become immediately due and
20 payable as to that MSL Defendant (less any amounts already paid).
21 Provided, however, that, in all other respects, this Order shall
22 remain in full force and effect, unless otherwise ordered by the
23 Court; and

24 C. Any proceedings instituted under this Section shall be
25 in addition to, and not in lieu of, any other civil or criminal
26 remedies that may be provided by law, including but not limited
27 to, contempt proceedings, or any other proceedings that the

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1 Commission or the United States might initiate to enforce this
2 Order. For purposes of this Section, the MSL Defendants waive any
3 right to contest any of the allegations in the Commission's
4 Complaint.

5 **V. PROHIBITIONS REGARDING CONSUMER INFORMATION**

6 **IT IS FURTHER ORDERED** that the MSL Defendants and their
7 officers, agents, servants, employees, attorneys, and all other
8 persons in active concert or participation with them who receive
9 actual notice of this Order by personal service or otherwise,
10 whether acting directly or through any person, trust, corporation,
11 subsidiary, division, or other device, or any of them, are hereby
12 permanently restrained and enjoined from:

13 A. Selling, renting, leasing, transferring, or otherwise
14 disclosing the name, address, telephone number, Social Security
15 number, account number, e-mail address, or other identifying
16 information of any person about whom any Defendant obtained such
17 information in connection with the activities alleged in the
18 Complaint; and

19 B. Benefitting from or using the name, address, telephone
20 number, Social Security number, account number, e-mail address, or
21 other identifying information of any person about whom any
22 Defendant obtained such information in connection with the
23 activities alleged in the Complaint;

24 Provided, however, that the MSL Defendants may disclose
25 identifying information to a law enforcement agency or as required
26 by any law, regulation, or court order.

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VI. CEASE COLLECTION ON ACCOUNTS

IT IS FURTHER ORDERED that the MSL Defendants and their officers, agents, servants, employees, attorneys, and all other 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 person, trust, corporation, subsidiary, division, or other device, or any of them, are hereby permanently enjoined and restrained from collecting, attempting to collect, or assigning any right to collect payment for any mystery shopping employment opportunity, program, or service, directly or through any third party, on any account established prior to entry of this Order.

VII. MONITORING COMPLIANCE OF SALES PERSONNEL

IT IS FURTHER ORDERED that the MSL Defendants and their officers, agents, servants, employees, attorneys, and all other 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 person, trust, corporation, subsidiary, division, or other device, or any of them, in connection with any business involving telemarketing, are hereby 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 Section II of this Order. These steps shall include adequate monitoring of sales presentations or other calls with consumers, and shall also include, at a minimum, the following: (1) listening to the

1 oral representations made by persons engaged in sales or other
2 customer service functions; (2) establishing a procedure for
3 receiving and responding to consumer complaints; and (3)
4 ascertaining the number and nature of consumer complaints
5 regarding transactions in which each employee or independent
6 contractor is involved;

7 B. Failing promptly to investigate fully any consumer
8 complaint received by any business to which this Section applies;
9 and

10 C. Failing to take adequate corrective action with respect
11 to any employee or independent contractor whom such Defendant
12 determines is not complying with this Order. This corrective
13 action may include training, disciplining, and/or terminating such
14 employee or independent contractor.

15 **VIII. COMPLIANCE MONITORING**

16 **IT IS FURTHER ORDERED** that, for the purpose of monitoring and
17 investigating compliance with any provision of this Order:

18 A. Within ten (10) days of receipt of written notice from a
19 representative of the Commission, the MSL Defendants each shall
20 submit additional written reports, sworn to under penalty of
21 perjury; produce documents for inspection and copying; appear for
22 deposition; and/or provide entry during normal business hours to
23 any business location in such Defendant's possession or direct or
24 indirect control to inspect the business operation;

25 B. In addition, the Commission is authorized to monitor
26 compliance with this Order by all other lawful means, including
27 but not limited to the following:

1 1. obtaining discovery from any person, without
2 further leave of court, using the procedures prescribed by Fed. R.
3 Civ. P. 30, 31, 33, 34, 36, and 45;

4 2. posing as consumers and suppliers to the MSL
5 Defendants, their employees, or any other entity managed or
6 controlled in whole or in part by any of them, without the
7 necessity of identification or prior notice; and

8 C. The MSL Defendants shall permit representatives of the
9 Commission to interview any employer, consultant, independent
10 contractor, representative, agent, or employee who has agreed to
11 such an interview, relating in any way to any conduct subject to
12 this Order. The person interviewed may have counsel present.

13 Provided, however, that nothing in this Order shall limit the
14 Commission's lawful use of compulsory process, pursuant to
15 Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to
16 obtain any documentary material, tangible things, testimony, or
17 information relevant to unfair or deceptive acts or practices in
18 or affecting commerce (within the meaning of 15 U.S.C.
19 § 45(a)(1)).

20 **IX. COMPLIANCE REPORTING BY DEFENDANTS**

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

23 A. For a period of five (5) years from the date of entry of
24 this Order,

25 1. Defendants Robin Larry Murphy, Andrew Holman, and
26 Kenneth Johnson each shall notify the Commission of the following:

27 a. Any changes in his residence, mailing
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1 such action is to take place, Defendant shall notify the
2 Commission as soon as is practicable after obtaining such
3 knowledge.

4 B. One hundred eighty (180) days after the date of entry of
5 this Order, the MSJ Defendants each shall provide a written report
6 to the Commission, sworn to under penalty of perjury, setting
7 forth in detail the manner and form in which they have complied
8 and are complying with this Order. This report shall include, but
9 not be limited to:

10 1. For Defendants Robin Larry Murphy, Andrew Holman,
11 and Kenneth Johnson:

12 a. His then-current residence address, mailing
13 addresses, and telephone numbers;

14 b. His then-current employment and business
15 addresses and telephone numbers, a description
16 of the business activities of each such
17 employer or business, and his title and
18 responsibilities for each such employer or
19 business; and

20 c. Any other changes required to be reported
21 under Paragraph A of this Section.

22 2. For Defendants Mystery Shop Link, LLC, Tangent
23 Group, LLC, Robin Larry Murphy, Andrew Holman, and Kenneth
24 Johnson:

25 a. A copy of each acknowledgment of receipt of
26 this Order, obtained pursuant to Paragraph D
27 of Section XI; and

1 b. Any other changes required to be reported
2 under Paragraph A of this Section.

3 c. For the purposes of this Order, the MSL Defendants
4 shall, unless otherwise directed by the Commission's authorized
5 representatives, mail all written notifications to the Commission
6 to:

7 Associate Director for Enforcement
8 Federal Trade Commission
9 600 Pennsylvania Avenue, N.W., Room NJ-2122
10 Washington, D.C. 20580
11 Re: FTC v. Mystery Shop Link, LLC, et al., Civil Action
12 No. 07-01791 TJH (SHx) (C.D. Cal.); and FTC v.
13 Stratified Advertising and Marketing, Inc., et al.,
14 Civil Action No. 96-4142 TJH (VAPx) (C.D. Cal.)

15 d. For purposes of the compliance reporting and monitoring
16 required by this Order, the Commission is authorized to
17 communicate directly with the MSL Defendants.

18 **X. RECORD KEEPING PROVISIONS**

19 **IT IS FURTHER ORDERED** that, for a period of eight (8) years
20 from the date of entry of this Order, the MSL Defendants and their
21 officers, agents, servants, employees, attorneys, and all other
22 persons in active concert or participation with them who receive
23 actual notice of this Order by personal service or otherwise,
24 whether acting directly or through any person, trust, corporation,
25 subsidiary, division, or other device, or any of them, in
26 connection with any business involving telemarketing, are hereby
27 restrained and enjoined from failing to create and retain the
28 following records:

 A. Accounting records that reflect the cost of goods or
services sold, revenues generated, and the disbursement of such

1 revenues;

2 B. Personnel records accurately reflecting: the name,
3 address, and telephone number of each person employed in any
4 capacity by such business, including as an independent contractor;
5 that person's job title or position; the date upon which the
6 person commenced work; and the date and reason for the person's
7 termination, if applicable;

8 C. Customer files containing the names, addresses, phone
9 numbers, dollar amounts paid, quantity of items or services
10 purchased, and description of items or services purchased, to the
11 extent such information is obtained in the ordinary course of
12 business;

13 D. Complaints and refund requests (whether received
14 directly, indirectly or through any third party) and any responses
15 to those complaints or requests;

16 E. Copies of all sales scripts, training materials,
17 advertisements, or other marketing materials; and

18 F. All records and documents necessary to demonstrate full
19 compliance with each provision of this Order, including but not
20 limited to, copies of acknowledgments of receipt of this Order,
21 required by Paragraph D of Section XI, and all reports submitted
22 to the FTC pursuant to Section IX.

23 **XI. DISTRIBUTION OF ORDER BY DEFENDANTS**

24 **IT IS FURTHER ORDERED** that, for a period of five (5) years
25 from the date of entry of this Order, the MSL Defendants shall
26 deliver copies of the Order as directed below:

27 A. **LLC Defendants:** Defendants Mystery Shop Link, LLC, and

1 Tangent Group, LLC must deliver a copy of this Order to all of
2 their principals, officers, directors, members, and managers.
3 Defendants Mystery Shop Link, LLC, and Tangent Group, LLC also
4 must deliver copies of this Order to all of their employees,
5 agents, and representatives who engage in conduct related to the
6 subject matter of the Order. For current personnel, delivery
7 shall be within five (5) days of service of this Order upon
8 Defendant. For new personnel, delivery shall occur prior to them
9 assuming their responsibilities.

10 **B. Individual Defendant Robin Larry Murphy, Andrew Holman**
11 **or Kenneth Johnson as Control Person:** For any business that
12 Defendant Robin Larry Murphy, Andrew Holman, or Kenneth Johnson
13 controls, directly or indirectly, or in which he has a majority
14 ownership interest, he must deliver a copy of this Order to all
15 principals, officers, directors, and managers of that business.
16 Defendant Robin Larry Murphy, Andrew Holman, or Kenneth Johnson
17 must also deliver copies of this Order to all employees, agents,
18 and representatives of that business who engage in conduct related
19 to the subject matter of the Order. For current personnel,
20 delivery shall be within five (5) days of service of this Order
21 upon Defendant. For new personnel, delivery shall occur prior to
22 them assuming their responsibilities.

23 **C. Individual Defendant Robin Larry Murphy, Andrew Holman,**
24 **or Kenneth Johnson as employee or non-control person:** For any
25 business where Defendant Robin Larry Murphy, Andrew Holman, or
26 Kenneth Johnson is not a controlling person of a business but
27 otherwise engages in conduct related to the subject matter of this
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1 Order, he must deliver a copy of this Order to all principals and
2 managers of such business before engaging in such conduct; and

3 D. The MSL Defendants must secure a signed and dated
4 statement acknowledging receipt of the Order, within thirty (30)
5 days of delivery, from all persons receiving a copy of the Order
6 pursuant to this Section.

7 **XII. ACKNOWLEDGMENT OF RECEIPT OF ORDER BY DEFENDANTS**

8 **IT IS FURTHER ORDERED** that the MSL Defendants, within five
9 (5) business days of receipt of this Order as entered by the
10 Court, must submit to the Commission a truthful sworn statement
11 acknowledging receipt of this Order.

12 **XIII. COOPERATION WITH FTC**

13 **IT IS FURTHER ORDERED** that the MSL Defendants shall, in
14 connection with this action or any subsequent investigations
15 related to or associated with the transactions or the occurrences
16 that are the subject of the FTC's Complaint, cooperate in good
17 faith with the FTC and appear, or cause their officers, employees,
18 representatives, or agents to appear, at such places and times as
19 the FTC shall reasonably request, after written notice, for
20 interviews, conferences, pretrial discovery, review of documents,
21 and for such other matters as may be reasonably requested by the
22 FTC. If requested in writing by the FTC, the MSL Defendants shall
23 appear, or cause their officers, employees, representatives, or
24 agents to appear, and provide truthful testimony in any trial,
25 deposition, or other proceeding related to or associated with the
26 transactions or the occurrences that are the subject of the
27 Complaint, without the service of a subpoena.

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XIV. SEVERABILITY

IT IS FURTHER ORDERED that the provisions of this Order are separate and severable from one another. If any provision is stayed or determined to be invalid, the remaining provisions shall remain in full force and effect.

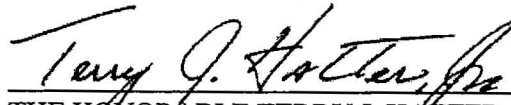
XV. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

The Commission and the MSL Defendants hereby stipulate and agree to entry of the foregoing Order, which shall constitute a final judgment in this action.

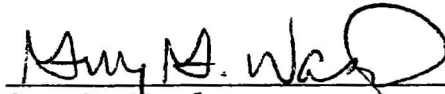
IT IS SO ORDERED.

Dated: December 3, 2008



THE HONORABLE TERRY J. HATTER, JR.,
UNITED STATES DISTRICT COURT JUDGE

STIPULATED AND AGREED TO BY:



Guy G. Ward
David A. O'Toole
Federal Trade Commission
55 W. Monroe St., Suite 1825
Chicago, IL 60603
PH. (312) 960-5634
FAX (312) 960-5600
Attorneys for Plaintiff
Federal Trade Commission

Dated: 12/02/08

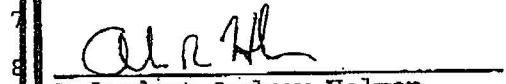
Sep-08-08 02:18pm From-STOLAR & ASSOCIATES, A PROF. LAW CORP. 310-288-1827 T-735 P.002/002 F-258



9-8-08

Dated: _____

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5 PH. (310) 288-1828
6 FAX (310) 288-1827
7 Attorney for Defendants
8 Mystery Shop Link, LLC,
9 Tangent Group, LLC, and
10 Andrew Holman



9/5/08

Dated: _____

11 Defendant Andrew Holman,
12 individually, and as an officer
13 of Defendants Mystery Shop Link,
14 LLC, and Tangent Group, LLC

15 Defendant Robin Larry Murphy

Dated: _____

16 Defendant Kenneth Johnson

Dated: _____

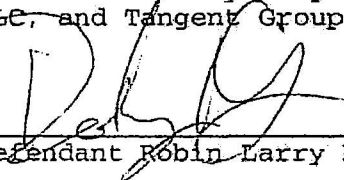
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Attorney for Defendants
Mystery Shop Link, LLC,
Tangent Group, LLC, and
Andrew Holman

Dated: _____

Defendant Andrew Holman,
individually, and as an officer
of Defendants Mystery Shop Link,
LLC, and Tangent Group, LLC

Dated: _____



Defendant Robin Larry Murphy

Dated: 9/10/08

Defendant Kenneth Johnson

Dated: _____

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Defendant Kenneth Johnson

Dated: 9/10/08