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10 ATTORNEYS FOR PLAINTIFF
 FEDERAL TRADE COMMISSION

12 UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 13 SOUTHERN DIVISION

14
 15 FEDERAL TRADE COMMISSION,
 16 Plaintiff,
 17 v.
 18 GLOBAL NETWORK ENTERPRISES, INC.,
 19 REPUBLIC ENTERPRISES, INC.,
 20 CECILIA M. CASTILLO, and
 21 IAN ANTHONY SUITE,
 22 Defendants.

SA
 CV- 00-625-GLT (ANK)

STIPULATED
 PRELIMINARY INJUNCTION WITH
 ASSET FREEZE

Time: _____
 Date: _____

FILED
 III - 6 2 00
 CLERK, U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 SOUTHERN DIVISION AT SANTA ANA
 BY DEPUTY

24 Plaintiff, the Federal Trade Commission ("Commission"),
 25 having filed its complaint for a permanent injunction and other
 26 relief in this matter, including consumer redress, pursuant to
 27 Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC
 28

1 Act"), 15 U.S.C. §§ 53(b) and 57, and Section 4(a) of the
2 Telemarketing and Consumer Fraud and Abuse Prevention Act, 15
3 U.S.C. § 6103(a) and having previously applied for an ex parte
4 temporary restraining order with asset freeze, order permitting
5 expedited discovery, and for a preliminary injunction pursuant to
6 Rule 65 of the Federal Rules of Civil Procedure, and the Court
7 having considered the complaint, memoranda of law, declarations,
8 exhibits and other materials filed in support thereof, and now
9 being advised in the premises, finds as follows:

- 10 1. This Court has jurisdiction of the subject matter of
11 this case and there is good cause to believe it will
12 have jurisdiction of all parties hereto;
- 13 2. There is good cause to believe that the defendants
14 Global Network Enterprises, Inc., Republic Enterprises,
15 Inc., Cecilia M. Castillo, and Ian Anthony Suite have
16 engaged and are likely to engage in acts and practices
17 that violate Section 5(a) of the FTC Act, 15 U.S.C. §
18 45(a), and the FTC's Telemarketing Sales Rule, 16
19 C.F.R. Part 310, and that the Commission is therefore
20 likely to prevail on the merits of this action;
- 21 3. There is good cause to believe that immediate and
22 irreparable damage to the Court's ability to grant
23 effective final relief for consumers in the form of
24 monetary redress will occur from the sale, transfer, or
25 other disposition or concealment by defendants of their
26 assets or business records unless defendants are
27 immediately restrained and enjoined by Order of this
28 Court. There is thus good cause for issuing this Order

1 pursuant to Federal Rules of Civil Procedure 65(b).

2 Good cause also exists to expedite discovery pursuant
3 to Rule 26(d) of the Federal Rules of Civil Procedure;

4 4. Weighing the equities and considering the plaintiff's
5 likelihood of ultimate success, a preliminary
6 injunction with asset freeze and other equitable relief
7 is in the public interest; and

8 5. No security is required of any agency of the United
9 States for issuance of a preliminary order. Fed. R.
10 Civ. P. 65(c).

11 Definitions

12 For purposes of this preliminary injunction, the following
13 definitions shall apply:

- 14 1. "Telemarketing," "telemarketer," "seller," and
15 "material" are defined in Section 310.2 of the
16 Telemarketing Sales Rule, 16 C.F.R. § 310.2, a copy of
17 which is attached to this Order.
- 18 2. "Person" means any individual, group, unincorporated
19 association, limited or general partnership,
20 corporation, or other business entity.
- 21 3. "Defendants" means Global Network Enterprises, Inc.,
22 Republic Enterprises, Inc., Cecilia M. Castillo, and
23 Ian Anthony Suite, and their successors, assigns,
24 officers, members, agents, directors, servants,
25 employees, and those persons in active concert or
26 participation with them who receive actual notice of
27 this Order by personal service or otherwise, whether
28 acting directly or through any corporation, subsidiary,

1 division or other device.

- 2 4. "Assets" means all real and personal property of the
3 defendants, or held for the benefit of the defendants,
4 including but not limited to "goods," "instruments,"
5 "equipment," "fixtures," "general intangibles,"
6 "inventory," "checks," or "notes" (as these terms are
7 defined in the Uniform Commercial Code), lines of
8 credit, and all cash, wherever located.
- 9 5. "Document" is synonymous in meaning and equal in scope
10 to the usage of the term in Federal Rules of Civil
11 Procedure 34(a) and includes writings, drawings,
12 graphs, charts, photographs, audio, and video
13 recordings, computer records, and other data
14 compilations from which the information can be obtained
15 and translated, if necessary, through detection devices
16 into reasonably usable form. A draft or non-identical
17 copy is a separate document within the meaning of the
18 term.
- 19 6. "Assisting others" means knowingly providing any of the
20 following goods or services to another entity: (1)
21 performing customer service functions, including, but
22 not limited to, receiving or responding to consumer
23 complaints; (2) formulating or providing, or arranging
24 for the formulation or provision of, any telephone
25 sales script or any other marketing material; (3)
26 providing names of, or assisting in the generation of,
27 potential customers; or (4) performing marketing
28 services of any kind.

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28ORDER
I. PROHIBITED BUSINESS ACTIVITIES

A. IT IS THEREFORE ORDERED that, in connection with a prize promotion or the advertising, marketing, promotion, or offering of a prize, defendants Global Network Enterprises, Inc., Republic Enterprises, Inc., Cecilia M. Castillo, and Ian Anthony Suite, and their successors, assigns, officers, members, agents, directors, servants, employees, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any corporation, subsidiary, division or other device, are hereby preliminarily restrained and enjoined from:

1. Falsely representing, expressly or by implication, that consumers will receive a prize;
2. Falsely representing, expressly or by implication, that consumers' checking, savings, share, or similar accounts would not be debited until after consumers had received their prizes;
3. Falsely representing, directly or by implication, any fact material to a consumer's decision to participate in a prize promotion; and

B. IT IS FURTHER ORDERED that, with respect to the advertising, marketing, promoting, offering for sale, or sale of any goods or services, defendants Global Network Enterprises, Inc., Republic Enterprises, Inc., Cecilia M. Castillo, and Ian Anthony Suite, and their successors, assigns, officers, members, agents, directors, servants, employees, and those

1 persons in active concert or participation with them who
2 receive actual notice of this Order by personal service or
3 otherwise, whether acting directly or through any
4 corporation, subsidiary, division or other device, are
5 hereby preliminarily restrained and enjoined from
6 misrepresenting, expressly or by implication, any fact
7 material to a consumer's decision to purchase defendants'
8 products or services.

9 C. **IT IS THEREFORE ORDERED** that defendants Global Network
10 Enterprises, Inc., Republic Enterprises, Inc., Cecilia M.
11 Castillo, and Ian Anthony Suite, and their successors,
12 assigns, officers, members, agents, directors, servants,
13 employees, and those persons in active concert or
14 participation with them who receive actual notice of this
15 Order by personal service or otherwise, whether acting
16 directly or through any corporation, subsidiary, division or
17 other device, are hereby preliminarily restrained and
18 enjoined from violating or assisting others in violating any
19 provision of the Telemarketing Sales Rule, 16 C.F.R. Part
20 310, including but not limited to:

- 21 1. misrepresenting that consumers have won a prize in a
22 prize promotion; and
- 23 2. misrepresenting that consumers will receive a prize in
24 a prize promotion if they make a required payment.

25 II. CUSTOMER LISTS

26
27 **IT IS FURTHER ORDERED** that defendants Global Network
28 Enterprises, Inc., Republic Enterprises, Inc., Cecilia M.

1 Castillo, and Ian Anthony Suite, and their successors, assigns,
2 officers, members, agents, directors, servants, employees, and
3 those persons in active concert or participation with them who
4 receive actual notice of this Order by personal service or
5 otherwise, whether acting directly or through any corporation,
6 subsidiary, division or other device, are hereby preliminarily
7 restrained and enjoined from selling, renting, leasing,
8 transferring, or otherwise disclosing the name, address,
9 telephone number, social security number, or other identifying
10 information of any person contacted by defendants in connection
11 with a prize promotion or the advertising, marketing, promotion,
12 or offering of a prize at any time prior to the date this Order
13 is entered. Provided, however, that the defendants may disclose
14 such identifying information to a law enforcement agency or as
15 required by any law, regulation, or court order.

16
17 **III. ASSET FREEZE**

18 A. **IT IS FURTHER ORDERED** that defendants Global Network
19 Enterprises, Inc., Republic Enterprises, Inc., Cecilia M.
20 Castillo, and Ian Anthony Suite, and their successors,
21 assigns, officers, members, agents, directors, servants,
22 employees, and those persons in active concert or
23 participation with them who receive actual notice of this
24 Order by personal service or otherwise, whether acting
25 directly or through any corporation, subsidiary, division or
26 other device, are hereby preliminarily restrained and
27 enjoined from:

28 1. Transferring, converting, encumbering, selling,

1 concealing, dissipating, disbursing, assigning,
2 spending, withdrawing, or otherwise disposing of any
3 funds, property, accounts, contracts, shares of stock,
4 or other assets, wherever located, that are (1) owned
5 or controlled by any of the defendants, in whole or in
6 part; or (2) in the actual or constructive possession
7 of any of the defendants; or (3) owned, controlled by,
8 or in the actual constructive possession of any
9 corporation, partnership, or other entity directly or
10 indirectly owned, managed, or controlled by, or under
11 common control with, any of the defendants, including,
12 but not limited to, any assets held by or for any of
13 the defendants at any bank or savings and loan
14 institution, or with any broker-dealer, escrow agent,
15 title company, commodity trading company, precious
16 metal dealer, or other financial institution or
17 depository of any kind;

- 18 2. Opening or causing to be opened any safe deposit boxes
19 titled in the name of any of the defendants, or subject
20 to access by any of the defendants; and
21 3. Incurring charges on any credit card issued in the
22 name, either singly or jointly, of any of the
23 defendants.

24 B. IT IS FURTHER ORDERED that the assets affected by this
25 Paragraph shall include both existing assets and assets
26 acquired after the effective date of this Order.
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IV. FOREIGN ASSETS

IT IS FURTHER ORDERED that, within three (3) business days following service of this Order, defendants Global Network Enterprises, Inc., Republic Enterprises, Inc., Cecilia M. Castillo, and Ian Anthony Suite, and their successors, assigns, officers, members, agents, directors, servants, employees, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any corporation, subsidiary, division or other device, shall:

A. Provide the plaintiff with a full accounting of all funds, documents and assets outside of the territory of the United States which are held either: (1) by them; (2) for their benefit; or (3) under their direct or indirect control, jointly or singly;

B. Take such steps as are necessary to repatriate to the territory of the United States of America all assets held by or for the benefit of any defendant, or under their direct or indirect control, jointly or singly, which were transferred outside of the territory of the United States;

C. Thereafter hold and retain any such assets within their control and otherwise prevent any transfer, disposition, or dissipation whatsoever of any such assets or funds; and

D. Provide plaintiff access to defendants' records and documents held by financial institutions outside the territorial United States, by signing the Consent to Release of Financial Records attached to this Order.

1 V. RETENTION OF ASSETS AND RECORDS

2 IT IS FURTHER ORDERED that any financial or brokerage
3 institution, business entity, or person that holds, controls, or
4 maintains custody of any account or asset of any of the
5 defendants, or has held, controlled, or maintained custody of any
6 account or asset of any of the defendants at any time since
7 January 1, 1999, shall:

8 A. Prohibit defendants from withdrawing, removing, assigning,
9 transferring, pledging, encumbering, disbursing,
10 dissipating, converting, selling, or otherwise disposing of
11 any such asset except as directed by further order of the
12 Court;

13 B. Deny defendants access to any safe deposit box that is:

14 1. Titled in the name, either individually or
15 jointly, of any of the defendants; or

16 2. Otherwise subject to access by any of the defendants;

17 C. Provide counsel for the plaintiff, within five (5) business
18 days of receiving a copy of this Order, a sworn statement
19 setting forth:

20 1. The identification number of each such account or asset
21 titled in the name, individually or jointly, of any of
22 the defendants, or held on behalf of, or for the
23 benefit of, any of the defendants;

24 2. The balance of each such account, or a description of
25 the nature and value of such asset as of the close of
26 business on the day on which this Order is served, and,
27 if the account or other asset has been closed or
28 removed, the date closed or removed, the total funds

1 removed in order to close the account, and the name of
2 the person or entity to whom such account or other
3 asset was remitted; and

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

8 D. Upon the request by the plaintiff, promptly provide the
9 plaintiff with copies of all records or other documentation
10 pertaining to such account or asset, including but not
11 limited to originals or copies of account applications,
12 account statements, signature cards, checks, drafts, deposit
13 tickets, transfers to and from the accounts, all other debit
14 and credit instruments or slips, currency transaction
15 reports, 1099 forms, and safe deposit box logs. Any such
16 financial institution, account custodian, or other
17 aforementioned entity may arrange for the plaintiff to
18 obtain copies of any such records which the plaintiff seeks,
19 provided that such institution or custodian may charge a
20 reasonable fee not to exceed fifteen (15) cents per page
21 copied.

22
23 **VI. RECORD KEEPING/BUSINESS OPERATIONS**

24 **IT IS FURTHER ORDERED** that defendants Global Network
25 Enterprises, Inc., Republic Enterprises, Inc., Cecilia M.
26 Castillo, and Ian Anthony Suite, and their successors, assigns,
27 officers, members, agents, directors, servants, employees, and
28 those persons in active concert or participation with them who

1 receive actual notice of this Order by personal service or
2 otherwise, whether acting directly or through any corporation,
3 subsidiary, division or other device, are hereby preliminarily
4 restrained and enjoined from:

5 A. Failing to create and maintain books, records, accounts, and
6 data that, in reasonable detail, accurately, fairly, and
7 completely reflect their incomes, disbursements,
8 transactions, and use of monies;

9 B. Destroying, erasing, mutilating, concealing, altering,
10 transferring, or otherwise disposing of, in any manner,
11 directly or indirectly, any contracts, accounting data,
12 correspondence, advertisements, computer tapes, discs, or
13 other computerized records, books, written or printed
14 records, handwritten notes, telephone logs, telephone
15 scripts, receipt books, ledgers, personal and business
16 canceled checks and check registers, bank statements,
17 appointment books, copies of federal, state or local
18 business or personal income or property tax returns, and
19 other documents or records of any kind which relate to their
20 business practices or business or personal finances from
21 January 1, 1999, to the present time; and

22 C. Creating, operating, or exercising any control over any
23 business entity, including any partnership, limited
24 partnership, joint venture, sole proprietorship or
25 corporation, without first providing the plaintiff with a
26 written statement disclosing: (1) the name of the business
27 entity; (2) the address and telephone number of the business
28 entity; (3) the names of the business entity's officers,

1 directors, principals, managers, and employees; and (4) a
2 detailed description of the business entity's intended
3 activities.

4 **VII. DEFENDANTS' FINANCIAL STATEMENTS**

5 **IT IS FURTHER ORDERED** that, within five (5) days of
6 receiving service of this Order, defendants Global Network
7 Enterprises, Inc., Republic Enterprises, Inc., Cecilia M.
8 Castillo, and Ian Anthony Suite shall prepare and deliver to the
9 Court and counsel for the Commission a completed financial
10 statement on the forms attached to this Order, verified under
11 oath and accurate as of the date of service of this Order upon
12 them, for each such defendant individually and for each business
13 entity of which such defendant is an officer or member.

14
15 **VIII. SERVICE OF ORDER BY DEFENDANTS**

16 **IT IS FURTHER ORDERED** that the defendants shall immediately
17 provide a copy of this Order to each of their parent companies,
18 holding companies, divisions, subsidiaries, corporations,
19 affiliates, successors, assigns, directors, officers, managing
20 agents, employees, representatives, and independent contractors,
21 and shall, within three (3) business days from the date of
22 service of this Order, provide plaintiff with a sworn statement
23 that defendants have complied with this provision of the Order
24 and provide plaintiff with a list of all business entities and
25 individuals that were provided a copy of this Order.

26
27 **IX. BANKRUPTCY PETITIONS**

28 **IT IS FURTHER ORDERED** that, in light of the imposition of

1 the asset freeze against defendants herein, defendants are hereby
2 prohibited from filing, or causing to be filed, a petition for
3 relief under the United States Bankruptcy Code, 11 U.S.C. § 101
4 et seq., without prior permission from this Court.

5
6 **X. CONSUMER CREDIT REPORTS**

7 **IT IS FURTHER ORDERED** that, pursuant to Section 604 of the
8 Fair Credit Reporting Act, 15 U.S.C. § 1681b, any consumer
9 reporting agency may furnish the plaintiff with a consumer report
10 concerning any of the defendants.

11
12 **XI. MONITORING**

13 **IT IS FURTHER ORDERED** that agents or representatives of the
14 Commission may contact the defendants or their agents or
15 representatives directly and anonymously for the purpose of
16 monitoring compliance with Paragraph I of this Order, and may
17 tape-record any oral communications that occur in the course of
18 such contacts.

19
20 **XII. SERVICE OF ORDER**

21 **IT IS FURTHER ORDERED** that copies of this Order may be
22 served by first class mail, overnight delivery, facsimile, or
23 personally by employees or agents of the plaintiff upon any
24 financial institution or other entity or person that may have
25 possession, custody, or control of any documents or assets of any
26 defendant, or that may be subject to any provision of this Order.

XIII. EXPEDITED DISCOVERY

1
2 IT IS FURTHER ORDERED that the plaintiff is granted leave at
3 any time after service of this Order to: (1) take the deposition
4 of any person or entity for the purpose of discovering the
5 nature, location, status, and extent of assets of defendants, the
6 nature and location of documents reflecting the business
7 transactions of these defendants, and the applicability of any
8 evidentiary privileges to this action; and (2) demand the
9 production of documents from any person or entity relating to the
10 nature, status, and extent of defendants' assets, the location of
11 documents reflecting the business transactions of defendants, and
12 the applicability of any evidentiary privileges to this action.
13 Five (5) days notice shall be deemed sufficient for any such
14 deposition, and ten (10) days notice shall be deemed sufficient
15 for the production of any such documents. The limitations and
16 conditions set forth in Federal Rule of Civil Procedure
17 30(a)(2)(B) regarding subsequent depositions of an individual
18 shall not apply to depositions taken pursuant to this Paragraph.
19

XIV. SERVICE OF DOCUMENTS ON PLAINTIFF

20
21 IT IS FURTHER ORDERED, for the purposes of this Order, all
22 correspondence and service of pleadings on plaintiff shall be
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1 addressed to:

2 W. David Griggs, Esq.
 3 Federal Trade Commission - Southwest Region
 4 1999 Bryan Street, Suite 2150
 5 Dallas, Texas 75201
 6 Telephone (214) 979-9378
 7 Fax (214) 953-3079

8 XV. RETENTION OF JURISDICTION

9 IT IS FURTHER ORDERED that this Court retains jurisdiction
10 of this matter for all purposes.

11 STIPULATED BY:

12 Dated: 7-6-00

W. David Griggs

 W. David Griggs
 Thomas B. Carter
 Raymond E. McKown
 1999 Bryan Street, Suite 2150
 Dallas, Texas 75201
 Phone (214) 979-9378
 Fax (214) 953-3079

17 ATTORNEYS FOR PLAINTIFF
FEDERAL TRADE COMMISSION

19 Dated: 7-5-00

Ian Anthony Suite

 Ian Anthony Suite

20 DEFENDANT *PRO SE*

22 Dated: _____

ATTORNEY FOR DEFENDANT

24 IT IS SO ORDERED,
25 this 6th day of July, 2000.

27 GARY L. TAYLOR

28 UNITED STATES DISTRICT JUDGE

Consent to Release of Financial Records

I, Ian Anthony Suite, of the State of

_____ in the United States of America, do hereby direct any bank or trust company at which I have a bank account of any kind or at which a corporation or other entity has a bank account of any kind upon which I am authorized to draw, and its officers, employees and agents, to disclose all information and deliver copies of all documents of every nature in your possession or control which relate to the said bank accounts to any attorney of the Federal Trade Commission, and to give evidence relevant thereto, in the matter of the Federal Trade Commission v. Global Network Enterprises, Inc., et al., Civ.

Action No. _____, now pending in the United States District Court for the Central District of California, Southern Division, and this shall be irrevocable authority for so doing. This direction is intended to apply to the laws of countries other than the United States which restrict or prohibit the disclosure of bank information without the consent of the holder of the account, and shall be construed as consent with respect thereto, and the same shall apply to any of the bank accounts for which I may be a relevant principal.

Dated: 7-5-00 7-5-00, 2000

Signature: Ian Anthony Suite

Printed full name: Ian Anthony Suite