

# **EXHIBIT 18**

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**E-Filed on 6/15/09**

9 Attorneys for Plaintiff Federal Trade Commission  
10

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **San Jose Division**

14 **Federal Trade Commission,**

15 **Plaintiff,**

16 **v.**

17 **Pricewert LLC d/b/a 3FN.net, Triple Fiber**  
18 **Network, APS Telecom and APX Telecom,**  
**APS Communications, and APS**  
**Communication,**

19 **Defendant.**  
20

**Case No. C-09-2407 RMW**

**PRELIMINARY INJUNCTION**

21 Plaintiff, the Federal Trade Commission (“FTC” or “Commission”), pursuant to Section  
22 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b), has filed a  
23 Complaint for Injunctive and Other Equitable Relief, and moved *ex parte* for a temporary  
24 restraining order and for an order to show cause why a preliminary injunction should not be  
25 granted pursuant to Rule 65(b) of the Federal Rules of Civil Procedure. On June 2, 2009, this  
26 Court granted the Commission’s motion and entered a Temporary Restraining Order and Order to  
27 Show Cause against Defendant Pricewert LLC also d/b/a 3FN.net, Triple Fiber Network, APS  
28 Telecom and APX Telecom, APS Communications, and APS Communication (D.E. 12). On  
June 5, 2009 the court directed the FTC to submit a proposal for expeditiously addressing the

1 concerns of innocent third parties who claimed to be suffering harm as a result of the Temporary  
2 Restraining Order. This request was prompted by written communication to the court by two non-  
3 parties. The hearing on the Order to show Cause as to why a preliminary injunction should not  
4 issue was held on June 15, 2009. The FTC appeared through its counsel Ethan Arenson and  
5 Philip Tumminio. Karl S. Kronenberger of Kronenberger Burgoyne, LLP appeared on behalf of  
6 third parties Suren Ter-Saakov and Tsuren LLC. Although the court had received communication  
7 from Max Christopher who was identified as “Defendant’s authorized representative and  
8 interpreter” indicating that counsel for defendant or a representative would appear, no one  
9 appeared on behalf of defendant. After reviewing the papers and hearing the comments of  
10 counsel, the Court makes the following findings and orders.

11  
12 **FINDINGS**

13 The court has considered the pleadings, declarations, exhibits, and memoranda filed in  
14 support of the Commission’s motion for a preliminary injunction and finds that:

- 15 1. This court has jurisdiction over the subject matter of this case and there is good  
16 cause to believe that it will have jurisdiction over all parties hereto; the Complaint  
17 states a claim upon which relief may be granted against the Defendant under  
18 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a) (2006).
- 19 2. There is good cause to believe that Pricewert LLC also d/b/a 3FN.net, Triple Fiber  
20 Network, APS Telecom and APX Telecom, APS Communications, and APS  
21 Communication (the “Defendant”), has engaged in and is likely to engage in acts or  
22 practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a) (2006), and  
23 that the Commission is, therefore, likely to prevail on the merits of this action;
- 24 3. There is good cause to believe that immediate and irreparable harm will result from  
25 the Defendant’s ongoing violations of Section 5(a) of the FTC Act unless the  
26 Defendant is restrained and enjoined by Order of this court. The evidence set forth  
27 in the Commission’s Memorandum of Law in Support of *Ex Parte* Motion for  
28 Temporary Restraining Order and Order to Show Cause (“TRO Motion”), and the

1 accompanying declarations and exhibits, demonstrates that the Commission is  
2 likely to prevail on its claim that Defendant has engaged in unfair acts or practices  
3 in violation of Section 5(a) of the FTC Act by: recruiting, distributing and hosting  
4 electronic code or content that inflicts harm upon consumers, including, but not  
5 limited to, child pornography, botnet command and control servers, spyware,  
6 viruses, trojans, and phishing-related sites; and configuring, deploying, and  
7 operating botnets. There is good cause to believe that the Defendant will continue  
8 to engage in such unlawful actions if not immediately restrained from doing so by  
9 Order of this court;

10 4. There is good cause to believe that immediate and irreparable damage to this  
11 court's ability to grant effective final relief will result from the sale, transfer, or  
12 other disposition or concealment by the Defendant of its assets, business records,  
13 or other discoverable evidence. Based on the evidence cited in the Commission's  
14 TRO Motion and accompanying declarations and exhibits, the Commission is  
15 likely to be able to prove that: (1) the Defendant has operated through a series of  
16 maildrops and shell companies, with a principal place of business and its principals  
17 located outside of the United States; (2) the Defendant has continued its unlawful  
18 operations unabated despite requests from the Internet security community to cease  
19 its injurious activities; and (3) the Defendant is engaged in activities that directly  
20 violate U.S. law and cause significant harm to consumers;

21 5. There is good cause to believe that the Defendant, which is controlled by  
22 individuals outside of the United States, has engaged in illegal activity using Data  
23 Centers and Upstream Service Providers based in the United States and that to  
24 immediately halt the injury caused by Defendant, such Data Centers and Upstream  
25 Service Providers must be ordered to immediately disconnect or to maintain  
26 disconnection of Defendant's computing resources from the Internet, prevent the  
27 Defendant and others from accessing such computer resources, and prevent the  
28 destruction of data located on these computer resources;



- 1           7.     **“Defendant”** means Pricewert LLC also d/b/a 3FN.net, Triple Fiber Network,  
2           APS Telecom, APX Telecom, APS Communications, APS Communication, and  
3           any other names under which it does business, and any subsidiaries, corporations,  
4           partnerships, or other entities directly or indirectly owned, managed, or controlled  
5           by Pricewert LLC.
- 6           8.     **“Document”** is synonymous in meaning and equal in scope to the usage of  
7           the term in the Federal Rules of Civil Procedure 34(a), and includes  
8           writing, drawings, graphs, charts, Internet sites, Web pages, Web sites,  
9           electronic correspondence, including e-mail and instant messages,  
10          photographs, audio and video recordings, contracts, accounting data,  
11          advertisements (including, but not limited to, advertisements placed on the  
12          World Wide Web), FTP Logs, Server Access Logs, USENET Newsgroup  
13          postings, World Wide Web pages, books, written or printed records,  
14          handwritten notes, telephone logs, telephone scripts, receipt books, ledgers,  
15          personal and business canceled checks and check registers, bank  
16          statements, appointment books, computer records, and other data  
17          compilations from which information can be obtained and translated. A  
18          draft or non-identical copy is a separate document within the meaning of  
19          the term.
- 20          9.     **“Phishing”** means the use of email, Internet web sites, or other means to mimic or  
21          copy the appearance of a trustworthy entity for the purpose of duping consumers  
22          into disclosing personal information, such as account numbers and passwords.
- 23          10.    **“Representatives”** means the following persons or entities who receive actual  
24          notice of this preliminary injunction by personal service or otherwise: (1) the  
25          Defendant’s officers, agents, servants, employees, and attorneys; and (2) all other  
26          persons who are in active concert or participation with Defendant or its officers,  
27          agents, servants, employees, or attorneys. A Data Center or Upstream Service  
28          Provider that continues to provide services to Defendant after receiving actual

1 notice of this preliminary injunction is a Representative.

2 11. **“Spyware”** means any type of software that is surreptitiously installed on a  
3 computer and, without the consent of the user, could collect information from a  
4 computer, could allow third parties to control remotely the use of a computer, or  
5 could facilitate botnet communications.

6 12. **“Trojan Horse”** means a computer program with an apparent or actual useful  
7 function that contains additional, undisclosed malicious code, including but not  
8 limited to spyware, viruses, or code that facilitates the surreptitious download or  
9 installation of other software code.

10 13. **“Upstream Service Provider”** means any entity that provides the means to  
11 connect to the Internet, including, but not limited to, the subleasing of Internet  
12 Protocol addresses.

13 14. **“Viruses”** means computer programs designed to spread from one computer to  
14 another and to interfere with the operation of the computers they infect.

15  
16 **PROHIBITED BUSINESS ACTIVITIES**

17 **I.**

18 **IT IS THEREFORE ORDERED** that, Defendant and its Representatives are  
19 preliminarily restrained and enjoined from recruiting or willingly distributing or hosting Child  
20 Pornography, Botnet Command and Control Servers, Spyware, Viruses, Trojan Horses, Phishing-  
21 related sites, or similar electronic code or content that inflicts harm upon consumers.

22 **II.**

23 **IT IS FURTHER ORDERED** that Defendant and its Representatives are preliminarily  
24 restrained and enjoined from configuring, deploying, operating, or otherwise participating in or  
25 otherwise willingly facilitating, any Botnet.





1 to, suspending any IP addresses assigned to the Defendant or Defendant's officers, agents, servants,  
2 or employees by the Upstream Service Provider, and refraining from reassigning such IP addresses,  
3 and shall, if it has already taken such steps in compliance with the Temporary Restraining Order  
4 previously issued in this case, continue to deny Internet connectivity to the Defendant and  
5 Defendant's officers, agents, servants, and employees;

6 C. Any Data Center or Upstream Service Provider described in subparagraphs A and B  
7 above providing services to Defendant or Defendant's officers, agents, servants, or employees,  
8 shall preserve and retain documents relating to the Defendant or the Defendant's officers, agents,  
9 servants, or employees; and

10 D. Agents of the Commission and other law enforcement agencies are permitted to  
11 enter the premises of any of Defendant's Data Centers and Upstream Service Providers described  
12 in subparagraph A and B above to serve copies of this Order and to verify that the Data Centers  
13 and Upstream Service Providers have taken the reasonable and necessary steps described in sub-  
14 paragraphs A and B of this Paragraph.

15 *Provided, however,* nothing in Paragraph III shall be interpreted to deny access to any law  
16 enforcement agency granted access pursuant to a court order, search warrant, or other lawful  
17 process, or to deny access to any receiver appointed by this court.

18  
19 **ASSET FREEZE**

20 **IV.**

21 **IT IS FURTHER ORDERED** that the Defendant and its Representatives are hereby  
22 preliminarily restrained and enjoined from:

23 A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling,  
24 concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or security  
25 interest or other interest in, or otherwise disposing of any funds, real or personal property,  
26 accounts, contracts, consumer lists, shares of stock, or other assets, or any interest therein,  
27 wherever located, that are: (1) owned or controlled by the Defendant, in whole or in part, for the  
28 benefit of the Defendant; (2) in the actual or constructive possession of the Defendant; or (3)

1 owned, controlled by, or in the actual or constructive possession of any corporation, partnership, or  
2 other entity directly or indirectly owned, managed, or controlled by the Defendant, including, but  
3 not limited to, any assets held by or for, or subject to access by, the Defendant, at any bank or  
4 savings and loan institution, or with any broker-dealer, escrow agent, title company, commodity  
5 trading company, precious metals dealer, or other financial institution or depository of any kind;  
6 and

7 B. Opening or causing to be opened any safe deposit boxes titled in the name of the  
8 Defendant, or subject to access by the Defendant.

9 *Provided, however,* that the assets affected by Paragraph IV shall include: (1) all of the  
10 assets of the Defendant existing as of the date this Order was entered; and (2) for assets obtained  
11 after the date this Order was entered, only those assets of the Defendant that are derived from  
12 conduct prohibited in Paragraphs I and II of this Order.

13  
14 **FINANCIAL REPORTS AND ACCOUNTING**

15 **V.**

16 **IT IS FURTHER ORDERED** that the Defendant, if it has not already done so in  
17 compliance with the Temporary Restraining Order previously issued in this case, shall within five  
18 (5) business days of receiving notice of this Order provide the Commission with completed  
19 financial statements, verified under oath and accurate as of the date of entry of this Order, on the  
20 forms attached to this Order as **Attachment A**.

21  
22 **RETENTION OF ASSETS AND PRODUCTION OF RECORDS  
23 BY FINANCIAL INSTITUTIONS**

24 **VI.**

25 **IT IS FURTHER ORDERED** that, any financial or brokerage institution, business entity,  
26 or person served with a copy of this Order that holds, controls, or maintains custody of any account  
27 or asset of the Defendant, or has held, controlled or maintained custody of any such account or  
28 asset at any time prior to the date of entry of this Order, shall:

1           A. Hold and retain within its control and prohibit the withdrawal, removal, assignment,  
2 transfer, pledge, encumbrance, disbursement, dissipation, conversion, sale, or other disposal of any  
3 such asset except by further order of the court; and

4           B. Deny all persons access to any safe deposit box that is:

- 5               1. titled in the name of the Defendant; or
- 6               2. otherwise subject to access by Defendant.

7  
8                                   **FOREIGN ASSET REPATRIATION AND ACCOUNTING**

9   **VII.**

10           **IT IS FURTHER ORDERED** that:

11           A. Defendant and its Representatives shall, if it has not already done so in compliance  
12 with the Temporary Restraining Order previously issued in this case, immediately upon service of  
13 this Order, or as soon as relevant banking hours permit, transfer to the territory of the United States  
14 to a blocked account whose funds cannot be withdrawn without further order of the court all funds  
15 and assets in foreign countries held: (1) by Defendant; (2) for its benefit; or (3) under its direct or  
16 indirect control, jointly or singly; and

17           B. Defendant shall, if it has not already done so in compliance with the Temporary  
18 Restraining Order previously issued in this case, within five (5) business days of receiving notice  
19 of this Order provide the Commission with a full accounting, verified under oath and accurate as of  
20 the date of this Order, of all funds, documents, and assets outside of the United States which are:  
21 (1) titled in the Defendant's name; or (2) held by any person or entity for the benefit of the  
22 Defendant; or (3) under the direct or indirect control, whether jointly or singly, of the Defendant;  
23 and

24           C. Defendant and its Representatives are preliminarily restrained and enjoined from  
25 taking any action, directly or indirectly, which may result in the encumbrance or dissipation of  
26 foreign assets, including but not limited to:

- 27               1. Sending any statement, letter, fax, e-mail or wire transmission, telephoning or  
28               engaging in any other act, directly or indirectly, that results in a determination by a

1 foreign trustee or other entity that a “duress” event has occurred under the terms of a  
2 foreign trust agreement; or

- 3 2. Notifying any trustee, protector or other agent of any foreign trust or other related  
4 entities of the existence of this Order, or that an asset freeze is required pursuant to  
5 a court Order, until such time that a full accounting has been provided pursuant to  
6 this Paragraph.

7  
8 **ACCESS TO BUSINESS RECORDS**

9 **VIII.**

10 **IT IS FURTHER ORDERED** that the Defendant, if it has not already done so in  
11 compliance with the Temporary Restraining Order previously issued in this case, shall allow the  
12 Commission’s representatives, agents, and assistants access to the Defendant’s business records to  
13 inspect and copy documents. Accordingly, the Defendant shall, within forty-eight (48) hours of  
14 receiving notice of this Order, produce to the Commission and the Commission’s representatives,  
15 agents, and assistants for inspection, inventory, and/or copying, at Federal Trade Commission, 600  
16 Pennsylvania Avenue NW, Room H-286, Washington DC 20580, Attention: Ethan Arenson, the  
17 following materials: (1) all client information, including, but not limited to, names, phone  
18 numbers, addresses, email addresses, and payment information for all clients of Defendant’s  
19 services; (2) contracts; (3) correspondence, including, but not limited to, electronic correspondence  
20 and Instant Messenger communications, that refer or relate to the Defendant’s services; and (4)  
21 accounting information, including, but not limited to, profit and loss statements, annual reports,  
22 receipt books, ledgers, personal and business canceled checks and check registers, bank statements,  
23 and appointment books.

24 *Provided, however,* this Paragraph excludes any record or other information pertaining to a  
25 subscriber or customer of an electronic communications service or a remote computing service as  
26 those terms are defined in the Electronic Communications Privacy Act, 18 U.S.C. § 2703(c)  
27 (2006).

1 The Commission shall return produced materials pursuant to this Paragraph within five (5)  
2 days of completing said inventory and copying.

3  
4 **COMMENCEMENT OF DISCOVERY**

5 **IX.**

6 **IT IS FURTHER ORDERED** that pursuant to Federal Rules of Civil Procedure 30(a),  
7 31(a), 34, and 45, and notwithstanding the provisions of Federal Rules of Civil Procedure 26(d)  
8 and (f), 30(a)(2)(A)-(C), and 31(a)(2)(A)-(C), the Commission is granted leave, at any time after  
9 entry of this Order, to commence discovery.

10  
11 **PRESERVATION OF RECORDS**

12 **X.**

13 **IT IS FURTHER ORDERED** that the Defendant and its Representatives are hereby  
14 preliminarily restrained and enjoined from destroying, erasing, mutilating, concealing, altering,  
15 transferring, writing over, or otherwise disposing of, in any manner, directly or indirectly, any  
16 documents or records of any kind that relate to the business practices or business finances of the  
17 Defendant, including but not limited to, computerized files and storage media on which  
18 information has been saved (including, but not limited to, hard drives, DVDs, CD-ROMS, zip  
19 disks, floppy disks, punch cards, magnetic tape, backup tapes, and computer chips), and any and all  
20 equipment needed to read any such documents or records, FTP logs, Service Access Logs,  
21 USENET Newsgroup postings, World Wide Web pages, books, written or printed records,  
22 handwritten notes, telephone logs, telephone scripts, receipt books, ledgers, personal and business  
23 canceled checks and check registers, bank statements, appointment books, and other documents or  
24 records of any kind that relate to the business practices or finances of the Defendant or its officers,  
25 agents, servants, or employees.

1 **RECORD KEEPING/BUSINESS OPERATIONS**

2 **XI.**

3 **IT IS FURTHER ORDERED** that the Defendant is hereby preliminarily restrained and  
4 enjoined from:

5 A. Failing to maintain documents that, in reasonable detail, accurately, fairly, and  
6 completely reflect its income, disbursements, transactions, and use of money; and

7 B. Creating, operating, or exercising any control over any business entity, including  
8 any partnership, limited partnership, joint venture, sole proprietorship, or corporation, without first  
9 providing the Commission with a written statement disclosing: (1) the name of the business entity;  
10 (2) the address and telephone number of the business entity; (3) the names of the business entity's  
11 officers, directors, principals, managers and employees; and (4) a detailed description of the  
12 business entity's intended activities.

13  
14 **DISTRIBUTION OF ORDER BY DEFENDANT**

15 **XII.**

16 **IT IS FURTHER ORDERED** that the Defendant shall immediately provide a copy of this  
17 Order to each of its subsidiaries, Upstream Service Providers, Data Centers, divisions, sales  
18 entities, successors, assigns, officers, directors, employees, independent contractors, client  
19 companies, agents, and attorneys, and shall, within ten (10) calendar days from the date of entry of  
20 this Order, provide the Commission with a sworn statement that it has complied with this provision  
21 of the Order, which statement shall include the names, physical addresses, and e-mail addresses of  
22 each such person or entity who received a copy of the Order.

23  
24 **SERVICE OF ORDER**

25 **XIII.**

26 **IT IS FURTHER ORDERED** that copies of this Order may be served by any means  
27 authorized by law, including facsimile transmission, upon any financial institution or other entity  
28 or person that may have possession, custody, or control of any documents of the Defendant, or that

1 may otherwise be subject to any provision of this Order.  
2

3 **SERVICE UPON THE COMMISSION**

4 **XIV.**

5 **IT IS FURTHER ORDERED** that, with regard to any correspondence or pleadings related  
6 to this Order, service on the Commission shall be performed by overnight mail delivery to the  
7 attention of Ethan Arenson at the Federal Trade Commission, 600 Pennsylvania Avenue, NW,  
8 Room H-286, Washington, DC 20580.  
9

10 **MODIFICATION OF ORDER**

11 **XV.**

12 The court has concerns about the potential hardship this Order may impose on the  
13 defendant and others, arising from information provided by the defendant and a few third-parties  
14 who have communicated with the court. By Order made contemporaneously with this Order, the  
15 court has appointed a receiver to expeditiously deal with any claim by a third party that it has  
16 suffered harm as a result of the restraining order or will suffer harm as a result of this Preliminary  
17 Injunction. The court has also noted in the submission by Max Christopher, defendant's purported  
18 representative, that defendant "is not going to hide or not appear in court," that "defendant always  
19 has been willing to cooperate with authorities and is ready to assist the investigation" and is "ready  
20 to cooperate and provide any information [it has] on its servers." Further, the submission by Mr.  
21 Christopher notes that the asset freeze has limited defendant's opportunities to obtain legal  
22 representation and defend and respond. Therefore, **IT IS FURTHER ORDERED** that defendant  
23 may, on 48 hours' notice to parties who have appeared, seek modification of this Order including  
24 immediate release of funds necessary to pay for legal representation on behalf of defendant.  
25

26 **RETENTION OF JURISDICTION**

27 **XIV.**

28 **IT IS FURTHER ORDERED** that this court shall retain jurisdiction of this matter for all

1 purposes. No security is required of any agency of the United States for the issuance of a  
2 preliminary injunction. Fed. R. Civ. P. 65(c).

3 **SO ORDERED**, this 15th day of June, 2009.

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RONALD M. WHYTE  
7 United States District Judge  
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28



1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

3 Ethan Arenson earenson@ftc.gov  
4 Carl Settlemyer csettlemyer@ftc.gov  
Philip Tumminio ptumminio@ftc.gov

5  
6 **Counsel for Defendants:**

7 (no appearance)

8 **Counsel for Proposed Intervenors:**

9 Karl Stephen Kronenberger karl@KBInternetlaw.com  
10 Jeffrey Michael Rosenfeld Jeff@KBInternetlaw.com

11  
12 Counsel are responsible for distributing copies of this document to co-counsel that have not  
13 registered for e-filing under the court's CM/ECF program.

14  
15  
16 **Dated:** 6/15/09

17 TER  
**Chambers of Judge Whyte**

# ATTACHMENT A

**FEDERAL TRADE COMMISSION**  
**FINANCIAL STATEMENT OF CORPORATE DEFENDANT**

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**Instructions:**

1. Complete all items. Enter "None" or "N/A" ("Not Applicable") where appropriate. If you cannot fully answer a question, explain why.
2. In completing this financial statement, "the corporation" refers not only to this corporation but also to each of its predecessors that are not named defendants in this action.
3. When an Item asks for information about assets or liabilities "held by the corporation," include ALL such assets and liabilities, located within the United States or elsewhere, held by the corporation or held by others for the benefit of the corporation.
4. Attach continuation pages as needed. On the financial statement, state next to the Item number that the Item is being continued. On the continuation page(s), identify the Item number being continued.
5. Type or print legibly.
6. An officer of the corporation must sign and date the completed financial statement on the last page and initial each page in the space provided in the lower right corner.

**Penalty for False Information:**

Federal law provides that any person may be imprisoned for not more than five years, fined, or both, if such person:

- (1) "in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry" (18 U.S.C. § 1001);
- (2) "in any . . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true" (18 U.S.C. § 1621); or
- (3) "in any (. . . statement under penalty of perjury as permitted under section 1746 of title 28, United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information . . . knowing the same to contain any false material declaration." (18 U.S.C. § 1623)

For a felony conviction under the provisions cited above, federal law provides that the fine may be not more than the greater of (i) \$250,000 for an individual or \$500,000 for a corporation, or (ii) if the felony results in pecuniary gain to any person or pecuniary loss to any person other than the defendant, the greater of twice the gross gain or twice the gross loss. 18 U.S.C. § 3571.

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**BACKGROUND INFORMATION**

**Item 1. General Information**

Corporation's Full Name \_\_\_\_\_

Primary Business Address \_\_\_\_\_ From (Date) \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

E-Mail Address \_\_\_\_\_ Internet Home Page \_\_\_\_\_

All other current addresses & previous addresses for past five years, including post office boxes and mail drops:

Address \_\_\_\_\_ From/Until \_\_\_\_\_

Address \_\_\_\_\_ From/Until \_\_\_\_\_

Address \_\_\_\_\_ From/Until \_\_\_\_\_

All predecessor companies for past five years:

Name & Address \_\_\_\_\_ From/Until \_\_\_\_\_

Name & Address \_\_\_\_\_ From/Until \_\_\_\_\_

Name & Address \_\_\_\_\_ From/Until \_\_\_\_\_

**Item 2. Legal Information**

Federal Taxpayer ID No. \_\_\_\_\_ State & Date of Incorporation \_\_\_\_\_

State Tax ID No. \_\_\_\_\_ State \_\_\_\_\_ Profit or Not For Profit \_\_\_\_\_

Corporation's Present Status: Active \_\_\_\_\_ Inactive \_\_\_\_\_ Dissolved \_\_\_\_\_

If Dissolved: Date dissolved \_\_\_\_\_ By Whom \_\_\_\_\_

Reasons \_\_\_\_\_

Fiscal Year-End (Mo./Day) \_\_\_\_\_ Corporation's Business Activities \_\_\_\_\_

**Item 3. Registered Agent**

Name of Registered Agent \_\_\_\_\_

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

**Item 4. Principal Stockholders**

List all persons and entities that own at least 5% of the corporation's stock.

<u>Name &amp; Address</u>	<u>% Owned</u>
_____	_____
_____	_____
_____	_____
_____	_____

**Item 5. Board Members**

List all members of the corporation's Board of Directors.

<u>Name &amp; Address</u>	<u>% Owned</u>	<u>Term (From/Until)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Item 6. Officers**

List all of the corporation's officers, including *de facto* officers (individuals with significant management responsibility whose titles do not reflect the nature of their positions).

<u>Name &amp; Address</u>	<u>% Owned</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Item 7. Attorneys**

List all attorneys retained by the corporation during the last three years.

<u>Name</u>	<u>Firm Name</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I am submitting this financial statement with the understanding that it may affect action by the Federal Trade Commission or a federal court. I have used my best efforts to obtain the information requested in this statement. The responses I have provided to the items above are true and contain all the requested facts and information of which I have notice or knowledge. I have provided all requested documents in my custody, possession, or control. I know of the penalties for false statements under 18 U.S.C. § 1001, 18 U.S.C. § 1621, and 18 U.S.C. § 1623 (five years imprisonment and/or fines). I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on:

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Corporate Position