

1 WILLIAM BLUMENTHAL
General Counsel

NOTE: CHANGES HAVE BEEN
MADE TO THIS DOCUMENT

2 Sarah Schroeder (Cal. Bar No. 221528)
3 David Newman (Cal. Bar No. 54218)
4 Federal Trade Commission
901 Market Street, Suite 570
5 San Francisco, CA 94103
6 Phone (415) 848-5100; Fax (415) 848-5184
E-mail address: sschroeder@ftc.gov
E-mail address: dnewman@ftc.gov

7
8 Luis H. Gallegos (Oklahoma Bar No. 19098)
Federal Trade Commission
1999 Bryan Street, Suite 2150
9 Dallas, TX 75201
10 Phone: (214) 979-9383; Fax (214) 953-3079
E-mail address: lgallegos@ftc.gov

11 Kenneth H. Abbe (Cal. Bar. No. 172416)
12 Federal Trade Commission
10877 Wilshire Blvd., Suite 700
13 Los Angeles, CA 90024
14 Phone (310) 824-4343; Fax (310) 824-4380
E-mail address: kabbe@ftc.gov

15 Attorneys for Plaintiff
16 Federal Trade Commission

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 _____)
20 FEDERAL TRADE COMMISSION,)

21 Plaintiff,)

22 v.)

23 TONO RECORDS, dba TONO)
24 MUSIC and PROFESSIONAL LEGAL)
25 SERVICES, a corporation; *et al.*)

26 Defendants.)
27 _____)
28

Case No. CV-07-3786 JFW (RCX)

CONSENT DECREE
AS TO DEFENDANTS MARIA
OCEGUERA AND DULCE
RICKARDS, aka DULCE
UGALDE

1 WHEREAS, Plaintiff, the Federal Trade Commission, has commenced this
2 action by filing the Complaint herein; Defendants Maria Oceguera and Dulce
3 Rickards, aka Dulce Ugalde and Dulce Ruiz, have been served with the Summons
4 and Complaint; and the parties have agreed to settlement of this action upon the
5 following terms and conditions, without adjudication of any issue of fact or law
6 and without Defendants' admitting liability for any of the matters alleged in the
7 Complaint, other than jurisdictional facts;

8 THEREFORE, on the joint motion of Plaintiff and Defendants, it is hereby
9 ORDERED, ADJUDGED, and DECREED as follows:

10 **FINDINGS**

11 1. This Court has jurisdiction of the subject matter and of the parties.

12 2. The Complaint states a claim upon which relief may be granted
13 against the Defendants under Sections 5(a), 5(m)(1)(A), 13(b), and 16(a) of the
14 Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 45(a), 45(m)(1)(A),
15 53b, and 56(a), and Section 814 of the Fair Debt Collection Practices Act
16 ("FDCPA"), 15 U.S.C. §1692*l*.

17 3. Venue in this district is proper under 28 U.S.C. §§ 1391
18 (b-c) and 1395(a) and 15 U.S.C. § 53(b).

19 4. The activities of Defendants Maria Oceguera and Dulce Rickards are
20 in or affecting commerce as "commerce" is defined in Section 4 of the FTC Act,
21 15 U.S.C. § 44.

22 5. For purposes of this Consent Decree ("Decree"), the definitions set
23 forth in the FDCPA, 15 U.S.C. § 1692a, shall apply.

24 6. Entry of this Decree is in the public interest.

25 7. Defendants stipulate to the entry of this Decree freely and without
26 coercion. Defendants further acknowledge that they have read the provisions of
27 this Decree and are prepared to abide by them.

28 8. All parties hereby waive all rights to appeal or otherwise challenge or

1 contest the validity of this Decree.

2 9. The parties shall each bear their own costs and attorney's fees
3 incurred in this action. Defendants have waived all claims under the Equal Access
4 to Justice Act, 28 U.S.C. § 2412.

5 **CONSENT DECREE**

6 **DEFINITIONS**

7 For purposes of this Consent Decree, the following definitions shall apply:

8 A. Unless otherwise specified, "Defendants" means Maria Ocegüera and
9 Dulce Rickards, aka Dulce Ugalde and Dulce Ruiz.

10 B. "Commerce" means as defined in Section 4 of the Federal Trade
11 Commission Act, 15 U.S.C. § 44.

12 C. "FTC" or "Commission" means the Federal Trade Commission.

13 D. A requirement that Defendants "notify the Commission" means that
14 the Defendants shall send the necessary information via first class mail, costs
15 prepaid, to the Associate Director for Enforcement, Federal Trade Commission,
16 600 Pennsylvania Avenue, N.W., Washington, DC 20580. Attn: *FTC v. Tono*
17 *Records, et al.*, Civ. No. 07-3786-JFW (C.D. Cal.).

18 E. The term "including" in this Decree means "including, without
19 limitation."

20 F. The terms "and" and "or" in this Order shall be construed
21 conjunctively or disjunctively as necessary, to make the applicable phrase or
22 sentence inclusive rather than exclusive.

23 **I. INJUNCTION**

24 Defendants Maria Ocegüera and Dulce Rickards, and their officers, agents,
25 servants, employees, and all other persons or entities in active concert or
26 participation with them who receive actual notice of this Decree by personal
27 service or otherwise, whether acting directly or through any business entity,
28 corporation, subsidiary, division, affiliate, or other device, are hereby permanently

1 restrained and enjoined from taking the following actions:

2 **VIOLATING THE FTC ACT**

- 3 A. Misrepresenting to consumers, expressly or by implication, that:
- 4 1. The alleged obligation that Defendants are attempting to collect
- 5 is a valid debt;
- 6 2. Defendants are an attorney or are working on behalf of an
- 7 attorney;
- 8 3. Defendants will take any action that cannot legally be taken or
- 9 that Defendants do not intend to take, such as filing a lawsuit;
- 10 and
- 11 4. Nonpayment of an alleged obligation will result in a
- 12 consumer's arrest or imprisonment, or lead to seizure,
- 13 garnishment, or attachment of a consumer's property or wages;

14 B. Making a misrepresentation, expressly or by implication, about the

15 consequences of paying or not paying a debt, in whole or in part;

16 C. Making any material misrepresentation, expressly or by implication,

17 to collect or to attempt to collect a debt;

18 D. Misrepresenting, directly, indirectly, expressly, or by implication, or

19 omitting, any fact material to a person's decision to purchase or use any product,

20 program, or service;

21 **VIOLATING THE FDCPA**

22 E. Using any false, deceptive, or misleading representations or means in

23 connection with the collection of any debt, in violation of Section 807 of the

24 FDCPA, 15 U.S.C. § 1692e, including, but not limited to:

- 25 1. Misrepresenting the character, amount, or legal status of a debt,
- 26 in violation of Section 807(2)(A) of the FDCPA, 15 U.S.C. §
- 27 1692e(2)(A);
- 28 2. Representing or implying that collectors are attorneys or

1 representatives of an attorney or that a communication is from
2 an attorney, in violation of Section 807(3) of the FDCPA, 15
3 U.S.C. § 1692e(3);

4 3. Representing or implying that nonpayment of a debt will result
5 in the arrest or imprisonment of any person or the seizure,
6 garnishment, attachment, or sale of any property or wages of
7 any person, unless at the time of the representation, such action
8 is lawful and Defendants intend to take such action, in violation
9 of Section 807(4) of the FDCPA, 15 U.S.C. § 1692e(4);

10 4. Representing or implying that any action will be taken, unless
11 at the time of the representation such action is lawful and
12 Defendants intend to take such action, or that any action may
13 be taken when Defendants cannot show that, at the time of the
14 representation, there is a reasonable likelihood that such action
15 will be taken, in violation of Section 807(5) of the FDCPA, 15
16 U.S.C. § 1692e(5); and

17 5. Using a business name other than the collector's real name, in
18 violation of Section 807(14) of the FDCPA, 15 U.S.C.
19 § 1692e(14);

20 F. Collecting or attempting to collect debts, the amount
21 of which, including any interest, fee, charge, or expense incidental to the principal
22 obligation, is not expressly authorized by the agreement creating the debt or
23 permitted by law, in violation of Section 808(1) of the FDCPA, 15 U.S.C.
24 § 1692f(1);

25 G. Engaging in any conduct the natural consequence of which
26 is to harass, oppress, or abuse a person, in violation of Section 806 of the FDCPA,
27 15 U.S.C. § 1692d, including, but not limited to, causing a telephone to ring, or
28 engaging a person in telephone conversation, repeatedly or continuously, with the

1 intent to annoy, abuse, or harass a person at the number called, in violation of
 2 Section 806(5) of the FDCPA, 15 U.S.C. § 1692d(5);

3 H. Failing to notify consumers of their right to dispute
 4 and obtain verification of their debts and to obtain the name of the original
 5 creditor, either in Defendants’ initial communication with consumers or within
 6 five days thereafter, in violation of Section 809(a) of the FDCPA, 15 U.S.C. §
 7 1692g(a); and

8 I. Engaging in any other act or practice that would violate the FDCPA,
 9 15 U.S.C. § 1692, as attached and as hereafter amended.

10 **II. CONSUMER REDRESS AND RIGHT TO REOPEN**

11 A. Judgment in the amount of One Million One Hundred
 12 Eighty Six Thousand Seven Hundred Fifty Four Dollars (\$1,186,754) is hereby
 13 entered against Defendants Maria Ocegüera and Dulce Rickards, jointly and
 14 severally. Based upon Defendants sworn representations in financial statements,
 15 full payment of the foregoing judgment is suspended except for Fifty Thousand
 16 Nine Hundred Thirty Four Dollars (\$50,934), contingent upon the accuracy and
 17 completeness of the financial statements, as set forth in Subparagraph D of this
 18 Paragraph.

19 B. Defendants shall satisfy the suspended judgment by
 20 forfeiting all interests in assets frozen pursuant to the August 13, 2007,
 21 Preliminary Injunction in this matter, including funds held in the following bank
 22 accounts:

Bank	Defendant	Account Number
Washington Mutual	Maria Ocegüera	xxxxxxxxxx3098
Washington Mutual	Dulce G. Ruiz Rickards	xxxxxxxxxx5014
Union Bank of CA	Dulce G. Ugalde	xxxxxx0759
Bank of America	Maria Ocegüera	xxxxxx5546
Wells Fargo	Dulce Ruiz; Maria G. Ocegüera	xxxxxx9355

1 Financial institutions holding the above mentioned assets pursuant to the
2 August 13, 2007, Preliminary Injunction shall directly transfer such assets to the
3 FTC by wire transfer in accord with directions provided by the Commission or by
4 certified check or other guaranteed funds made payable to and delivered to the
5 Commission. By signing this Decree, Defendants relinquish all dominion, control,
6 and title to the monies transferred to the Commission, and agree that all legal and
7 equitable title to said monies is vested in the Commission, for use according to the
8 terms of this Decree.

9 C. All funds paid pursuant to this Decree shall be deposited into a fund
10 administered by the FTC or its designated agent to be used for equitable relief,
11 including, but not limited to, restitution and any attendant expenses for the
12 administration of any monetary funds. In the event that direct restitution for
13 consumers is wholly or partially impracticable, or funds remain after restitution is
14 completed, the FTC may apply any remaining funds for any other equitable relief
15 (including consumer information remedies) that it determines to be reasonably
16 related to the Defendants' practices alleged in the Complaint. Any funds not used
17 for this equitable relief shall be deposited into the U.S. Treasury as disgorgement.
18 Defendants shall have no right to challenge the FTC's choice of remedies under
19 this section.

20 D. Plaintiff's agreement to this Decree is expressly premised upon the
21 Defendants representation that they do not control funds transferred from Tono
22 Records' bank accounts to individuals or companies in Mexico, and on the
23 truthfulness, accuracy, and completeness of the financial statements and
24 supporting documents submitted to the Commission, namely those of Maria
25 Ocegüera, signed and dated November 16, 2007, and those of Dulce Rickards,
26 signed and dated November 16, 2007, which contain material information upon
27 which Plaintiff relied in negotiating and agreeing to the terms of this Decree. This
28 agreement is also expressly premised on Dulce Rickards' assertion in her

1 November 28, 2007, letter that she has no control over funds she transferred to
2 alleged business associates in Mexico in 2006. If, upon motion by Plaintiff, based
3 on good cause, this Court finds that Defendants Dulce Rickards and Maria
4 Ocegüera have failed to disclose any material asset or materially misstated the
5 value of any asset in the financial statements and related documents described
6 above, or that Defendants Dulce Rickards or Maria Ocegüera have received
7 transfers of funds from Marco Antonio Ruiz Ocegüera, or any of his agents,
8 which evidences Dulce Rickards and Maria Ocegüera's ability to control such
9 funds, then this Decree shall be reopened and suspension of the judgment shall be
10 lifted for the purpose of requiring payment of the full amount of the judgment
11 (\$1,186,754), less the sum of all amounts paid pursuant to Paragraph B of this
12 Section. *Provided, however,* that in all other respects this Decree shall remain in
13 full force and effect, unless otherwise ordered by the Court.

14 **III. NOTICE REQUIREMENTS**

15 A. For a period of five (5) years from the date of entry of this Decree,
16 Defendants Maria Ocegüera and Dulce Rickards, as well as their successors and
17 assigns, and their officers, agents, servants, employees, and all other persons or
18 entities in active concert or participation with any of them who receive actual
19 notice of this Decree by personal service or otherwise, whether acting directly or
20 through any business entity, corporation, subsidiary, division, affiliate, or other
21 device, in connection with acting as a "debt collector" in the collection of a "debt"
22 from a "consumer," as those terms are defined in Section 803(6), (5), and (3),
23 respectively, of the FDCPA, 15 U.S.C. § 1692a(6), (5), and (3), shall make the
24 following disclosure clearly and conspicuously on each written collection
25 communication that is sent to a consumer for the purpose of collecting a debt:

26 Federal law prohibits certain methods of
27 debt collection, and requires that we treat
28 you fairly. If you write to us and ask us to
stop communicating with you about this

1 debt, we will cease contacting you. Sending
2 such a letter does not make the debt go
3 away if you owe it. Once we receive your
4 letter, we may not contact you again, except
5 to let you know that there won't be any
6 more contact or that we intend to take a
7 specific action.

8 If you have a complaint about the way we
9 are collecting this debt, please write to our
10 CONTACT CENTER, [current physical
11 address], email us at [current email
12 address], or call us toll-free at [current
13 phone number] between 9:00 A.M. Pacific
14 Time and 5:00 P.M. Pacific Time Monday -
15 Friday.

16 The Federal Trade Commission enforces the
17 Fair Debt Collection Practices Act
18 (FDCPA). If you have a complaint about
19 the way we are collecting your debt, please
20 contact the FTC online at www.ftc.gov; by
21 phone at 1-877-FTC-HELP; or by mail at
22 600 Pennsylvania Ave. NW, Washington,
23 DC 20580.

24 The above disclosure shall be given in the languages which appear in such
25 communications sent to consumers.

26 B. Defendants Maria Ocegüera and Dulce Rickards, as well as their
27 successors and assigns, and their officers, agents, servants, employees, and all
28 other persons or entities in active concert or participation with any of them who
receive actual notice of this Decree by personal service or otherwise, whether
acting directly or through any business entity, corporation, subsidiary, division,
affiliate, or other device, in connection with acting as a "debt collector" in the
collection of a "debt" from a "consumer," as those terms are defined in Section

1 803(6), (5), and (3), respectively, of the FDCPA, 15 U.S.C. § 1692a(6), (5), and
2 (3), shall provide a copy of the following notice to all officers, servants, agents,
3 and employees having responsibility with respect to the collection of debts, within
4 thirty (30) days of the date of entry of this Decree, and to each employee hired for
5 a period of five (5) years after that date, no later than the time the employee
6 assumes responsibility with respect to the collection of such debts, and shall secure
7 from each such person, within thirty (30) days of delivery, a signed and dated
8 statement acknowledging receipt of a copy of the notice:

9 Debt collectors must comply with the
10 federal Fair Debt Collection Practices Act,
11 which limits your activities in trying to
12 collect money from consumers

13 Section 806 of the Act states that you may
14 not engage in any conduct the natural
15 consequence of which is to harass, oppress,
16 or abuse any person in connection with the
17 collection of a debt.

18 Section 807 of the Act prohibits you from
19 representing or implying that any action,
20 including legal action, will be taken unless,
21 at the time of the representation, such action
22 is lawful and there is a clear intent to take
23 the action. Further, Section 807 of the Act
24 prohibits the use of any false representation
25 or deceptive means to collect or attempt to
26 collect any debt or to obtain information
27 concerning a consumer.

28 **Individual debt collectors may be financially liable
for their violations of the Act.**

1 **IV. DISTRIBUTION OF CONSENT DECREE BY DEFENDANTS**

2 For a period of three (3) years from the date of entry of this Decree,
3 Defendants Maria Ocegüera and Dulce Rickards shall deliver copies of this Decree
4 as directed below:

5 **A. Defendants Maria Ocegüera and Dulce Rickards as control**

6 **persons:** For any business that Maria Ocegüera or Dulce Rickards controls,
7 directly or indirectly, or in which Maria Ocegüera or Dulce Rickards has a
8 majority ownership interest, Maria Ocegüera and Dulce Rickards must deliver
9 copies of this Decree to all principals, officers, directors, and managers of that
10 business. Maria Ocegüera and Dulce Rickards must also deliver copies of this
11 Decree to all employees, agents, and representatives of that business who engage
12 in conduct related to the subject matter of the Decree. For current personnel,
13 delivery shall be within five (5) days of service of this Decree upon defendant.
14 For new personnel, delivery shall occur prior to them assuming their
15 responsibilities.

16 **B. Defendants Maria Ocegüera and Dulce Rickards as employees or**

17 **non-control persons:** For any business where defendant Maria Ocegüera or
18 Dulce Rickards is not a controlling person of a business but otherwise engages in
19 conduct related to the subject matter of this Decree, Maria Ocegüera and Dulce
20 Rickards must deliver a copy of this Decree to all principals and managers of such
21 business before engaging in such conduct.

22 **C.** Defendants Maria Ocegüera and Dulce Rickards must secure a
23 signed and dated statement acknowledging receipt of this Decree, within thirty
24 (30) days of delivery, from all persons receiving copies of the Decree pursuant to
25 this Part.

26 **V. RECORD KEEPING PROVISIONS**

27 For a period of six (6) years from the date of entry of this Decree,
28 Defendants Maria Ocegüera and Dulce Rickards, and their agents, employees,

1 officers, corporations, successors, and assigns, and those persons in active concert
2 or participation with them who receive actual notice of this Decree by personal
3 service or otherwise, where any Defendant is the majority owner of the business,
4 or manages or controls the business, are hereby restrained and enjoined from
5 failing to create and retain the following records:

6 A. Accounting records that reflect the costs of good or services sold,
7 revenues generated, and the disbursement of such revenues;

8 B. Personnel records accurately reflecting the name, address, and
9 telephone number of each person employed in any capacity by such business,
10 including as an independent contractor; that person's job title or position; the date
11 upon which the person commenced work; and the date and reason for the person's
12 termination, if applicable;

13 C. Customer files containing the names, addresses, phone numbers,
14 dollar amounts paid, quantity of items or services purchased, and descriptions of
15 items or services purchased, to the extent such information is obtained in the
16 ordinary course of business;

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

19 E. Copies of all sales scripts, training materials, advertisements, or other
20 promotional or marketing materials; and

21 F. All records and documents necessary to demonstrate full compliance
22 with each provision of this Decree, including, but not limited to, copies of
23 acknowledgments of receipt of this Decree, required by Paragraph IV.C, and all
24 reports submitted to the FTC pursuant to Paragraph VI.

25 **VI. COMPLIANCE REPORTING BY DEFENDANTS**

26 In order that compliance with the provisions of this Decree may be
27 monitored:

28 A. For a period of three (3) years from the date of entry of this Decree,

- 1 1. Each Individual Defendant shall notify the Commission of the
2 following:
 - 3 a. Any changes in residence, mailing addresses, and
4 telephone numbers of Maria Ocegüera and Dulce
5 Rickards within ten (10) days of the date of such change;
 - 6 b. Any changes in employment status (including self-
7 employment) of Maria Ocegüera and Dulce Rickards,
8 and any change in the ownership of Defendants Maria
9 Ocegüera and Dulce Rickards in any business entity,
10 within ten (10) days of the date of such change. Such
11 notice shall include the name and address of each
12 business that Maria Ocegüera or Dulce Rickards is
13 affiliated with, employed by, creates or forms, or
14 performs services for; a statement of the nature of the
15 business; and a statement of Maria Ocegüera's and
16 Dulce Rickards' duties and responsibilities in connection
17 with the business or employment; and
 - 18 c. Any changes in Maria Ocegüera's and Dulce Rickards'
19 name or use of any aliases or fictitious names; and
- 20 2. Defendants Maria Ocegüera and Dulce Rickards shall notify
21 the Commission of any changes in corporate structure of Tono
22 Records, Tono Publishing, Promo Music, or any business
23 entity that Defendants Maria Ocegüera or Dulce Rickards
24 directly or indirectly controls, or has an ownership interest in,
25 that may affect compliance obligations arising under this
26 Decree, including, but not limited to, a dissolution, assignment,
27 sale, merger, or other action that would result in the emergence
28 of a successor entity; the creation or dissolution of a subsidiary,

1 parent, or affiliate that engages in any acts or practices subject
2 to this Decree; the filing of a bankruptcy petition; or a change
3 in the corporate name or address, at least thirty (30) days prior
4 to such change, *provided* that, with respect to any proposed
5 change in the corporation about which the Defendants learn
6 less than thirty (30) days prior to the date such action is to take
7 place, Defendants shall notify the Commission as soon as is
8 practicable after obtaining such knowledge.

9 B. One hundred and eighty (180) days after the date of entry of this
10 Decree, Defendants Maria Ocegüera and Dulce Rickards each shall provide a
11 written report to the FTC, sworn to under penalty of perjury, setting forth in detail
12 the manner and form in which they have complied and are complying with this
13 Decree. This report shall include, but not be limited to:

- 14 1. The then-current residence address, mailing addresses, and
15 telephone numbers of Maria Ocegüera and Dulce Rickards;
- 16 2. The then-current employment and business addresses and
17 telephone numbers of Maria Ocegüera and Dulce Rickards, a
18 description of the business activities of each such employer or
19 business, and the title and responsibilities of Maria Ocegüera
20 and Dulce Rickards for each such employer or business;
- 21 3. A copy of each acknowledgment of receipt of this Order,
22 obtained pursuant to Paragraph IV.C; and
- 23 4. Any other changes required to be reported under Subparagraph
24 A of this Part.

25 C. For the purposes of this Order, Defendants shall, unless otherwise
26 directed by the Commission's authorized representatives, mail all written
27 notifications to the Commission to:

28 Associate Director for Enforcement

1 Federal Trade Commission
2 600 Pennsylvania Avenue, N.W.
3 Washington, DC 20580.
4 Attn: *FTC v. Tono Records, et al.*, Civ. No. 07-3786-
5 JFW (C.D. Cal.).

6 D. For the purposes of the compliance reporting and monitoring required
7 by this Decree, the Commission is authorized to communicate directly with
8 Defendants Maria Ocegüera and Dulce Rickards.

9 **VII. COMPLIANCE MONITORING**

10 For the purpose of monitoring and investigating compliance with any
11 provision of this Decree:

12 A. Within ten (10) days of receipt of written notice from a representative
13 of the Commission, Defendants Maria Ocegüera and Dulce Rickards each shall
14 submit additional written reports, sworn to under penalty of perjury; produce
15 documents for inspection and copying; appear for deposition; and/or provide entry
16 during normal business hours to any business location in such Defendant's
17 possession or direct or indirect control to inspect the business operation;

18 B. In addition, the Commission is authorized to monitor compliance
19 with this Decree by all other lawful means, including, but not limited to, the
20 following:

- 21 1. Obtaining discovery from any person, without further leave of
22 court, using the procedures prescribed by Fed. R. Civ. P. 30,
23 31, 33, 34, 36, and 45; and
- 24 2. Posing as consumers and suppliers to Tono Records, Tono
25 Publishing, Promo Music, Maria Ocegüera, Dulce Rickards, or
26 their employees, or any other entity managed or controlled in
27 whole or in part by Maria Ocegüera or Dulce Rickards without
28 the necessity of identification or prior notice; and

1 C. Defendants Maria Ocegüera and Dulce Rickards each shall permit
2 representatives of the Commission to interview any employer, consultant,
3 independent contractor, representative, agent, or employee who has agreed to such
4 an interview, relating in any way to any conduct subject to this Decree. The
5 person interviewed may have counsel present.

6 *Provided, however,* that nothing in this Decree shall limit the Commission's
7 lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act,
8 15 U.S.C. §§ 49 and 57b-1, to obtain any documentary material, tangible things,
9 testimony, or information relevant to unfair or deceptive acts or practices in or
10 affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

11 **VIII. ACKNOWLEDGMENT OF RECEIPT**

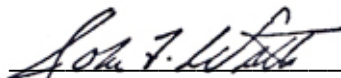
12 Defendants Maria Ocegüera and Dulce Rickards, within five (5) business
13 days of receipt of this Decree as entered by the Court, must each submit to the
14 Commission a truthful sworn statement acknowledging receipt of this Decree.

15 ~~**IX. RETENTION OF JURISDICTION**~~

16 (paragraph stricken by Court)

17 **JUDGMENT IS THEREFORE ENTERED** in favor of Plaintiff and
18 against Defendants, pursuant to all the terms and conditions recited above.

19
20 **IT IS SO ORDERED** this 1st day of May, 2008.

21
22 

23 _____
24 Honorable John F. Walter
25 United States District Judge
26
27
28