

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO



FEDERAL TRADE COMMISSION,

Plaintiff,

v.

9163-7710 QUEBEC, INC., also d/b/a
Enterprise Who's Who and PCM Collections;
and RODOLFO GARCIA RODRIGUEZ, JR.,
individually and as an officer of 9163-7710
Quebec, Inc.,

Defendants.

Case No. 08-2161(GAG)

**PRELIMINARY INJUNCTION ORDER WITH AN ASSET
FREEZE, AN ACCOUNTING, LIMITED EXPEDITED DISCOVERY,
AND OTHER EQUITABLE RELIEF**

Plaintiff Federal Trade Commission ("FTC"), has filed a Complaint seeking a permanent injunction and other relief pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b). This Court entered an *ex parte* temporary

restraining order with an asset freeze, an accounting, expedited discovery, other equitable relief, ordering Defendants to show cause why a preliminary injunction should not be issued pursuant to Rule 65(b) of the Federal Rules of Civil Procedure. This Court has considered the pleadings and exhibits filed in support of the FTC's motion, and now being advised in the premises, finds that:

1. This Court has jurisdiction over the subject matter of this case, there is good cause to believe it will have jurisdiction over all the parties hereto, and venue in this district is proper;

2. There is good cause to believe that Defendants' course of conduct constitutes a real and substantial connection between Defendants and the United States and the District of Puerto Rico;

3. There is good cause to believe that Defendants are engaged in commerce, as defined by the FTC Act, and that they are likely to continue to engage in acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), specifically, that they misrepresent that they have a preexisting relationship with consumers, that consumers have agreed to purchase Defendants' services, and that consumers owe money for Defendants' services. The FTC is therefore likely to prevail on the merits of this action;

4. There is good cause to believe that immediate and irreparable harm will result from Defendants' ongoing violations of Section 5(a) of the FTC Act unless the temporary restraining order is continued in the form of a Preliminary Injunction by order of this Court;

5. There is good cause to believe that immediate and irreparable damage to the

Court's ability to grant effective final relief in the form of monetary restitution will occur from the transfer, dissipation, or concealment by Defendants of their assets or business records unless a Preliminary Injunction is entered;

6. Weighing the equities and considering the FTC's likelihood of ultimate success, a Preliminary Injunction with an asset freeze, accounting, expedited discovery, and other equitable relief, is in the public interest; and

8. No security is required of any agency of the United States for issuance of a Preliminary Injunction. Fed. R. Civ. P. 65(c).

IT IS THEREFORE ORDERED AS FOLLOWS:

DEFINITIONS

For the purposes of this Preliminary Injunction Order, the following definitions shall apply:

A. "Defendants" means 9163-7710 Quebec, Inc., doing business under the names Enterprise Who's Who and PCM Collections, and Rodolfo Garcia Rodriguez, and each of them, individually and jointly, as well as their successors and assigns.

B. "Document(s)" or "record(s)" means:

1. The original or a true copy of any written, typed, printed, electronically stored, transcribed, taped, recorded, filmed, punched, or graphic matter or other data compilations of any kind, including, but not limited to, letters, e-mail or other correspondence, messages, memoranda, interoffice communications, notes, reports,

