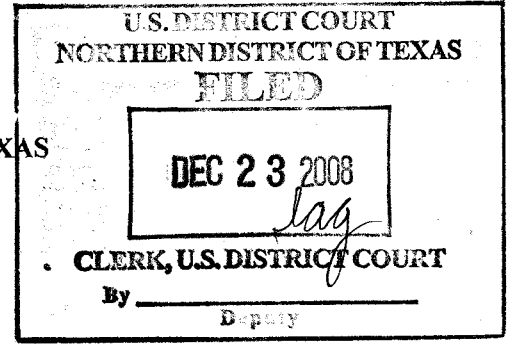


*CKM*

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



FEDERAL TRADE COMMISSION,

Plaintiff,

v.

PAYNELESS CREDIT REPAIR, LLC, and

LESLEY L. PAYNE,

Defendants.

Case No. 3-08-CV-1160-M

**STIPULATED FINAL JUDGMENT AND  
ORDER FOR PERMANENT INJUNCTION**

Plaintiff, Federal Trade Commission ("Commission"), filed a Complaint for Injunctive and Other Equitable Relief pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 53(b) and 57b, and Section 410(b) of the Credit Repair Organizations Act, 15 U.S.C. § 1679h(b), to obtain temporary, preliminary, and permanent injunctive relief, rescission of contracts and restitution, disgorgement of ill-gotten gains, and other equitable relief against Defendants Payneless Credit Repair, LLC, and Lesley L. Payne for engaging in deceptive acts or practices in connection with the advertising, marketing, promotion, offering for sale, or sale of credit repair services in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and in violation of multiple sections of the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j.

Plaintiff and Defendants Payneless Credit Repair, LLC, and Lesley L. Payne, by and through their attorneys, have agreed to entry of this Stipulated Final Judgment and Order for Permanent Injunction ("Order") by this Court in order to resolve all claims against Defendants in

this action. Plaintiff and Defendants have consented to entry of this Order without trial or adjudication of any issue of law or fact herein and without Defendants admitting liability for any of the violations alleged in the Complaint.

Being fully advised in the premises and acting upon the joint motion of the parties to enter this Order,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

1. This Court has jurisdiction over the subject matter of this case and personal jurisdiction over Defendants;
2. The Complaint states a claim upon which relief may be granted against Defendants under Sections 5, 13(b), and 19 of the FTC Act, 15 U.S.C. §§ 45, 53(b), and 57b, and Section 410(b) of the Credit Repair Organizations Act, 15 U.S.C. § 1679h(b);
3. Venue in this district is proper under 28 U.S.C. § 1391(b) and 15 U.S.C. § 53(b);
4. The activities of Defendants are “in or affecting commerce” as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44;
5. Entry of this Order is in the public interest;
6. Defendants have read and fully understand the Complaint against them and the provisions of this Order, and they freely enter into this Order; and
7. Defendants have waived all claims under the Equal Access to Justice Act, 28 U.S.C. § 2412, and all rights to seek judicial review or otherwise challenge the validity of this Order. The parties shall each bear their own costs and attorney’s fees incurred in this action.

**DEFINITIONS**

For the purpose of this Order, the following definitions shall apply:

- A. “Assets” means any legal or equitable interest in, right to, or claim to, any real

and personal property, including, but not limited to, “goods,” “instruments,” “equipment,” “fixtures,” “general intangibles,” “inventory,” “checks,” “notes” (as these terms are defined in the Uniform Commercial Code), and all chattels, leaseholds, contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts, credits, premises, receivables, funds, and cash, wherever located.

B. **“Assisting others”** means knowingly providing any of the following goods or services to another entity: (1) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints; (2) formulating or providing, or arranging for the formulation or provision of, any marketing material; (3) providing names of, or assisting in the generation of, potential customers; or (4) performing marketing or billing services of any kind.

C. **“Consumer information”** means any record about an individual, whether in paper, electronic, or other form, that is a consumer report or is derived from a consumer report. Consumer information also means a compilation of such records.

D. **“Credit repair organization”** shall have the meaning ascribed to that term in the Credit Repair Organizations Act Section 403(3), 15 U.S.C. § 1679a(3), as presently enacted or as it may hereafter be amended. A complete copy of the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j, is attached.

E. **“Credit repair service”** means any service, in return for payment of money or other valuable consideration, for the express or implied purpose of: (1) improving any consumer’s credit record, credit history, or credit rating; or (2) providing advice or assistance to any consumer with regard to any activity or service the purpose of which is to improve a consumer’s credit record, credit history, or credit rating.

- F. **“Customer”** means any person who has paid, or may be required to pay, for goods or services offered for sale or sold by the Defendants.
- G. **“Individual Defendant”** means Lesley L. Payne.
- H. **“Corporate Defendant”** means Payneless Credit Repair, LLC, and its successors and assigns.
- I. **“Defendants”** means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.
- J. **“Document”** is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which the information can be obtained and translated, if necessary, through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.
- K. **“Person”** means a natural person, an organization or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.
- L. **“Plaintiff”** means the Federal Trade Commission.

#### ORDER

#### I. INJUNCTION AGAINST MISREPRESENTATIONS

**IT IS HEREBY ORDERED** that, in connection with the advertising, marketing, promotion, offering for sale, or sale of any good or service, including, but not limited to, credit repair services, Defendants, and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from misrepresenting or assisting others in misrepresenting, either orally or in writing, expressly or by implication, any material fact, including, but not limited to:

- A. Misrepresenting that a credit repair organization can improve substantially consumers' credit reports or profiles by permanently removing negative information from consumers' credit reports, even where such information is accurate and not obsolete; and
- B. Misrepresenting that a credit repair organization is licensed or bonded with the state of Texas.

**II. INJUNCTION AGAINST VIOLATIONS OF THE CREDIT REPAIR ORGANIZATIONS ACT**

**IT IS FURTHER ORDERED** that, in connection with the advertising, marketing, promotion, offering for sale, or sale of credit repair services to consumers, Defendants, and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from violating or assisting others in violating the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j, as presently enacted or as it may hereafter be amended, by, including, but not limited to:

- A. Violating 15 U.S.C. § 1679b(a)(3) by making or using untrue or misleading representations to induce consumers to purchase credit repair services, including, but not limited to, misrepresenting that a credit repair organization can improve

substantially consumers' credit reports or profiles by permanently removing negative information from consumers' credit reports, even where such information is accurate and not obsolete;

- B. Violating 15 U.S.C. § 1679b(b) by charging or receiving money or other valuable consideration for the performance of credit repair services, before such services are fully performed;
- C. Violating 15 U.S.C. § 1679c(a) by failing to provide a written statement of "Consumer Credit File Rights Under State and Federal Law," in the form and manner required by the Credit Repair Organizations Act, to each consumer before any contract or agreement is executed;
- D. Violating 15 U.S.C. § 1679d(b)(4) by failing to include on their contract or agreement conspicuous statements regarding the consumer's right to cancel the contract without penalty or obligation at any time before the third business day after the date on which the consumer signed the contract or agreement; and
- E. Violating 15 U.S.C. § 1679e(b) by failing to provide a written "Notice of Cancellation," in the form and manner required by the Credit Repair Organizations Act, to each consumer before any contract or agreement is executed.

### III. PROHIBITION ON COLLECTING ACCOUNTS

**IT IS FURTHER ORDERED** that Defendants and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby

permanently restrained and enjoined from attempting to collect, collecting, selling, or assigning, or otherwise transferring any right to collect payment for any credit repair services from any consumer who purchased or agreed to purchase credit repair services from either Defendant prior to the entry of the July 10, 2008 Temporary Restraining Order With Asset Freeze, Order Permitting Expedited Discovery, and Order to Show Cause Why a Preliminary Injunction Should Not Issue (Rec. Doc. No. 16).

**IV. PROHIBITION ON DISCLOSING CUSTOMER INFORMATION**

**IT IS FURTHER ORDERED** that Defendants, and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from:

- A. Selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, social security number, credit card number(s), bank account number(s), date of birth, email address, or other identifying or financial information of any person who purchased or paid for credit repair services from Defendants at any time prior to the date this Order is entered; and
- B. Benefitting from or using the name, address, telephone number, social security number, credit card number(s), bank account number(s), date of birth, email address, or other identifying or financial information of any person who submitted this information to Defendants as a result of, or otherwise related to, the activities alleged in the Commission's Complaint.

*Provided, however,* that Defendants may disclose identifying information to a law enforcement agency or as required by any law, regulation, or court order.

**V. HANDLING OF SENSITIVE CONSUMER INFORMATION**

**IT IS FURTHER ORDERED** that:

A. Defendants, and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from violating Section 628 of the FCRA or the Disposal Rule, including, but not limited to, by maintaining or otherwise possessing consumer information for a business purpose and failing to properly dispose of such information by taking reasonable measures to protect against unauthorized access to or use of the information in connection with its disposal. 15 U.S.C. § 1681 *et seq.*; 16 C.F.R. Part 682.

B. Defendants, and each of their members, officers, agents, 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 entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from:

1. violating the Safeguards Rule, including, but not limited to, by failing to protect the security, confidentiality, and integrity of customer information or to develop, implement, and maintain a comprehensive written information security program that contains reasonable administrative, technical, and physical safeguards. 16 C.F.R. Part 314.



2. violating the Privacy Rule, including, but not limited to, by failing to provide to customers, no later than when a customer relationship arises and annually for the duration of that relationship, a clear and conspicuous notice that accurately reflects its privacy policies and practices, including its security policies and practices. 16 C.F.R. Part 313.

C. In the event that the statutory section or Rule identified in Subsection A or either of the Rules identified in Subsections B.1 or B.2 of this Section is hereafter amended or modified, compliance with that statutory section or Rule as so amended or modified shall not be a violation of this Order.

#### **VI. MONETARY JUDGMENT**

##### **IT IS FURTHER ORDERED that:**

A. Judgment in the amount of TWO HUNDRED AND TEN THOUSAND DOLLARS (\$210,000) is hereby entered against Defendants as equitable monetary relief, including, but not limited to, restitution and/or disgorgement, and for paying any attendant expenses of administration of any restitution fund; *provided, however*, that this judgment shall be suspended subject to the conditions set forth in the Section of this Order titled "Right to Reopen."

B. All funds paid pursuant to this Order shall be deposited into a fund administered by the Commission or its agents to be used for equitable relief, including, but not limited to, restitution and any attendant expenses for the administration of such equitable relief. In the event that direct restitution to consumers is wholly or partially impracticable or funds remain after restitution is completed, the Commission may apply any remaining funds for such other equitable relief (including consumer information remedies) as it determines to be reasonably

related to Defendants' practices alleged in the Complaint. Any funds not used for such equitable relief shall be deposited to the United States Treasury as disgorgement. Defendants shall have no right to challenge the Commission's choice of remedies under this Section. Defendants shall have no right to contest the manner of distribution chosen by the Commission.

C. Defendants relinquish all dominion, control, and title to the funds paid to the fullest extent permitted by law. Defendants shall make no claim to or demand return of the funds, directly or indirectly, through counsel or otherwise.

D. Defendants agree that the facts as alleged in the Complaint filed in this action shall be taken as true without further proof in any bankruptcy case or subsequent civil litigation pursued by the Commission to enforce its rights to any payment or money judgment pursuant to this Order, including but not limited to a nondischargeability complaint in any bankruptcy case. Defendants further stipulate and agree that the facts alleged in the Complaint establish all elements necessary to sustain an action pursuant to, and that this Order shall have collateral estoppel effect for purposes of, Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A).

## VII. RIGHT TO REOPEN

**IT IS FURTHER ORDERED** that:

A. Within five (5) business days after entry of this Order, Defendants shall submit to the Commission a truthful sworn statement that shall acknowledge receipt of this Order and shall reaffirm and attest to the truth, accuracy, and completeness of the financial statements previously submitted to the Commission. The Commission's agreement to this Order and the Court's approval are expressly premised on the truthfulness, accuracy, and completeness of the financial statements and supporting documents submitted to the Commission July 16, 2008, August 14,

2008, and October 22, 2008, and the deposition of Defendant Lesley L. Payne taken August 14, 2008.

B. If, upon motion by the Commission, the Court finds that the Defendants' financial statements or supporting documents or the deposition of Defendant Lesley L. Payne contain any material misrepresentation or fail to disclose any material asset the value of which exceeds \$1,000, then the suspension of the judgment set forth in the Section titled "Monetary Judgment" shall be vacated and the full amount shall immediately become due and payable; *provided, however,* that in all other respects this Order shall remain in full force and effect unless otherwise ordered by the Court; and, *provided further,* that proceedings instituted under this provision would be in addition to, and not in lieu of, any other civil or criminal remedies as may be provided by law, including any other proceedings that the Commission may initiate to enforce this Order. For purposes of this Section, Defendants waive any right to contest any of the allegations in the Complaint.

#### **VIII. COMPLIANCE MONITORING**

**IT IS FURTHER ORDERED** that, for the purpose of (i) monitoring and investigating compliance with any provision of this Order, and (ii) investigating the accuracy of any Defendants' financial statements upon which the Commission's agreement to this Order is expressly premised:

A. Within ten (10) days of receipt of written notice from a representative of the Commission, Defendants each shall submit additional written reports, which are true and accurate and sworn to under penalty of perjury; produce documents for inspection and copying; appear for deposition; and/or provide entry during normal business hours to any business

location in each such Defendant's possession or direct or indirect control to inspect the business operation;

B. In addition, the Commission is authorized to use all other lawful means, including but not limited to:

1. obtaining discovery from any person, without further leave of Court, using the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, 45, and 69;
2. posing as consumers and suppliers to Defendants, their employees, or any other entity managed or controlled in whole or in part by any Defendant, without the necessity of identification or prior notice; and

C. Defendants each shall permit representatives of the Commission to interview any employer, consultant, independent contractor, representative, agent, or employee who has agreed to such an interview, relating in any way to any conduct subject to this Order. The person interviewed may have counsel present. *Provided, however*, that nothing in this Order shall limit the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to obtain any documentary material, tangible things, testimony, or information relevant to unfair or deceptive acts or practices in or affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

#### **IX. COMPLIANCE REPORTING**

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

- A. For a period of seven (7) years from the date of entry of this Order,
  1. Each Individual Defendant shall notify the Commission of the following:

- a. any changes in such Defendant's residence, mailing addresses, and telephone numbers within ten (10) days of the date of the change;
  - b. any changes in such Defendant's employment status (including self-employment) and any change in such Defendant's ownership in any business entity, within ten (10) days of the date of the change. The notice shall include the name and address of each business that such Defendant is affiliated with, employed by, creates or forms, or performs services for; a detailed description of the nature of the business; and a detailed description of such Defendant's duties and responsibilities in connection with the business or employment; and
  - c. any changes in such Defendant's name or use of any aliases or fictitious names; and
2. Defendants shall notify the Commission of any changes in structure of any Corporate Defendant or any business entity that any Defendant directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this Order, including but not limited to: incorporation or other organization; a dissolution, assignment, sale, merger, or other action; the creation or dissolution of subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order; or a change in the business name or address, at least thirty (30) days prior to such change, *provided* that, with respect to any proposed change in the business entity about which a Defendant learns less than thirty (30) days

prior to the date such action is to take place, such Defendant shall notify the Commission as soon as is practicable after obtaining such knowledge.

B. One hundred eighty (180) days after the date of entry of this Order and annually thereafter for a period of seven (7) years, Defendants shall provide a written report to the Commission, which is true and accurate and sworn to under penalty of perjury, setting forth in detail the manner and form in which they have complied and are complying with this Order.

This report shall include, but not be limited to:

1. For each Individual Defendant:
  - a. such Defendant's then-current residence address, mailing addresses, and telephone numbers;
  - b. such Defendant's then-current employment status (including self-employment), including the name, addresses, and telephone numbers of each business that such Defendant is affiliated with, employed by, or performs services for; a detailed description of the nature of the business; and a detailed description of such Defendant's duties and responsibilities in connection with the business or employment; and
  - c. any other change required to be reported under Subsection A of this Section.
2. For all Defendants:
  - a. a copy of each acknowledgment of receipt of this Order, obtained pursuant to the Section titled "Distribution of Order;"
  - b. any other changes required to be reported under Subsection A of

this Section; and

3. For all Defendants: An explanation how the safeguards that have been implemented in compliance with Subsections A, B.1, and B.2 of the Section titled "Handling of Sensitive Consumer Information" of this Order meet or exceed the protections required by Section 628 of the FCRA, the Disposal Rule, and the Safeguard Rule for Defendants and for any business entity that Defendants control, directly or indirectly, which collects, maintains, or stores sensitive personal information from or about consumers.

C. Each Defendant shall notify the Commission of the filing of a bankruptcy petition by such Defendant within fifteen (15) days of filing.

D. For the purposes of this Order, Defendants shall, unless otherwise directed by the Commission's authorized representatives, send by overnight courier all reports and notifications required by this Order to the Commission to the following address:

Associate Director for Enforcement  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W., Room NJ-2122  
Washington, D.C. 20580  
RE: *FTC v. Payneless Credit Repair, LLC, and Lesley L. Payne*,  
Civil Action 3-08-CV-1160-M

*Provided*, that, in lieu of overnight courier, Defendants may send such reports or notifications by first-class mail, but only if Defendants contemporaneously send an electronic version of such report or notification to the Commission at: [DEBrief@ftc.gov](mailto:DEBrief@ftc.gov).

E. For purposes of the compliance reporting and monitoring required by this Order, the Commission is authorized to communicate directly with each Defendant.

**X. RECORD KEEPING PROVISIONS**

IT IS FURTHER ORDERED that, for a period of ten (10) years from the date of entry of this Order, Defendants, and any business in which the Individual Defendant is the majority owner of the business or directly or indirectly manages or controls the business, and their agents, employees, officers, corporations, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, are hereby restrained and enjoined from failing to create and retain the following records:

- A. Accounting records that reflect the cost of goods or services sold, revenues generated, and the disbursement of such revenues;
- B. Personnel records accurately reflecting: the name, address, and telephone number of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable;
- C. Customer files containing the names, addresses, telephone numbers (if known), dollar amounts paid, quantity of items or services purchased, and description of items or services purchased, to the extent such information is obtained in the ordinary course of business;
- D. Complaints and refund requests (whether received directly, indirectly, or through any third party) and any responses to those complaints or requests;
- E. Copies of all sales scripts, training materials, advertisements, direct mail solicitations, contracts sent to consumers, or other marketing materials; and
- F. All records and documents necessary to demonstrate full compliance with each provision of this Order, including but not limited to, copies of acknowledgments of receipt of this Order required by the Sections titled "Distribution of Order" and "Acknowledgment of



Receipt of Order” and all reports submitted to the Commission pursuant to the Section titled “Compliance Reporting.”

**XI. DISTRIBUTION OF ORDER**

**IT IS FURTHER ORDERED** that, for a period of seven (7) years from the date of entry of this Order, Defendants must deliver copies of this Order as directed below:

A. Corporate Defendant: Each Corporate Defendant must deliver a copy of this Order to (1) all of its principals, officers, directors, and managers; (2) all of its employees, agents, and representatives who engage in conduct related to the subject matter of this Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled “Compliance Reporting.” For current personnel, delivery shall be within five (5) days of service of this Order upon such Defendant. For new personnel, delivery shall occur prior to their assuming their responsibilities. For any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled “Compliance Reporting” delivery shall be at least ten (10) days prior to the change in structure.

B. Individual Defendant as control person: For any business entity that an Individual Defendant controls, directly or indirectly, or in which such Defendant has a majority ownership interest, such Defendant must deliver a copy of this Order to (1) all principals, officers, directors, and managers of that business; (2) all employees, agents, and representatives of that business who engage in conduct related to the subject matter of this Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of Section titled “Compliance Reporting.” For current personnel, delivery shall be within five (5) days of service of this Order upon such Defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities. For any business entity resulting from any change in structure set forth in

Subsection A.2 of the Section titled "Compliance Reporting" delivery shall be at least ten (10) days prior to the change in structure.

C. Individual Defendant as employee or non-control person: For any business where an Individual Defendant is not a controlling person of a business but otherwise engages in conduct related to the subject matter of this Order, such Defendant must deliver a copy of this Order to all principals and managers of such business before engaging in such conduct.

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

#### **XII. ACKNOWLEDGMENT OF RECEIPT OF ORDER**

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

#### **XIII. LIFTING OF ASSET FREEZE**

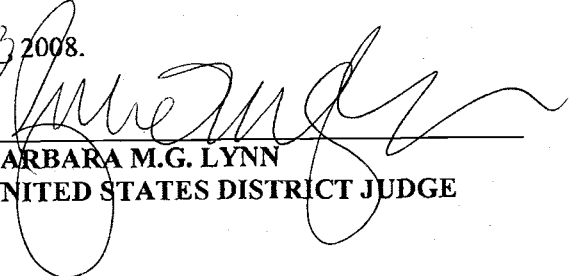
**IT IS FURTHER ORDERED** that, upon entry of this Order by the Court, the freeze against the assets of Defendants pursuant to Section IV of the Stipulated Preliminary Injunction Freezing Assets and Providing Equitable Relief entered by the Court on July 17, 2008, shall be lifted permanently.

#### **XIV. 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.


IT IS SO ORDERED.

DATED ~~the 12/22/08~~ 12/23, 2008.

  
\_\_\_\_\_  
BARBARA M.G. LYNN  
UNITED STATES DISTRICT JUDGE

SO STIPULATED AND AGREED:

FOR PLAINTIFF  
FEDERAL TRADE COMMISSION:

  
\_\_\_\_\_  
THOMAS B. CARTER  
Texas Bar No. 03932300  
ELISEO N. PADILLA  
Florida Bar No. 192929  
JAMES E. ELLIOTT  
Texas Bar No. 06557100

Date: 12/22/08

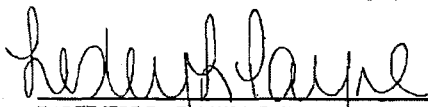
FEDERAL TRADE COMMISSION  
Southwest Regional Office  
1999 Bryan Street, Suite 2150  
Dallas, Texas 75201  
Tel: 214-979-9372 (Carter)  
Tel: 214-979-9382 (Padilla)  
Tel: 214-979-9373 (Elliott)  
Fax: 214-953-3079  
Email: [tcarter@ftc.gov](mailto:tcarter@ftc.gov)  
Email: [epadilla@ftc.gov](mailto:epadilla@ftc.gov)  
Email: [jelliott@ftc.gov](mailto:jelliott@ftc.gov)

**FOR DEFENDANT LESLEY L. PAYNE AND  
DEFENDANT PAYNELESS CREDIT REPAIR, LLC:**

Date: \_\_\_\_\_

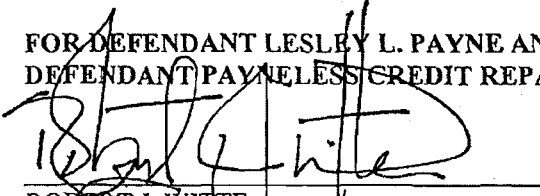
\_\_\_\_\_  
ROBERT J. WITTE  
Texas Bar No. 00788700  
Strasburger & Price LLP  
901 Main Street, Suite 4400  
Dallas, TX 75202-3794  
Tel: 214-651-4612  
Fax: 214-659-4089  
Email: [robert.witte@strasburger.com](mailto:robert.witte@strasburger.com)  
COUNSEL FOR LESLEY L. PAYNE AND  
PAYNELESS CREDIT REPAIR, LLC

**FOR DEFENDANT LESLEY L. PAYNE AND  
DEFENDANT PAYNELESS CREDIT REPAIR, LLC:**

  
\_\_\_\_\_  
LESLEY L. PAYNE, INDIVIDUALLY AND  
AS A MEMBER AND MANAGER OF  
PAYNELESS CREDIT REPAIR, LLC

Date: 10/22/2008

FOR DEFENDANT LESLEY L. PAYNE AND  
DEFENDANT PAYNELESS CREDIT REPAIR, LLC:



Date: 10/24/08

ROBERT J. WITTE  
Texas Bar No. 00788700  
Strasburger & Price LLP  
901 Main Street, Suite 4400  
Dallas, TX 75202-3794  
Tel: 214-651-4612  
Fax: 214-659-4089  
Email: [robert.witte@strasburger.com](mailto:robert.witte@strasburger.com)  
COUNSEL FOR LESLEY L. PAYNE AND  
PAYNELESS CREDIT REPAIR, LLC

FOR DEFENDANT LESLEY L. PAYNE AND  
DEFENDANT PAYNELESS CREDIT REPAIR, LLC:

\_\_\_\_\_  
LESLEY L. PAYNE, INDIVIDUALLY AND  
AS A MEMBER AND MANAGER OF  
PAYNELESS CREDIT REPAIR, LLC

Date: \_\_\_\_\_

# CASE CLOSED

**CASE NUMBER:** 3:08-cv-1160-M

**DATE:** 12 | 23 | 2008

**TRIAL: YES** \_\_\_\_\_ **NO** X