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CLERK
U.S. DISTRICT COURT
HARTFORD, CT

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

FEDERAL TRADE COMMISSION,
Plaintiff,

CB
CIVIL NO. 3: 99 CV 1272 (CFD)

v.

DAVID MARTINELLI, JR., individually and
d/b/a DP Marketing and Data Process
Marketing, and

DEANE PLOURDE, individually and
d/b/a DP Marketing and Data Process
Marketing,
Defendants.

August 3, 1999

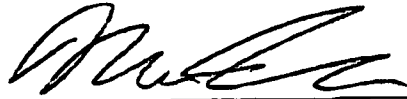
MOTION FOR ORDER RE
STIPULATED ORDER FOR PRELIMINARY INJUNCTION

The defendants, David Martinelli, Jr., individually and d/b/a DP Marketing and Data Process Marketing, and Deana Plourde, individually and d/b/a DP Marketing and Data Process Marketing, on behalf of themselves and the plaintiff, the Federal Trade Commission, hereby move this Court to adopt the Stipulated Order for Preliminary Injunction attached hereto.

Granted. The proposed stipulated order for preliminary injunction is approved, also. So ordered. John F. Clomby USDJ 9/23/99

SEP 23 11 51 AM '99
[Signature]

DEFENDANTS,
DAVID MARTINELLI, JR.,
DEANA PLOURDE

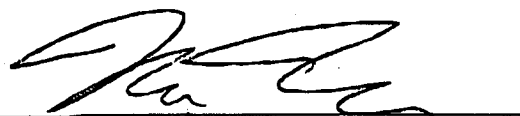


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CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing was mailed, via U.S. Mail, postage prepaid, this 3rd day of August, 1999, to:

Stephen Gurwitz, Esq.
Catherine Harrington-McBride, Esq.
Federal Trade Commission
600 Pennsylvania Avenue, N.W., Room 238
Washington, DC 20530
Tele: (202) 326-3272
Fax: (202) 326-3395



Morgan P. Rueckert

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UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

FEDERAL TRADE COMMISSION,
Plaintiff,

v.

DAVID MARTINELLI, JR., individually and
d/b/a DP Marketing and Data Process
Marketing, and

DEANE PLOURDE, individually and
d/b/a DP Marketing and Data Process
Marketing,

Defendants.

CIVIL NO. 3: 99 CV 1272 (CFD)

August 2, 1999

**STIPULATED ORDER FOR
PRELIMINARY INJUNCTION**

The Defendants, David Martinelli, Jr. and Deana Plourde, individually and doing Business as DP Marketing ("Defendants"), and the Plaintiff, Federal Trade Commission ("Commission"), by and through counsel, have agreed to entry of this Order by this Court in order to resolve the Plaintiff's Motion for Preliminary Injunction filed on July 7, 1999 and the Order to Show Cause entered by this Court on that same date. The Defendants have consented to the entry of this Order without a hearing.

NOW, THEREFORE, the Defendants and the Commission having requested the Court to enter this Order, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

Findings

A. This Court has jurisdiction of the subject matter of this action and the parties consenting hereto, and venue is proper in the District of Connecticut.

B. Entry of this Order is in the public interest.

C. This Order does not constitute and shall not be interpreted to constitute either an admission by the Defendants or a finding by the Court that the Defendants have engaged in violations of the FTC Act.

Definitions

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

1. "Chain Or Pyramid Marketing Program" is a sales device whereby the operator grants a person, under a condition that he or she make a payment, a license or right to recruit for consideration from the operator one or more additional persons who are also granted a license or right upon condition of making a payment to the operator, and may further perpetuate the chain or pyramid of persons who are granted a license or right upon such condition. Such a program would include such sales devices which characterize income opportunities available to third persons as opportunities for employment of those persons by the Defendants. A limitation as to the number of persons who may participate, or the presence of additional conditions affecting eligibility for the above license or right to recruit or the receipt of profits therefrom, does not change the identity of the program as a chain or pyramid marketing program.

2. "Assisting" means providing the means and instrumentalities for or otherwise facilitating any conduct that a Defendant knows or should know violates any provision of this Order.

ORDER

IT IS THEREFORE ORDERED that the Defendants are enjoined from engaging, participating, or assisting in any manner or capacity whatsoever in the advertising, promoting, offering for sale, or sale, of any Chain Or Pyramid Marketing Program.

IT IS FURTHER ORDERED that the Defendants are enjoined from making, or assisting others in making, expressly or by implication, any false or misleading oral or written statement or representation in connection with the promotion, advertising, offering, selling, providing, or marketing of any Work at Home Program, including but not limited to false or misleading oral or written statements or representations regarding jobs or employment opportunities, employment of consumers to take orders from other consumers, opportunities for advancement, and salary or other compensation.

IT IS FURTHER ORDERED that the Defendants will maintain existing records, databases, documents, communications, and any other records or materials in the Defendants' control and pertaining to DP Marketing's operations and will create and maintain accurate records pertaining to DP Marketing's further operations.

IT IS FURTHER ORDERED that this Order shall remain in effect until further order of the Court or until agreement between the parties on a final resolution of any matters between them.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for all purposes.

IT IS FURTHER ORDERED that the hearing on the Order to Show Cause, scheduled for September 2, 1999, is hereby cancelled.

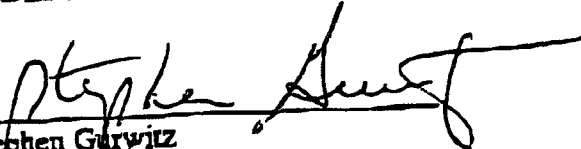
SO ORDERED, this ____ day of _____, 1999, at Hartford, Connecticut.

The Honorable Christopher F. Dronoy
United States District Judge

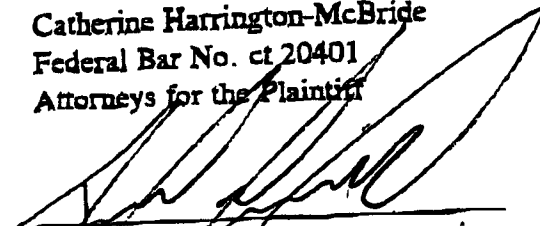
The parties hereby consent to the terms and conditions set forth above and consent to entry of this Stipulated Preliminary Injunction Order without further notice to the parties.

FEDERAL TRADE COMMISSION,

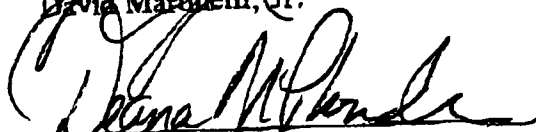
Dated: Aug 2, 1999

By 
Stephen Garwitz
Federal Bar No. ct 20402
Catherine Harrington-McBride
Federal Bar No. ct 20401
Attorneys for the Plaintiff

Dated: 8/3/99


David Marinelli, Jr.

Dated: 8/3/99


Deana Plourde