

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

JAN -8 P 2:14

In re SANCTUARY BELIZE LITIGATION

No.: 18-cv-3309-PJM

**STIPULATED ORDER FOR PERMANENT INJUNCTION AND MONETARY
JUDGMENT AGAINST DEFENDANTS BRANDI GREENFIELD AND BG
MARKETING, LLC**

Plaintiff the Federal Trade Commission (“Commission” or “FTC”), filed its Complaint for Permanent Injunction and Other Equitable Relief (“Complaint”), pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§ 6101-6108. On January 11, 2018, the Court granted the FTC’s motion to amend, substituting the Amended Complaint for Permanent Injunction and Other Equitable Relief (“Amended Complaint”) for the Complaint. Defendants Brandi Greenfield and BG Marketing, LLC (“BG Marketing”) were served with the Amended Complaint and summons. The Commission and Defendants Brandi Greenfield and BG Marketing stipulate to the entry of this Stipulated Order for Permanent Injunction and Monetary Judgment Against Defendants Brandi Greenfield and BG Marketing, LLC (“Order”) to resolve all matters in dispute between them in this action and the related *FTC v. AmeriDebt Inc.*, No. 03-cv-3317 (D. Md.) (“*AmeriDebt*”).

IT IS THEREFORE ORDERED:

FINDINGS

1. This Court has jurisdiction over this matter.
2. The Amended Complaint charges that Defendants Brandi Greenfield and BG Marketing along with the other named Defendants, participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, as well as violations of the Telemarketing

Sales Rule, 16 C.F.R. Part 310, in connection with the sale of lots in a development in Belize known variously as Sanctuary Bay, Sanctuary Belize, and The Reserve (for ease, “Sanctuary Belize”).

3. Defendants Brandi Greenfield and BG Marketing neither admit nor deny any of the allegations in the Complaint, except as specifically stated in this Order. Only for purposes of this action, Defendants Brandi Greenfield and BG Marketing admit the facts necessary to establish jurisdiction.

4. Defendants Brandi Greenfield and BG Marketing waive any claims they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action through the date of this Order, and agree to bear their own costs and attorney fees.

5. Defendants Brandi Greenfield and BG Marketing waive all rights to appeal or otherwise challenge or contest the validity of this Order.

DEFINITIONS

A. “**Asset**” means any legal or equitable interest in, right to, or claim to, any property, wherever located and by whomever held, whether tangible, intangible, digital, or otherwise, including, but not limited to, digital currencies, virtual currencies, digital tokens, and cryptocurrencies.

B. “**Corporate Defendant(s)**” means Global Property Alliance, Inc., Sittee River Wildlife Reserve, Buy Belize, LLC, Buy International, Inc., Foundation Development Management, Inc., Eco-Futures Development, Eco-Futures Belize Limited, Power Haus Marketing, and Sanctuary Belize Property Owners’ Association, Prodigy Management Group LLC, Foundation Partners, BG Marketing, LLC, Ecological Fox, LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, Newport Land Group LLC, and Atlantic International Bank Ltd. and each of their subsidiaries, affiliates, successors, and assigns.

C. “**Defendant(s)**” means the Corporate Defendants and Individual Defendants, individually, collectively, or in any combination.

D. “**Individual Defendant(s)**” means Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Rod Kazazi, Brandi Greenfield, Frank Costanzo, and Michael Santos, individually, collectively, or in any combination.

E. “**Receiver**” means the Receiver appointed in Section V of this Order and any deputy receivers who shall be named by the Receiver.

F. “**Receivership Asset**” means any and all Assets ordered to be turned over to the Receiver pursuant to this Order.

G. “**Receivership Entities**” means the Corporate Defendants (except Atlantic International Bank, Ltd.), 2729 Bristol LLC, and 3905 Marcus LLC, as well as any other entity that: (1) is located at, registered to, or operated from 3333 Michelson Drive, Suite 500, Irvine, California, and assists, facilitates, or otherwise conducts business related to the sale of real estate in Belize; (2) assists, facilitates, or otherwise conducts business related to the acts identified in the Findings of Fact in this Order, and is owned or controlled by any Defendant; or (3) Assets that are otherwise in the Receivership and that are corporations or other legal entities.

H. “**Relief Defendant(s)**” means Angela Chittenden, Beach Bunny Holdings LLC, the Estate of John Pukke, John Vipulis, and Deborah Connelly.

I. “**Settling Defendant(s)**” means Brandi Greenfield and BG Marketing, LLC individually, collectively, or in any combination, and any subsidiaries, affiliates, successors, and assigns.

J. “**Telemarketing**” means any plan, program, or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the Telemarketing Sales Rule.

ORDER

I. BAN ON TELEMARKETING

IT IS ORDERED that Settling Defendants are permanently restrained and enjoined from Telemarketing, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising.

II. PROHIBITION AGAINST MISREPRESENTATIONS IN THE SALE OF ANY GOOD OR SERVICE

IT IS FURTHER ORDERED that Settling Defendants and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with advertising, marketing, promoting, or offering for sale any good or service, are permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

- A. The use of a “no debt” business model makes an investment less risky than one in which an entity or individual must make payments to creditors;
- B. Every dollar, or the vast majority of dollars, collected from selling the good or service is used to further the good or service;
- C. The good or service will be completed or available within a specified period of time, such as a particular number of weeks, months, or years;
- D. The good or service will have specific features or amenities;
- E. The good or service will appreciate in value or appreciate in value rapidly, such as a particular rate within a particular period of time;
- F. Consumers can realize the appreciation of their good or service because there is a robust resale market through which consumers could easily resell their good or service should they choose to do so;

G. One or more Defendants have no meaningful involvement with the relevant business; and

H. Any other fact material to consumers concerning any good or service, such as: the total costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

III. MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

A. Judgment in the amount of one hundred forty four million dollars (\$144,000,000) is entered in favor of the Commission against Settling Defendants, jointly and severally, as equitable monetary relief.

B. Settling Defendants are ordered to pay to the Commission twenty-four-thousand, three-hundred and thirty-two dollars and three cents (\$24,332.03). Such payment shall be satisfied by the following transfers:

1. Within fifteen (15) days of receiving notice of this Order, Voya Financial, its parent corporation, subsidiaries, principals, and agents must transfer to the Commission by electronic fund transfer or certified bank or cashier's check, in accordance with instructions to be provided by a representative of the Commission, all funds in the name of, or for the benefit of Settling Defendants, in addition to all funds in Account No. XXX8334 (approximate surrender value of \$6,284.03);
2. Settling Defendant Greenfield is ordered to pay to the Commission eighteen-thousand and forty-eight dollars (\$18,048), which as Settling Defendant Greenfield stipulates, her undersigned counsel holds in escrow for no purpose other than payment to the Commission. Such payment

must be made within fourteen (14) days of entry of this Order by electronic funds transfer in accordance with instructions previously provided by a representative of the Commission.

C. Settling Defendant Greenfield is also ordered to liquidate all stock identified in Item 10 of Financial Statement of Individual Defendant Brandi Greenfield executed on November 16, 2018, within fourteen (14) days of entry of this Order. She shall give notice to the FTC of each liquidation within one (1) day of completing it. Settling Defendant Greenfield is ordered to pay to the Commission the proceeds of these liquidations, if any, within twenty-eight (28) days of entry of this Order by electronic funds transfer in accordance with instructions previously provided by a representative of the Commission.

D. Settling Defendant Greenfield is also ordered to liquidate and turn over all funds, if any, in the following accounts at Bank of America N.A.: Account No. XXXXXXXX2778, Account No. XXXXXXXX5377, Account No. XXXXXXXX8545, and Account No. XXXXXXXX6693, all held in the name of Brandi Greenfield.

E. Settling Defendants shall also permanently transfer, assign, or relinquish to the Receiver all rights they may have in lot in any development previously owned or operated by any Corporate Defendant, including Settling Defendant Brandi Greenfield's interest in a WWV lot at Sanctuary Belize, identified in Item 18 of the Financial Statement of Individual Defendant Brandi Greenfield executed on November 16, 2018.

F. Upon completion of all asset transfers, as specified in this Section, the remainder of the judgment against Settling Defendants is suspended, subject to the Subsections below.

G. The Commission's agreement to the suspension of part of the judgment is expressly premised upon the truthfulness, accuracy, and completeness of Settling Defendants' representations, sworn financial statements and related documents (collectively, "financial representations") submitted to the Commission, namely:

1. the Financial Statement of Individual Defendant Brandi Greenfield executed on November 16, 2018, including the attachments;
2. the Financial Statement of Corporate Defendant BG Marketing, LLC, executed on October 31, 2019, including the attachments;
3. bank statements provided by Settling Defendant Brandi Greenfield in December 2018. These records included bank statements for accounts in the names of: Cortez Properties LLC (Bank of America accounts ending in 7554, 2823, 2836, 2849, and 9504); BG Marketing, LLC (Bank of America account ending in 5526); Brandi Greenfield (Bank of America accounts ending in 3358, 5377, 8545, 6693, and 2778); and Newport Land Group (Bank of America accounts ending in 0794, 8924, and 0804);
4. Cori Ferrentino's email to Amanda Kostner dated December 5, 2018, listing the personal property of Settling Brandi Greenfield;
5. Cori Ferrentino's email to Benjamin Theisman dated October 10, 2019, including its attachment;
6. the representation that the 529 deferred income arrangement accounts (Account Nos. XXXXXX3825 and XXXXXX3858) identified in Item 14 of the Financial Statement of Individual Defendant Brandi Greenfield executed on November 16, 2018 (the "529 Accounts") will be used solely for the qualified educational expenses of the children of Settling Defendant Brandi Greenfield. A "qualified educational expenses" of the children of Settling Defendant Brandi Greenfield includes any qualified educational expense according to the law of the state in which the account was held on November 7, 2018;

7. the representation that Settling Defendant Brandi Greenfield will provide to the Commission notice of the withdrawal of any amount from the 529 Accounts within 14 days of the withdrawal, as specified in Section XIII of this Order;
8. the representation by Michael King on November 6, 2019 that the \$18,048.00 cash payment in Section B.2, which represents the equity in the 2013 Ford F-150 identified in the Financial Statement of Individual Defendant Brandi Greenfield executed on November 16, 2018, are the proceeds of a loan from the mother of Brandon Showalter; and
9. the representation by Michael King on November 7, 2019 that Settling Defendant Greenfield, pursuant to the Court's Order Authorizing Limited Access to Assets, DE 102, withdrew all of the funds from the bank accounts identified in Section D and also used \$1,000 in cash that was frozen.

H. The suspension of the judgment will be lifted as to either Settling Defendant if, upon motion by the Commission, the Court finds that a Settling Defendant failed to disclose any material asset, used the frozen assets in either 529 Account for anything other than the qualified educational expenses of one of Settling Defendant Brandi Greenfield's children, failed to disclose one or more withdrawals from the 529 Accounts as specified above in Section G.7.; materially misstated the value of any asset, or made any other material misstatement or omission in the financial representations identified above.

I. If the suspension of the judgment is lifted, the judgment becomes immediately due as to that Defendant in the amount specified in Subsection A. above, which the parties stipulate only for purposes of this Section represents the consumer injury, less any payment previously made pursuant to this Section, plus interest computed from the date of entry of this Order.

IV. ADDITIONAL MONETARY PROVISIONS

A. Settling Defendants relinquish dominion and all legal and equitable right, title, and interest in all assets paid, transferred, assigned, or relinquished pursuant to this Order and may not seek the return of any assets.

B. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the Commission, including in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.

C. The facts alleged in the Complaint establish all elements necessary to sustain an action by the Commission pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.

D. Settling Defendants acknowledges that their Taxpayer Identification Numbers (Social Security Numbers or Employer Identification Numbers), which Settling Defendants previously submitted to the Commission, may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. §7701.

E. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Commission may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Complaint. Any money not used for such equitable relief is to be deposited to the U.S. Treasury as disgorgement. Defendants have no right to challenge any actions the Commission or its representatives may take pursuant to this Subsection.

F. The asset freeze imposed on Settling Defendants in the previously issued Stipulated Preliminary Injunction as to Defendants Rod Kazazi, Foundation Partners, Brandi Greenfield, BG Marketing LLC, Frank Costanzo, Deborah Connelly, Ecological Fox LLC, Michael Santos, Angela Chittenden, and Beach Bunny Holdings LLC (DE 195) is modified to permit the transfers identified in the Monetary Judgment Section. Upon the payments, transfers, assignments, and relinquishments required under this Order, the asset freeze is dissolved as to Brandi Greenfield and BG Marketing LLC.

V. RECEIVER

IT IS FURTHER ORDERED that Robb Evans & Associates LLC is appointed as Receiver for all assets ordered to be turned over to the Receiver pursuant to this Order. He shall have full powers of an equity receiver. The Receiver shall be solely the agent of this Court in acting as Receiver under this Order.

VI. DUTIES AND AUTHORITY OF RECEIVER

IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

- A. Take exclusive control, custody, and possession of all Receivership Assets;
- B. Conserve, hold, manage, and prevent the loss of all Receivership Assets, and perform all acts necessary or advisable to preserve the value of those Assets. The Receiver shall assume control over the income and profits therefrom and all sums of money now or hereafter due or owing to the Settling Defendant as a result of the Receivership Assets. The Receiver shall have full power to sue for, collect, and receive, all Receivership Assets. *Provided, however,* that the Receiver shall not attempt to collect any amount from a consumer if the Receiver believes the consumer's debt has resulted from deceptive acts or practices or other violations of law, without prior Court approval;

C. Liquidate, through fair market sales or similar transactions, all Receivership Assets, following a motion and order from the Court approving the sale or liquidation. The Receiver shall take steps to ensure that the full fair market value of any Asset is obtained by the receivership estate in any sale or liquidation;

D. The Receiver shall make periodic disbursements to the Commission of any liquidated Assets and, upon the liquidation of all Receivership Assets, disburse all proceeds to the Commission, less its Court-approved fees and expenses;

E. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;

F. Make payments and disbursements from the receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order, and to incur, or authorize the making of, such agreements as may be necessary and advisable in discharging his or her duties as Receiver. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred, except payments that the Receiver deems necessary or advisable to secure Receivership Assets, such as rental payments;

G. Enter into and cancel contracts and purchase insurance as advisable or necessary;

H. Prevent the inequitable distribution of Assets and determine, adjust, and protect the interests of consumers who have transacted business with Settling Defendants and the Receivership Entities;

I. Make an accounting, as soon as practicable, of the Receivership Assets and financial condition of the receivership and file the accounting with the Court and deliver copies thereof to all parties;

J. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal or foreign courts or arbitration

proceedings as the Receiver deems necessary and advisable to preserve or recover the Receivership Assets, or to carry out the Receiver's mandate under this Order, including but not limited to, actions challenging fraudulent or voidable transfers;

K. Demand from any person or entity documents and records pertaining to the Receivership Assets within three (3) days after delivery of the Order by mail, courier, email, or other method by which the recipient receives a copy of this Order, in addition to obtaining discovery pursuant to the Federal Rules of Civil Procedure, including subpoenas seeking documents and/or testimony under Rule 45;

L. Open one or more bank accounts at designated depositories for funds of the receivership estate. The Receiver shall deposit all funds of the receivership estate in such designated accounts and shall make all payments and disbursements from the receivership estate from such accounts. The Receiver shall serve copies of monthly account statements on all parties;

M. Maintain accurate records of all receipts and expenditures incurred as Receiver;

N. Cooperate with reasonable requests for information or assistance from any state or federal civil or criminal law enforcement agency;

O. Suspend business operations of any entity that is a Receivership Asset if in the judgment of the Receiver such operations cannot be continued legally and profitably; and

P. If in the Receiver's judgment the business operations of any Receivership Asset cannot be continued legally and profitably, take all steps necessary to ensure that any of the web pages or websites relating to the activities of the Receivership Asset cannot be accessed by the public, or are modified for consumer education and/or informational purposes, and take all steps necessary to ensure that any telephone numbers associated with the Receivership Asset cannot be accessed by the public, or are answered solely to provide consumer education or information regarding the status of operations.

VII. STAY OF ACTIONS

IT IS FURTHER ORDERED that, except by leave of this Court, during the pendency of the receivership ordered herein, Defendants and Relief Defendants and their officers, agents, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, and their corporations, subsidiaries, divisions, or affiliates, and all investors, creditors, stockholders, lessors, customers and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of Defendants, and all others acting for or on behalf of such persons, are hereby enjoined from taking any action that would interfere with the exclusive jurisdiction of this Court over the Assets within the receivership, including, but not limited to:

A. Filing or assisting in the filing of a petition for relief under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, or of any similar insolvency proceeding on behalf of any Receivership Entity;

B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against any of the Receivership Assets or otherwise seeking an interest in any of the Receivership Assets, including the issuance or employment of process, except that such actions may be commenced if necessary to toll any applicable statute of limitations;

C. Filing or enforcing any lien on any Receivership Asset, taking or attempting to take possession, custody, or control of any Receivership Asset; or attempting to foreclose, forfeit, alter, or terminate any interest in any Receivership Asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise.

Provided, however, that this Order does not stay: (1) the commencement or continuation of a criminal action or proceeding; (2) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (3) the enforcement of a judgment, other than a money judgment, obtained

in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

VIII. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Assets now held by, in the possession or control of, or which may be received by, the receivership estate. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of entry of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court.

IX. RECEIVERSHIP TERMINATION

IT IS FURTHER ORDERED that the Receiver must complete all duties within 270 days after entry of this Order, but any party or the Receiver may request that the Court extend that Receiver's term for good cause.

X. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Settling Defendants and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

A. Failing to provide sufficient customer information to enable the Commission to efficiently administer consumer redress. If a representative of the Commission requests in writing any information related to redress, Settling Defendants must provide it, in the form prescribed by the Commission, within 14 days;

B. Disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that Settling Defendants obtained prior to entry of this Order; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within 30 days after receipt of written direction to do so from a representative of the Commission.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

XI. COOPERATION

IT IS FURTHER ORDERED that Settling Defendants must fully cooperate with representatives of the Commission in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Settling Defendants must provide truthful and complete information, evidence, and testimony. Settling Defendants must appear for interviews, discovery, hearings, trials, and any other proceedings that a Commission representative may reasonably request upon 5 days written notice, or other reasonable notice, at such places and times as a Commission representative may designate, without the service of a subpoena.

XII. ORDER ACKNOWLEDGMENT

IT IS FURTHER ORDERED that Settling Defendants obtain acknowledgments of receipt of this Order:

A. Each Settling Defendant, within seven (7) days of entry of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.

B. For twenty (20) years after entry of this Order, each Settling Defendant must, for itself and any business that such Defendant, individually or collectively with any other Defendants, is the majority owner or controls directly or indirectly, deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for marketing, sales, or operations, and all agents and representatives who participate in marketing or sales; (3) all payment processors as well as all consultants or contractors who perform services in connection with marketing or sales; and (4) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery must occur within seven (7) days of entry of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.

C. From each individual or entity to which each Settling Defendant delivered a copy of this Order, that Defendant must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

XIII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Settling Defendants make timely submissions to the Commission:

A. One year after entry of this Order, each Settling Defendant must submit a compliance report, sworn under penalty of perjury:

1. Each Settling Defendant must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission may use to communicate with Defendant; (b) identify all of that Defendant's businesses, whether owned or controlled, directly or indirectly, by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered,

the means of advertising, marketing, and sales, and the involvement of any other Defendant (which Settling Defendants must describe in detail, including title, position, compensation, and duties); (d) describe in detail whether and how that Defendant is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.

2. Additionally, each Settling Defendant must: (a) identify all telephone numbers and all physical, postal, email and Internet addresses, including all residences; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, whether directly or indirectly; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For twenty (20) years after entry of this Order, each Settling Defendant must submit a compliance notice, sworn under penalty of perjury, within fourteen (14) days of any change in the following:

1. Each Settling Defendant must report any change in: (a) any designated point of contact; or (b) the structure of any entity that Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each Settling Defendant must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Each Settling Defendant must submit to the Commission notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant within 14 days of its filing.

D. Settling Defendants must submit to the Commission notice of the withdrawal of any amount from the 529 Accounts within 14 days of the withdrawal. Upon written notice from a representative of the Commission, Settling Defendants must provide within 7 days all documentation supporting the specified withdrawal as a qualified educational expense.

E. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, signatory's full name, title (if applicable), and signature.

F. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: FTC v. Ecological Fox LLC, 18-cv-3309 (D. Md.), FTC File No. X040009.

XIV. RECORDKEEPING

IT IS FURTHER ORDERED that each Settling Defendant must create certain records for twenty (20) years after entry of the Order, and retain each such record for 5 years. Specifically, for any business that each Settling Defendant, individually or collectively with any other Defendants, is a majority owner or controls directly or indirectly, must create and retain the following records:

- A. accounting records showing the revenues from all goods or services sold;
- B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;
- D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission; and
- E. a copy of each unique advertisement or other marketing material.

XV. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring each Settling Defendant's compliance with this Order, including any failure to transfer any assets as required by this Order or otherwise to collect on the judgment entered in this Order:

- A. Within fourteen (14) days of receipt of a written request from a representative of the Commission each Settling Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce documents for inspection and copying. The Commission is also authorized to

obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the Commission is authorized to communicate directly with each Settling Defendant. Each Settling Defendant must permit representatives of the Commission to interview any employee or other person affiliated with any entity either Settling Defendant owns or controls, directly or indirectly, who has agreed to such an interview. The person interviewed may have counsel present.

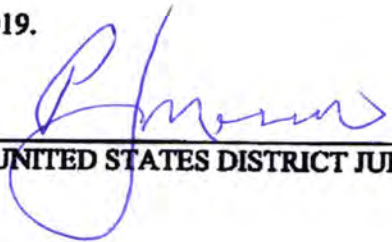
C. The Commission may use all other lawful means, including posing, through its representatives as consumers, suppliers, or other individuals or entities, to communicate with Settling Defendants or any individual or entity affiliated with Settling Defendants, without the necessity of identification or prior notice. Nothing in this Order limits 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.

D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Settling Defendant Brandi Greenfield, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1)

XVI. RETENTION OF JURISDICTION


IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED, this 8 day of JAN, 2019.


UNITED STATES DISTRICT JUDGE

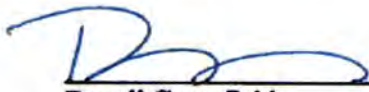
SO STIPULATED AND AGREED:

FOR THE FEDERAL TRADE COMMISSION:


Jonathan Cohen (jcohen2@ftc.gov)
Benjamin Theisman (btheisman@ftc.gov)
Christopher Erickson (cerickson@ftc.gov)
Federal Trade Commission
600 Pennsylvania Ave., N.W., CC-9528
Washington, DC 20580
202-326-2551 (Cohen); -2223 (Theisman);
-3671 (Erickson); -3197 (facsimile)

1/3/2020
Date

FOR DEFENDANTS BRANDI GREENFIELD AND BG MARKETING, LLC:


Brandi Greenfield
*Individually and as an Officer of
BG Marketing, LLC*

Nov. 7, 2019
Date


Michael J. King
Winters & King, Inc.
CityPlex Towers, Suite 5900
2448 East 81st Street
Tulsa, OK 74137

11/11/19
Date

*Counsel for Brandi Greenfield and
BG Marketing, LLC*
Not admitted in Maryland