

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

<b>FEDERAL TRADE COMMISSION,</b>	Plaintiff,	<b>CASE NO. 1:08-CV-1075</b>
v.		
<b>FORECLOSURE SOLUTIONS, LLC,</b> an Ohio limited liability company, and	Defendants.	<b>Judge SOLOMON OLIVER, JR</b>
<b>TIMOTHY A. BUCKLEY,</b> individually and as an principal of the company,		<b>Magistrate Judge David S. Perelman</b>

**STIPULATED FINAL JUDGMENT INCLUDING AN INJUNCTION,  
CONSUMER REDRESS, AND OTHER EQUITABLE RELIEF**

Plaintiff, Federal Trade Commission (FTC or Commission), began this lawsuit by filing a Complaint seeking an injunction, consumer redress, and other equitable relief. The Complaint alleged that Foreclosure Solutions, LLC, and Timothy A. Buckley violated Section 5(a) of the Federal Trade Commission Act, 15 U.S.C. § 5(a) by deceptively marketing their mortgage foreclosure rescue services. The parties have agreed to settle this matter upon the terms and conditions contained in this STIPULATED FINAL JUDGMENT INCLUDING AN INJUNCTION, CONSUMER REDRESS, AND OTHER EQUITABLE RELIEF (Stipulated Final Judgment), without adjudication of any issue of law or fact except as stated below and without Defendants admitting liability or wrongdoing for the conduct alleged in the Complaint. Therefore, it is ORDERED, ADJUDGED, AND DECREED as follows:

## FINDINGS

1. This Court has jurisdiction over the subject matter of this case and personal jurisdiction over Defendants. Venue in the Northern District of Ohio is proper.
2. Defendants' activities, as alleged in the Complaint, are in or affecting commerce, as commerce is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.
3. The Complaint states a claim upon which relief may be granted against Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, pursuant to Sections 5(a) and 13(b) of the FTC Act, 15 U.S.C. §§ 45(a) and 53(b).
4. Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, waive all rights to seek judicial review or to otherwise challenge or contest the validity of this Stipulated Final Judgment.
5. Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, waive any rights or claims they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, and any claims they may have against the Commission, or its employees, representatives, or agents.
6. Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, enter into this Stipulated Final Judgment freely and without coercion and acknowledge that they have read, understand, and are prepared to abide by the provisions of this Stipulated Final Judgment.
7. This action and the relief awarded in this Stipulated Final Judgment are in addition to, and not in lieu of, other remedies that may be provided by law, whether civil or criminal.
8. This action is the "commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power," as set forth in 11 U.S.C. § 362(b)(4). Any bankruptcy petition, voluntary or involuntary, does not automatically stay this action.

9. Any bankruptcy petition, voluntary or involuntary, does not divest this Court of jurisdiction to enter this Stipulated Final Judgment.

10. Entry of this Stipulated Final Judgment is in the public interest.

### DEFINITIONS

The following definitions shall apply to this Stipulated Final Judgment:

A. “Assisting Others” means knowingly providing any of the following goods or services to another business venture: (A) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints; (B) formulating or providing, or arranging for the formulation or provision of, any marketing material; (C) providing names of, or assisting in the generation of, potential customers; (D) hiring, recruiting, or training personnel; (E) advising or acting as a consultant to others on the commencement or management of a business venture; or (F) performing marketing services of any kind.

B. “Individual Defendant” means Timothy A. Buckley.

C. “Corporate Defendant” means Foreclosure Solutions, LLC, dba Foreclosure Help One, and dba Program 10, and its successors and assigns.

D. “Defendants” means the Individual Defendant and the Corporate Defendant, individually, collectively, or in any combination.

E. “Document” means writings, drawings, graphs, charts, photographs, sound recordings, images, and any other data or data compilations stored in any medium from which information can be obtained and translated, if necessary, into reasonably usable form and is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy of a document is a separate document within the meaning of the term.

F. “Mortgage foreclosure rescue service” means any service, product, or program in which the offeror, expressly or by implication, claims that it can assist a homeowner in any manner to (A) stop, prevent, or postpone any home mortgage foreclosure sale; (B) obtain any forbearance from any beneficiary or mortgagee; (C) exercise any statutory right of reinstatement; (D) obtain any extension of the period within which the owner may reinstate his or her obligation; (E) obtain any waiver of an acceleration clause contained in any promissory note or contract secured by a deed of trust or mortgage on a residence in foreclosure or contained in that deed of trust or mortgage; (F) obtain a loan or advance of funds; (G) avoid or repair any credit impairment resulting from mortgage default or foreclosure sale; (H) save the owner’s residence from foreclosure; or (I) assist the owner in obtaining any remaining proceeds from the foreclosure sale of the owner’s residence. The foregoing shall include any manner of claimed assistance, including, but not limited to, debt, budget, or financial counseling; receiving money for the purpose of distributing it to creditors; contacting creditors on behalf of the homeowner; arranging or attempting to arrange for an extension of the period within which the owner of property sold at foreclosure may cure his or her default; arranging or attempting to arrange for any delay or postponement of the time of a foreclosure sale; and giving advice of any kind with respect to filing for bankruptcy.

G. The term “and” also means “or,” and the term “or” also means “and.”

## ORDER

### I. PROHIBITED BUSINESS ACTIVITIES

**IT IS ORDERED** that Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, and their successors, assigns, agents, employees, officers, servants, and all other persons or entities in active concert or participation with them, who receive actual notice of this Stipulated

Final Judgment by personal service or otherwise (including, but not limited to, facsimile or electronic mail), whether acting directly or through any corporation, subsidiary, division, or other device, are hereby permanently restrained and enjoined from the following:

A. Falsely representing, or Assisting Others to falsely represent, expressly or by implication, any material fact in connection with the advertising, marketing, promoting, offering for sale, or sale of any mortgage foreclosure rescue service, including but not limited to misrepresenting:

1. that any home mortgage foreclosure can or will be stopped, postponed, or prevented;
2. an ability to help all consumers, regardless of their individual circumstances or situations;
3. the likelihood that home mortgage foreclosure can or will be stopped, postponed, or prevented;
4. the degree of past success of any efforts to stop, postpone, or prevent home mortgage foreclosures;
5. the number of satisfied customers or customer complaints;
6. the terms of any refund or guarantee;
7. the likelihood that a consumer will receive a full or partial refund if a home mortgage foreclosure is not stopped, postponed, or prevented;
8. any other fact material to a consumer's decision to purchase any mortgage foreclosure rescue service.

B. Falsely representing, or Assisting Others to falsely represent, expressly or by implication, any material fact in connection with the advertising, marketing, promoting, offering for sale, or sale of any other good or service.

## II. PROHIBITIONS AGAINST DISTRIBUTION OF CUSTOMER INFORMATION

**IT IS FURTHER ORDERED** that Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, and their successors, assigns, agents, employees, officers, servants, and all other persons or entities in active concert or participation with them, who receive actual notice of this Stipulated Final Judgment by personal service or otherwise, whether acting directly or through any corporation, subsidiary, division, or other device, are permanently restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing, and from benefitting from or using, the name, address, telephone number, email address, credit card number, Social Security Number, bank account number, or other identifying information of any person who provided any such information to Defendants at any time in connection with the advertising, marketing, promoting, offering for sale, or sale of mortgage foreclosure rescue services; *provided, however*, that Defendants may disclose such identifying information to any law enforcement or regulatory agency, or as required by any law, regulation, or court order.

## III. DISPOSAL OF SENSITIVE CUSTOMER INFORMATION

**IT IS FURTHER ORDERED** that Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, and their successors, assigns, agents, employees, officers, servants, and all other persons or entities in active concert or participation with them who receive actual notice of this Stipulated Final Judgment by personal service or otherwise, whether acting directly or through any corporation, subsidiary, division, or other device, are permanently restrained and enjoined from failing to take reasonable measures to protect against unauthorized access to or use of sensitive consumer information when disposing of information obtained in connection with the

advertising, marketing, promotion, offering for sale, or sale of mortgage foreclosure rescue services. Reasonable measures include, but are not limited to, the following:

1. Burning, pulverizing, or shredding papers containing sensitive consumer information so that the information cannot practicably be read or reconstructed; and
2. Destroying or erasing electronic media containing sensitive consumer information so that the information cannot practicably be read or reconstructed.

For purposes of this Section, “sensitive consumer information” means (a) an individual’s Social Security Number, financial account number, or any other information that enables Defendants or others to access that individual’s account (such as a credit card, debit card, checking, saving, money market, stock commodities, share or similar account, utility bill, or mortgage loan account), or (b) an individual’s name, address, or telephone number in combination with the individual’s date of birth, driver’s license number, other state identification number, foreign country equivalent to a driver’s license or state identification number, or passport number.

#### IV. MONETARY JUDGMENT AND CONSUMER REDRESS

**IT IS FURTHER ORDERED** that:

A. Judgment is hereby entered in favor of the FTC and against Defendants, Foreclosure Solutions, LLC, and Timothy A. Buckley, jointly and severally, in the amount of Eight Million Five Hundred Thousand Dollars (\$8,500,000) (the “Total Judgment”) for the payment of equitable monetary relief – including, but not limited to, consumer redress or disgorgement, and for paying any attendant expenses of administration of any redress fund.

B. Except as provided in Section V, below, the Total Judgment shall be suspended upon completion of all of the following terms and conditions:

1. The proceeds from the sale of the properties listed below that would otherwise be paid to any Defendant, including proceeds from a sale caused by or related to a foreclosure, are paid to the FTC within ten (10) days of the sale. Any sheriff, title company, or other person involved in such a sale may rely on this Stipulated Final Judgment as authority to deliver a Defendant's share of the proceeds directly to the FTC.

a. 6638 Orleans Court, Hamilton County, Ohio, Auditor Parcel Number 247-0007-0291-00

b. 8406 Jackies Drive, Hamilton County, Ohio, Auditor Parcel Number 510-0061-0046-00

c. 818 Danny Drive, Clermont County, Ohio, Auditor Parcel Number 414135A114

*Provided, however,* that this provision shall not apply to any property sold or otherwise disposed of pursuant to order of this Court before entry of this Stipulated Final Judgment.

2. Defendant Buckley, within ten (10) days of entry of this Stipulated Final Judgment, transfers to the law firm Ulmer and Berne, PC, all of his right, title, and interest in the property at 838 Crowden Drive, Hamilton County, Ohio, Auditor Parcel Number 590-0213-0186-00, and forever waives, releases, discharges, and disclaims all right, title and interest in the Crowden Drive property and the proceeds from any sale of it.

3. Defendants within ten (10) days of entry of this Stipulated Final Judgment,

a. deliver to US Bank a signed copy of this Stipulated Final Judgment; US Bank shall, within five (5) business days of receipt of this Stipulated Final Judgment, transfer to the FTC all funds in the account in the name of Foreclosure Solutions ending in 5661; and,



b. deliver to Fifth Third Bank a signed copy of this Stipulated Final Judgment; Fifth Third Bank shall, within five (5) business days of receipt of this Stipulated Final Judgment, transfer to the FTC all funds in the account in the name of Timothy A. Buckley ending in 6128.

4. Defendant Buckley, within ten (10) days of entry of this Stipulated Final Judgment, assigns to the FTC all of his right, title, and interest in any and all payments, restitution or otherwise, due him from Robert Buchanan pursuant to file number AP-99118 at the Hamilton County, Ohio, Adult Probation Department; Buckley shall cooperate fully in this assignment and shall promptly execute all documents and take all actions necessary or appropriate to effect this assignment; any restitution payments received by Defendant Buckley after entry of this Stipulated Final Judgment shall be delivered to the FTC within ten (10) days of the date Defendant Buckley receives them.

5. Within one hundred eighty (180) days of entry of this Stipulated Final Judgment, Defendant Buckley sells the property at 8141 Bridlemaker Lane, Hamilton County, Ohio, Auditor Parcel Number 600-0012-0043-00, upon terms and conditions acceptable to the FTC. Defendant Buckley shall promptly comply with all reasonable requests from the FTC related to that sale, including, but not limited to, signing listing contracts with real estate agents, keeping the property in good repair, keeping the property in a condition suitable for showing to prospective purchasers, signing contracts for the sale of the property, and signing all documents necessary or appropriate for the transfer of the property to a new buyer. Upon the sale of the property, all proceeds that would otherwise go to Defendant Buckley shall be paid to the FTC. Any sheriff, title company, or other person involved in such a sale may rely on this Stipulated Final Judgment as authority to deliver Buckley's share of the proceeds to the FTC. If the Bridlemaker Lane property has

not sold within one hundred eighty (180) days of the entry of this Stipulated Final Judgment, Defendant Buckley shall comply promptly with the instructions from the FTC's Associate Director for Enforcement concerning disposition of the property, which may include transferring the property to one or more mortgagors or lienholders or allowing the FTC to place a judgment lien on the property. *Provided, however*, that this provision shall not apply if the Bridlemaker Lane property is sold or otherwise disposed of pursuant to order of this Court before entry of this Stipulated Final Judgment.

6. Defendant Buckley or the transferee shall be responsible for any federal, state or local taxes or fees on the sale or transfer of property required by this Section IV.

C. Properties or other assets transferred to the Commission pursuant to Sections IV and V of this Stipulated Final Judgment shall be deposited into a fund administered by the Commission or its designated representative to be used for equitable relief, including, but not limited to, consumer redress and any attendant expenses for the administration of any redress fund. Defendants will cooperate fully to assist the Commission in identifying consumers who may be entitled to redress pursuant to this Stipulated Final Judgment. In the event that direct redress to consumers is wholly or partially impracticable or funds remain after redress is completed, the Commission may apply funds for any other equitable relief (including consumer information remedies) that it determines to be reasonably related to Defendants' practices alleged in the complaint. Any funds not used for this equitable relief shall be deposited into the U.S. Treasury as disgorgement. Defendants shall have no right to challenge the Commission's choice of remedies under this Section.

D. Defendants relinquish all dominion, control, and title to the properties and other assets transferred to the fullest extent permitted by law. Defendants shall make no claim to, or demand return of, the properties or assets, directly or indirectly, through counsel or otherwise.

E. Defendants stipulate and 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 Stipulated Final Judgment, 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 Stipulated Final Judgment 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).

F. Defendants stipulate and agree that the judgment entered pursuant to this Section is equitable monetary relief, solely remedial in nature, and is not a fine, penalty, punitive assessment, or forfeiture.

G. Defendants are hereby required, in accordance with 31 U.S.C. § 7701, to furnish their taxpayer identifying numbers (Social Security Number or Employer Identification Number) to the Commission, which numbers shall be used for purposes of collecting and reporting on any delinquent amount arising out of Defendants' relationship with the government.

## V. RIGHT TO REOPEN MONETARY JUDGMENT

**IT IS FURTHER ORDERED** that:

A. By agreeing to this Stipulated Final Judgment, Defendants reaffirm and attest to the truthfulness, accuracy, and completeness of Defendants' written Financial Statements submitted by Defendants to the Commission on December 8, 2008, as supplemented on 5/22/2009. This Court's Stipulated Final Judgment, and the Plaintiff's agreement to enter into this Stipulated Final Judgment, is expressly premised upon the truthfulness, accuracy, and completeness of Defendants' financial conditions, as represented in the Financial Statements

referenced above, which contain material information upon which the Commission relied in negotiating and agreeing to the terms of this Stipulated Final Judgment.

B. If, upon motion by Plaintiff, this Court should find that one or more Defendants failed to disclose any material asset, or materially misrepresented the value of any asset, or made any other material misrepresentation in, or omission from, the Financial Statements, the Court shall reinstate the Total Judgment against such Defendant and in favor of the Commission, less any payments made to, and the value of properties or other assets transferred to, the Commission, plus interest from the entry date of this Stipulated Final Judgment, pursuant to 28 U.S.C. § 1961. Defendants and the Commission stipulate that the Total Judgment is the estimated minimum consumer injury caused, jointly and severally, by Defendants. If the Total Judgment is reinstated, all other provisions of this Stipulated Final Judgment shall remain in full force and effect unless otherwise ordered by the Court.

## VI. COMPLIANCE MONITORING

**IT IS FURTHER ORDERED** that, for the purpose of (i) monitoring and investigating compliance with any provision of this Stipulated Final Judgment and (ii) investigating the accuracy of Defendants' financial statements, upon which the Commission's agreement to this Stipulated Final Judgment 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 provide entry during normal business hours to any business location in each 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 Federal Rules of Civil Procedure 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 Stipulated Final Judgment. The person interviewed may have counsel present.

*Provided however*, that nothing in this Stipulated Final Judgment 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 and 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)).

## VII. COMPLIANCE REPORTING

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

A. For a period of seven (7) years from the date of entry of this Stipulated Final Judgment,

1. Timothy A. Buckley, the 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 such 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 such change. Such 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;
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 Stipulated Final Judgment, including but not limited to: incorporation or other organization; a dissolution, assignment, sale, merger, or other action; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Stipulated Final Judgment; 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 Stipulated Final Judgment and annually thereafter for a period of seven (7) years, Defendants each shall provide a written report to the FTC, 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 Stipulated Final Judgment. This report shall include, but not be limited to:

1. For Timothy A. Buckley, the 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 changes required to be reported under Subsection A of this Section.
2. For all Defendants:
  - a. A copy of each acknowledgment of receipt of this Stipulated Final Judgment, obtained pursuant to Section X; and
  - b. Any other changes required to be reported under Subsection A of this Section.

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 Stipulated Final Judgment, Defendants shall, unless otherwise directed by the Commission's authorized representatives, send by overnight courier all reports and notifications required by this Stipulated Final Judgment 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. Foreclosure Solutions, LLC

*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 Stipulated Final Judgment, the Commission is authorized to communicate directly with each Defendant.

### VIII. RECORD KEEPING PROVISIONS

**IT IS FURTHER ORDERED** that, for a period of ten (10) years from the date of entry of this Stipulated Final Judgment, Defendants, and those businesses where any Defendant is the majority owner or otherwise 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 Stipulated Final Judgment by personal service or otherwise, in connection with the advertising, marketing, promoting, offering for sale, or sale of mortgage foreclosure rescue services, are hereby restrained and enjoined from failing to create and/or 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, phone numbers, 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, or other marketing materials, including websites and weblogs; and
- F. All records and documents necessary to demonstrate full compliance with each provision of this Stipulated Final Judgment, including, but not limited to, copies of acknowledgments of receipt of this Stipulated Final Judgment required by Sections IX and X and all reports submitted to the FTC pursuant to Section VII.

**IX. DISTRIBUTION OF ORDER BY DEFENDANTS**

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

- A. Corporate Defendant: Each Corporate Defendant must deliver a copy of this Stipulated Final Judgment 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 the Stipulated Final Judgment; and (3) any business entity resulting from any change in structure set forth in Section VII. For current personnel, delivery shall be within five (5) days of service of this Stipulated Final Judgment 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 Section VII, delivery shall be at least ten (10) days prior to the change in structure.

B. Individual Defendant as Control Person: For any business that Individual Defendant controls, directly or indirectly, or in which such Defendant has a majority ownership interest, such Defendant must deliver a copy of this Stipulated Final Judgment 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 the Stipulated Final Judgment; and (3) any business entity resulting from any change in structure set forth above in Section VII.A.2 (titled Compliance Reporting). For current personnel, delivery shall be within five (5) days of service of this Stipulated Final Judgment 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 above in Section VII.A.2 (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 Individual Defendant is not a controlling person of a business but otherwise engages in conduct related to the subject matter of this Stipulated Final Judgment, such Defendant must deliver a copy of this Stipulated Final Judgment 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 the Stipulated Final Judgment, within thirty (30) days of delivery, from all persons receiving a copy of the Stipulated Final Judgment pursuant to this Section.

**X. ACKNOWLEDGMENT OF RECEIPT OF ORDER BY DEFENDANT**

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

**XI. 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 Stipulated Final Judgment.

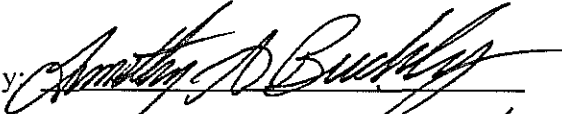
**SO ORDERED** and approved this 9th day of July, 2009.

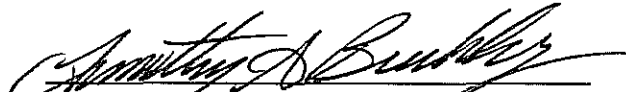
/s/ SOLOMON OLIVER, JR.  
SOLOMON OLIVER, JR  
United States District Judge

**STIPULATED AND AGREED TO:**

**DEFENDANTS**

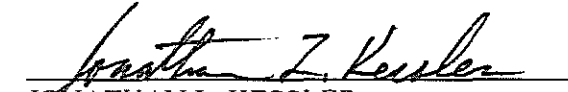
Foreclosure Solutions, LLC,  
dba Foreclosure Help One, and  
dba Program 10

By:   
Print Name: Timothy A. Buckley  
Title: PRESIDENT  
Date: MAY 25, 2009

  
Timothy A. Buckley, individually and as an  
principal of Foreclosure Solutions, LLC  
Date: 5/25/09

**PLAINTIFF**

Willard K. Tom  
Federal Trade Commission  
General Counsel

  
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Date: 7/8/09