

IN THE IOWA DISTRICT COURT
IN AND FOR POLK COUNTY

STATE OF IOWA ex rel.
THOMAS J. MILLER,
ATTORNEY GENERAL OF IOWA,

Plaintiff,

v.

RICHARD DENNIS MOORE;
MICHAEL S. CARUANA;
PEPPERCORN MARKETING INC., a
Florida corporation, dba as Wealthperx
and formerly dba Lotto Magic, and
controlled by Defendant Moore;

and

REVOLUTIONARY MONEY MAKING
CONCEPTS INC., a California corporation,
controlled by Defendant Caruana;

Defendants.

EQUITY No.: EQCEo81749

CONSENT JUDGMENT

The Court, having been presented by Assistant Attorney General Steve St. Clair with this Consent Judgment, finds and orders as follows:

1. This Consent Judgment, which has been approved by each of the above-named defendants, is intended to resolve this litigation pursuant to Iowa Code § 714.16, the Iowa Consumer Fraud Act (CFA); Iowa Code § 714.16A, the Older Iowans Act (OIA); and Iowa Code Ch. 552A, the Buying Club Memberships Law (BCL).
2. Defendant Richard Dennis Moore is a 69-year-old resident of Crestview, Florida.
3. Defendant Michael S. Caruana is a 48-year-old resident of Santa Monica, California.
4. The Court has jurisdiction of the parties and subject matter.
5. The Court finds that this Consent Judgment should be and is hereby ENTERED.

IT IS THEREFORE ORDERED, pursuant to Iowa R. Civ. P. 1.1501 *et seq.*, the CFA and the OIA, that Defendants, and each of them, and (as applicable) their directors, officers, principals, partners, employees, agents, servants, representatives, subsidiaries, affiliates, successors, assigns, parent or controlling entities, and all other persons, corporations and other entities acting in concert or participating with any one or more Defendants who have actual or constructive notice of the Court's injunction, are permanently restrained and enjoined from violating the CFA and/or the BCL, and, without limiting the foregoing, from directly or indirectly selling or marketing memberships or other merchandise within the meaning of Iowa Code § 714.16(1)(i) to residents of Iowa, or to engage in such selling or marketing from a location in Iowa to persons who reside elsewhere

IT IS FURTHER ORDERED that Defendants shall pay \$54,368.90 to the Attorney General, to be applied by the Attorney General's office in its discretion to making full or partial refunds to Iowa consumers of amounts they paid to one or more Defendants in connection with such Iowans' participation in Wealthperx or its forerunner Lotto Magic. To the extent that consumers eligible for payments cannot be located through reasonable efforts, the money that is not paid to consumers shall be retained by the Attorney General pursuant to Iowa Code § 714.16(7), and shall be deposited into the fund created by Iowa Code § 714.16A.

IT IS FURTHER ORDERED that Defendants are jointly and severally responsible for promptly providing a full refund of any previously unrefunded payments received from an Iowa participant in Wealthperx or Lotto Magic who requests a refund.

IT IS FURTHER ORDERED that Defendants shall comply with reasonable requests from the Attorney General for information relating to compliance with this Consent Judgment.

IT IS FURTHER ORDERED that this Consent Judgment constitutes a complete settlement and release by the State of Iowa of all claims for violation of the CFA, OIA, and/or

the BCL that relate to participation in Wealthperx and/or Lotto Magic and that arose before entry of this Consent Judgment.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Consent Judgment.

IT IS FURTHER ORDERED that the Defendants pay court costs, if any.

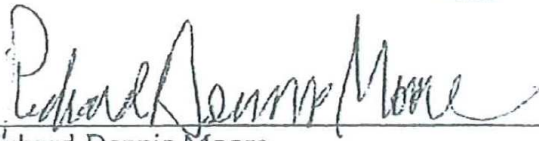
So Ordered.

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APPROVAL SIGNATURES OF PARTIES APPEAR ON NEXT PAGE
OR SUBSEQUENT PAGES AS COUNTERPARTS]

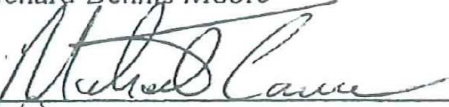
Approved:

DEFENDANTS:


Date: 6/19/17


Richard Dennis Moore

Date: 6/19/17


Michael S. Caruana

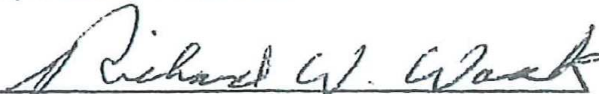
Date: 6/19/17


Peppercorn Marketing Inc.,
By Richard Dennis Moore


Date: 6/19/17


Revolutionary Money Making Concepts Inc.
by Michael S. Caruana

Date: 6/19/17


Richard W. Waak
Attorney for Richard Dennis Moore and
Peppercorn Marketing Inc.

Date: 6/19/17


Nicolas Spigner
Attorney for Michael S. Caruana and
Revolutionary Money Making Concepts Inc.

PLAINTIFF:

Date: 7-10-17


Steve St. Clair
Assistant Iowa Attorney General



State of Iowa Courts

Type: OTHER DECREE

Case Number **Case Title**
EQCE081749 STATE OF IOWA EX REL MILLER VS RICHARD DENNIS
MOORE ET AL

So Ordered

A handwritten signature in black ink, appearing to read 'David Porter', written over a horizontal line.

David Porter, District Court Judge,
Fifth Judicial District of Iowa