IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA ex rel. THOMAS J. MILLER, ATTORNEY GENERAL OF IOWA Plaintiff,)))) Equity No. EQCE 078444)
V.)
FAIRCOM NEW YORK, INC., a New York corporation; and)) CONSENT JUDGMENT
AUDREY CORVINO;)
Defendants.))

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 all of the above-named defendants, is intended to resolve this litigation pursuant to Iowa Code § 714.16, the Iowa Consumer Fraud Act (CFA), and Iowa Code § 714.16A, the Older Iowans Act (OIA)
 - 2. The Court has jurisdiction of the parties and subject matter.
- 3. Defendants deny that they, or (as applicable) their or its agents, owners, officers, directors, or employees are legally responsible for any conduct in violation of the CFA or OIA, and this Consent Judgment is not an admission of liability by those individuals or entities.
 - 4. The Court finds that this Consent Judgment should be 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, including without limitation Corinne Servily, (hereinafter "Defendants et al."), and all other persons, corporations and other entities acting in concert or participating with either or both Defendants who have actual or constructive notice of the Court's injunction, are permanently restrained and enjoined from violating the CFA, and, without limiting the foregoing, from directly or indirectly: (A) participating in solicitations directed to residents of Iowa (or directed to non-Iowans from an Iowa location) that relate to psychics, clairvoyants, spiritualists, mediums, or comparable entities; (B) participating in deceptive, misleading, or unfair mail solicitations directed to residents of Iowa (or directed to non-Iowans from an Iowa location) that involve the sale of merchandise (as defined in CFA subsection (1)(i)); and/or (C) selling, renting, sharing, transferring, making available for use by others, or making any use whatsoever of the names and/or other identifying information of persons with Iowa addresses who previously responded to solicitations that would hereafter be prohibited by (A) and/or (B) above.

IT IS FURTHER ORDERED that Defendants pay an aggregate total of \$200,000.00 to the Attorney General, to be applied by the Attorney General's office in its discretion to making full or partial payments to Iowa consumers of previously unrefunded amounts they paid in response to past solicitations that hereafter would be prohibited by (A) and/or (B) above. 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 to be used by the

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Attorney General for the administration and implementation of the CFA, 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 cooperate with reasonable requests from

the Office of the Iowa Attorney General for information relating to the solicitation practices that

gave rise to this Consent Judgment, and/or relating to Defendants' compliance with this Consent

Judgment.

IT IS FURTHER ORDERED that the Attorney General's execution of this Consent

Judgment and its subsequent entry by the Court constitutes a release of Defendants et al. from

any and all liability for conduct that (i) occurred prior to entry of this Consent Judgment;

and (ii) would violate injunctive provisions (A) and/or (B) above if such conduct had

occurred after entry of the Consent Judgment.

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

Judgment.

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

SO ORDERED.

Approved:

DEFENDANTS:

Date: June 9, 2015

Corinne Servily

Faircom New York, Inc., by Corinne Servily

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Date: <u>6/6/2015</u>	Audrey Corvino	
	Audrey Corvino	
Date:	Mark E. Weinhardt	
	Mark E. Weinhardt	
	Attorney for Defendants	
DI A DITIEF		
PLAINTIFF:		
Date:6/18/15	Steve St. Clair	
	Steve St. Clair	
	Assistant Attorney General	



State of Iowa Courts

Type:

OTHER DECREE

Case Number

Case Title

EQCE078444

STATE OF IOWA EX REL. MILLER VS FAIRCOM NEW YORK

So Ordered

Mary Pat Gunderson, District Court Judge, Fifth Judicial District of Iowa

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