

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

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

Plaintiff,

v.

**DIRECT RESPONSE ADVERTISING,
INC.,**

a New York corporation;

DAVID VOGEL,

in his individual capacity and his corporate
capacity as manager/owner/officer of the
corporate defendant;

MICHAEL GEISINGER,

in his individual capacity and his corporate
capacity as manager/owner/officer of the
corporate defendant;

and

LEE MOORHEAD,

in his or her individual capacity and his or her
corporate capacity as a representative of the
corporate defendant;

Defendants.

Equity No. EQCE 078931

**ORDER GRANTING
TEMPORARY INJUNCTION**

The Court, having been presented with the Plaintiff's Petition and the application for a temporary injunction contained therein on an *ex parte* basis by Assistant Attorney General Steve St. Clair, and having considered that application, including counsel's certified reasons supporting Plaintiff's claim that a temporary injunction should issue without requiring advance notice (*see* Iowa R. Civ. P. 1.1507), determines that the application should be granted. In doing so, the Court calls the attention of Defendants to Iowa R. Civ. P. 1.1509, which provides that a defendant may

move this Court at any time for an order dissolving, vacating or modifying this injunction, in which case a hearing is to be held within ten days of when the motion is filed.

IT IS THEREFORE ORDERED pursuant to Iowa R. Civ. P. 1.1501 *et seq.* and the Iowa Consumer Fraud Act, Iowa Code § 714.16, that Defendants, and each of them, and all other persons, corporations and other entities acting in concert or participating with one or more Defendants who have actual or constructive notice of the Court's injunction ("Defendants *et al.*") are restrained and enjoined, until further order of this Court, from engaging in any course of advertising, solicitation, or sale directed to Iowa residents, involving the purported provision of goods or services by supposed psychics or others alleged to have comparable abilities, (1) that violates the Iowa Consumer Fraud Act; and/or, without limiting the foregoing, (2) that has the tendency or capacity to mislead a substantial number of Iowa consumers regarding: (a) the extent to which a communication is something other than a mass mailing; (b) the extent to which the purported source of the communication has information regarding, or has taken or will take particular actions to benefit, a recipient of the communication; (c) the purpose of the communication; and/or (d) what the recipient can reasonably expect to happen as a result of making a payment in response to the communication.

IT IS FURTHER ORDERED pursuant to Iowa R. Civ. P. 1.1501 *et seq.* and the Iowa Consumer Fraud Act, Iowa Code § 714.16, that Defendants *et al.* are restrained and enjoined, until further order of this Court, from making any direct or indirect commercial use of the names, addresses or other personal information of Iowans who have responded to a communication that had a tendency or capacity to mislead as specified in the immediately preceding paragraph.

Counsel for Plaintiff is directed to make every reasonable effort to obtain service of this injunction upon Defendants as soon as circumstances permit.

SO ORDERED.



State of Iowa Courts

Type: OTHER ORDER

Case Number **Case Title**
EQCE078931 STATE OF IOWA EX REL. MILLER V. DIRECT RESPONSE ET

So Ordered

A handwritten signature in black ink that reads "Karen A. Romano". The signature is written in a cursive, flowing style.

Karen A. Romano, District Court Judge,
Fifth Judicial District of Iowa