

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

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**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  
corporate defendant Direct Response;

**MICHAEL GEISINGER,**  
in his individual capacity and his corporate  
capacity as manager/owner/officer of  
corporate defendant Direct Response;

**LEE MOORHEAD,**  
in her individual capacity and her corporate  
capacity as a representative of corporate  
defendant Direct Response;

**GEORGE JOSEPH KRESGE,**  
aka The Amazing Kreskin and T.A. Kreskin,  
in his individual capacity and his corporate  
capacity as a representative of corporate  
defendant Kreskin, Inc. and/or Direct  
Response; and

**KRESKIN INC.,**  
a New Jersey corporation;

Defendants.

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**EQUITY No. EQCE 078931**

**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 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). For purposes of entry of this Consent Judgment, all of the above-captioned Defendants waive objections relating to requirements pertaining to the addition of parties defendant or other pre-judgment amendments to the Petition, and to any other requirement that might impede entry and validity of this Consent Judgment, and also agree that any and all service or notice requirements relating to this Consent Judgment may be fully met through such electronic distribution as currently occurs through operation of the EDMS system.

2. The Court has jurisdiction of the parties and subject matter.

3. Defendants deny that they are legally responsible for any conduct in violation of the CFA or OIA, and this Consent Judgment is not an admission of liability.

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, representatives, subsidiaries, successors, assigns, parent or controlling entities (hereinafter “Defendants *et al.*”), 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, are permanently restrained and enjoined from violating the CFA, and, without limiting the foregoing, from directly or indirectly: (A)

participating in deceptive, misleading, or unfair mail solicitations directed to residents of Iowa (or directed to non-Iowans from an Iowa location) that relate to psychics, clairvoyants, spiritualists, mediums, astrologers, mentalists, or comparable entities; and/or (B) 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 whom the Defendant(s) have reason to believe previously responded to solicitations that would hereafter be prohibited by (A) above.

**IT IS FURTHER ORDERED** that Defendants pay the total sum of \$63,368.21 to the Attorney General. Of that total payment, \$13,368.21 is 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 in which one or more Defendants participated which hereafter would be prohibited by (A) above, with the proviso that, to the extent consumers eligible for payments cannot be timely located through reasonable efforts, the money that is not paid to consumers shall be retained by the Attorney General to be used by the 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; and the remaining \$50,000.00 of which is to be deposited in the above-referenced fund to be used for the above-referenced purposes.

**IT IS FURTHER ORDERED** that Defendants cooperate fully and unreservedly with reasonable requests from the Office of the Iowa Attorney General for information or materials regarding the practices to which the Petition in this cause directly or indirectly relates.

**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: 5/23/16

/s/ David Vogel  
Direct Response Advertising, Inc.,  
By [printed] David Vogel as officer

Date: 5/23/16

/s/ David Vogel  
David Vogel

Date: 5/23/16

/s/ Michael Geisinger  
Michael Geisinger

Date: 5/24/2016

/s/ Lee Moorhead  
Lee Moorhead

Date: 5/26/2016

/s/ George Joseph Kresge  
George Joseph Kresge

Date: 5/26/2016

/s/ Kreskin Inc.  
Kreskin, Inc.,  
by [printed] George Joseph Kresge

Date: 5/31/2016

/s/ Guy R. Cook  
Guy R. Cook  
Grefe & Sidney  
Attorney for Defendants

PLAINTIFF:

Date: 6/2/16

/s/ Steve St. Clair  
Steve St. Clair  
Assistant Attorney General

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State of Iowa Courts

**Type:** ORDER FOR CONSENT DECREE

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

So Ordered

A handwritten signature in black ink, appearing to read "Michael D. Huppert". The signature is written in a cursive style and is positioned above a horizontal line.

Michael D. Huppert, District Court Judge,  
Fifth Judicial District of Iowa