

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

Federal Trade Commission, and

**State of Ohio ex rel. Attorney General
Dave Yost,**

Plaintiffs,

v.

Educare Centre Services, Inc., a New
Jersey corporation, also dba Credit Card
Services, Card Services, Credit Card
Financial Services, Care Net, Tripletel
Inc., Revit Educ Srvc, L.L. Vision, Care
Value Services, and Card Value Services,

Tripletel, Inc., a Delaware
corporation,

Prolink Vision, S.R.L., a
Dominican Republic limited
liability company,

9896988 Canada Inc., a
Canadian company,

Globex Telecom, Inc., a Nevada
corporation,

9506276 Canada, Inc., dba
Globex Telecom, Inc., a
Canadian company,

Sam Madi, individually and as
an owner, officer, member, and/or
manager of Educare Centre
Services, Inc.,

**Mohammad Souheil a/k/a
Mohammed Souheil and Mike
Souheil**, individually and as an
owner, officer, member, and/or
manager of Educare Centre
Services, Inc., 9896988 Canada,
Inc., Globex Telecom, Inc.,

EP-19-CV-196-KC

**[PROPOSED]
STIPULATED ORDER FOR
PERMANENT INJUNCTION AS TO
DEFENDANTS MOHAMMAD
SOUHEIL, PROLINK VISION,
S.R.L., 9896988 CANADA, INC.,
GLOBEX TELECOM, INC., AND
9506276 CANADA, INC.**

1 9506276 Canada, Inc., and
2 Prolink Vision, S.R.L.,

3 **Wissam Abedel Jalil a/k/a Sam**
4 **Jalil**, individually and as an
5 owner, officer, member, and/or
6 manager of Tripletel, Inc., and
7 Prolink Vision, S.R.L.,

8 **Charles Kharouf**, individually
9 and as an owner, officer, member,
10 and/or manager of Educare
11 Centre Services, Inc., and
12 Prolink Vision, S.R.L.,

13 Defendants.

14 Plaintiffs, the Federal Trade Commission (“FTC” or “Commission”) and the State
15 of Ohio (collectively, “Plaintiffs”) filed their First Amended Complaint for Permanent
16 Injunction and Other Equitable Relief (ECF No. 81) pursuant to Section 13(b) of the FTC
17 Act, 15 U.S.C. § 53(b), the Telemarketing and Consumer Fraud and Abuse Prevention
18 Act (“Telemarketing Act”), 15 U.S.C. §§ 6101-6108, the Ohio Consumer Sales Practices
19 Act (“CSPA”), O.R.C. 1345.07, and the Ohio Telephone Solicitation Sales Act
20 (“TSSA”), O.R.C. 4719.01 *et seq.* Plaintiffs and Defendants Mohammad Souheil,
21 Prolink Vision, S.R.L., 9896988 Canada, Inc., Globex Telecom, Inc., and 9506276
22 Canada, Inc. (collectively, “Stipulating Defendants”) stipulate to the entry of this
23 Stipulated Order for Permanent Injunction and Monetary Judgment (“Order”) to resolve
24 all matters in dispute in this action between them.

25 THEREFORE, IT IS ORDERED as follows:

26 **FINDINGS**

27 1. This Court has jurisdiction over this matter.
28

1 2. The First Amended Complaint charges that the Stipulating Defendants
2 participated in acts or practices that violated Section 5(a) of the FTC Act, 15 U.S.C.
3 § 45(a), the Telemarketing Sales Rule (“TSR”), 16 C.F.R. Part 310, the Ohio CSPA,
4 O.R.C. 1345.01 *et seq.*, and the Ohio TSSA, O.R.C. 4719.01 *et seq.*

5 3. The Stipulating Defendants neither admit nor deny any of the allegations in the
6 First Amended Complaint, except as specifically stated in this Order. Only for purposes
7 of this action, the Stipulating Defendants admit the facts necessary to establish
8 jurisdiction.
9

10 4. The Stipulating Defendants waive any claim that they may have under the Equal
11 Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action
12 through the date of this Order, and agree to bear their own costs and attorney fees.
13

14 5. In his second report to the Court, submitted on June 3, 2020, the Receiver
15 concluded that, based on the measures and procedures implemented by the Receiver, the
16 Globex Defendants and Subsidiaries could operate lawfully.

17 6. The Stipulating Defendants and Plaintiffs waive all rights to appeal or otherwise
18 challenge or contest the validity of this Order.
19

20 DEFINITIONS

21 For the purpose of this Order, the following definitions shall apply:

22 A. **“Cooperative Voice Service Provider”** means a voice service provider or VoIP
23 provider that has agreed, in writing, to abide by USTelecom’s Industry Traceback Group
24 policies and procedures, and is fully cooperative with Traceback Requests.
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1 B. **“Corporate Defendants”** means Prolink Vision, S.R.L., 9896988 Canada, Inc.,
2 and the Globex Defendants, and each of their subsidiaries, affiliates, successors, and
3 assigns.

4 C. **“Debt Relief Product or Service”** means any product, service, plan, or program
5 represented, expressly or by implication, to renegotiate, settle, or in any way alter the
6 terms of payment or other terms of the debt or obligation between a consumer and one or
7 more creditors or debt collectors, including a reduction in the balance, interest rate, or
8 fees owed by a consumer to a creditor or debt collector.

10 D. **“Defendants”** means Prolink Vision, S.R.L., 9896988 Canada, Inc., Educare
11 Centre Services, Inc., Tripletel, Inc., Mohammad Souheil, Sam Madi, Charles Kharouf,
12 Wissam Jalil, Globex Telecom, Inc., and 9506276 Canada, Inc., individually,
13 collectively, or in any combination.

15 E. **“Document”** is synonymous in meaning and equal in scope to the usage of
16 “document” and “electronically stored information” in Federal Rule of Civil Procedure
17 34(a), Fed. R. Civ. P. 34(a), and includes writings, drawings, graphs, charts, photographs,
18 sound and video recordings, images, Internet sites, web pages, websites, electronic
19 correspondence, including e-mail and instant messages, contracts, accounting data,
20 advertisements, FTP Logs, Server Access Logs, books, written or printed records,
21 handwritten notes, telephone logs, telephone scripts, receipt books, ledgers, personal and
22 business canceled checks and check registers, bank statements, appointment books,
23 computer records, customer or sales databases and any other electronically stored
24 information, including Documents located on remote servers or cloud computing
25 systems, and other data or data compilations from which information can be obtained
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1 directly or, if necessary, after translation into a reasonably usable form. A draft or non-
2 identical copy is a separate Document within the meaning of the term.

3 F. **“Globex Defendants”** means Globex Telecom, Inc. and 9506276 Canada, Inc.

4 G. **“Globex Defendants and Subsidiaries”** means the Globex Defendants, and their
5 subsidiaries, including InitPro Technologies, Inc. (“InitPro”) and its subsidiaries.

6 H. **“High Risk Customer”** means any (1) Telemarketer, wherever located, or (2)
7 voice service provider or Voice Over Internet Protocol (“VoIP”) provider not domiciled
8 in the United States.

9 I. **“International Premium Rate Number”** means any number that is invalid under
10 the North American Numbering Plan that has an additional interconnection fee, similar to
11 “900” or “976” numbers in North America, which always incur a recipient-defined
12 charge in excess of regular call charges.

13 J. **“Outbound Telephone Call”** means a telephone call initiated by a Telemarketer
14 to induce the purchase of goods or services or to solicit a charitable contribution.

15 K. **“Person”** means any natural person or any entity, corporation, partnership, or
16 association of persons.

17 L. **“Receiver”** means the receiver appointed in Section XV of this Order and any
18 deputy receivers that shall be named by the Receiver.

19 M. **“Seller”** means any Person who, in connection with a Telemarketing transaction,
20 provides, offers to provide, or arranges for others to provide goods or services to a
21 customer in exchange for consideration.

22 N. **“Shareholders of the Globex Defendants”** means all Persons owning shares of
23 the Globex Defendants as of December 3, 2019, including 9504591 Canada Inc.,
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