

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

1  
2 **Federal Trade Commission, and**

3  
4 **State of Ohio ex rel. Attorney General  
Dave Yost,**

5 Plaintiffs,

6 v.

7  
8 **Educare Centre Services, Inc.**, a New  
Jersey corporation, also dba Credit Card  
9 Services, Card Services, Credit Card  
Financial Services, Care Net, Tripletel  
10 Inc., Revit Educ Srvc, L.L. Vision, Care  
Value Services, and Card Value Services,

11  
12 **Tripletel, Inc.**, a Delaware  
corporation,

13  
14 **Prolink Vision, S.R.L.**, a  
Dominican Republic limited  
15 liability company,

16  
17 **9896988 Canada Inc.**, a  
Canadian company,

18  
19 **Globex Telecom, Inc.**, a Nevada  
corporation,

20  
21 **9506276 Canada, Inc.**, dba  
Globex Telecom, Inc., a Canadian  
22 company,

23  
24 **Sam Madi**, individually and as  
an owner, officer, member, and/or  
25 manager of Educare Centre  
Services, Inc.,

26  
27 **Mohammad Souheil a/k/a  
Mohammed Souheil and Mike  
Souheil**, individually and as an  
owner, officer, member, and/or  
28 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  
DEFENDANT CHARLES KHAROUF**

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 its 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 Defendant Charles Kharouf stipulate to  
21 the entry of this Stipulated Order for Permanent Injunction and Monetary Judgment  
22 (“Order”) to resolve all matters in dispute in this action between them.

23 THEREFORE, IT IS ORDERED as follows:

24 **FINDINGS**

- 25 1. This Court has jurisdiction over this matter.
- 26 2. The First Amended Complaint charges that Kharouf participated in acts or  
27 practices that violated Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), the Telemarketing  
28

1 Sales Rule ("TSR"), 16 C.F.R. Part 310, the Ohio CSPA, O.R.C. 1345.01 *et seq.*, and the  
2 Ohio TSSA, O.R.C. 4719.01 *et seq.*

3 3. Kharouf neither admits nor denies any of the allegations in the First Amended  
4 Complaint, except as specifically stated in this Order. Only for purposes of this action,  
5 Kharouf admits the facts necessary to establish jurisdiction.

6 4. Kharouf waives any claim that he may have under the Equal Access to Justice  
7 Act, 28 U.S.C. § 2412, concerning the prosecution of this action through the date of this  
8 Order, and agree to bear his own costs and attorney fees.

9 5. Kharouf and Plaintiffs waive all rights to appeal or otherwise challenge or contest  
10 the validity of this Order.  
11

#### 12 DEFINITIONS

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

14 A. "**Debt Relief Product or Service**" means any product, service, plan or program  
15 represented, expressly or by implication, to renegotiate, settle, or in any way alter the  
16 terms of payment or other terms of the debt or obligation between a consumer and one or  
17 more creditors or debt collectors, including a reduction in the balance, interest rate, or  
18 fees owed by a consumer to a creditor or debt collector.

19 B. "**Defendants**" means Prolink Vision, S.R.L., 9896988 Canada, Inc., Educare  
20 Centre Services, Inc., Tripletel, Inc., Mohammad Souheil, Sam Madi, Charles Kharouf,  
21 Wissam Jalil, Globex Telecom, Inc., and 9506276 Canada, Inc., individually,  
22 collectively, or in any combination.

23 C. "**Document**" is synonymous in meaning and equal in scope to the usage of  
24 "document" and "electronically stored information" in Federal Rule of Civil Procedure  
25

26  
27  
28

1 34(a), Fed. R. Civ. P. 34(a), and includes writings, drawings, graphs, charts, photographs,  
2 sound and video recordings, images, Internet sites, web pages, websites, electronic  
3 correspondence, including e-mail and instant messages, contracts, accounting data,  
4 advertisements, FTP Logs, Server Access Logs, books, written or printed records,  
5 handwritten notes, telephone logs, telephone scripts, receipt books, ledgers, personal and  
6 business canceled checks and check registers, bank statements, appointment books,  
7 computer records, customer or sales databases and any other electronically stored  
8 information, including Documents located on remote servers or cloud computing  
9 systems, and other data or data compilations from which information can be obtained  
10 directly or, if necessary, after translation into a reasonably usable form. A draft or non-  
11 identical copy is a separate Document within the meaning of the term  
12

13  
14 D. “**Person**” means any natural person or any entity, corporation, partnership, or  
15 association of persons.

16 E. “**Seller**” means any Person who, in connection with a Telemarketing transaction,  
17 provides, offers to provide, or arranges for others to provide goods or services to a  
18 customer in exchange for consideration.

19  
20 F. “**Telemarketer**” means any Person who, in connection with Telemarketing,  
21 initiates or receives telephone calls to or from a customer or donor.

22 G. “**Telemarketing**” means any plan, program, or campaign that is conducted to  
23 induce the purchase of goods or services or a charitable contribution by use of one or  
24 more telephones.  
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27  
28

**ORDER**

**I. DEBT RELIEF PRODUCT OR SERVICE BAN**

**IT IS THEREFORE ORDERED** that Charles Kharouf is permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale, or assisting in the advertising, marketing, promoting, or offering for sale of any Debt Relief Product or Service, including any credit card interest rate reduction service.

**II. TELEMARKETING BAN**

**IT IS FURTHER ORDERED** that Charles Kharouf is permanently restrained and enjoined from participating in Telemarketing to the United States, whether directly or through an intermediary.

**III. PROHIBITED MISREPRESENTATIONS AND OMISSIONS**

**IT IS THEREFORE ORDERED** that Charles Kharouf, and all other Persons in active concert or participation with him, who receive actual notice of this Order by personal service or otherwise, whether acting directly or indirectly, in connection with the advertising, marketing, promoting, or offering for sale of any goods or services, are restrained and enjoined from misrepresenting or assisting others in misrepresenting, expressly or by implication, any material fact, including, but not limited to:

A. Misrepresenting, or assisting others in misrepresenting, expressly or by implication, any of the following:

1. Any material aspect of the nature or terms of the Seller's refund, cancellation, exchange, or repurchase policies; or
2. Any other fact material to consumers concerning any good or service, such as: the total costs; any material restrictions, limitations or conditions; or any

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