

OFFICE COPY
ATTORNEY GENERAL

F I L E D
Clerk of the Superior Court

JUL 28 2009

By: G. CERVANTES, Deputy

JUL 14 2009 PM 3:23

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

RONNA GREEN;
GASTON MUHAMMAD;
CASTLEBERRIE, INC.;
RAHMAN CORPORATION; and
DOES 1-20 inclusive,

Defendants.

Case No.: 37-2008-00083667-CU-
MC-CTL

~~[PROPOSED]~~ FINAL JUDGMENT
AND PERMANENT INJUNCTION

This matter came regularly on for trial on June 22, 2009. Plaintiff, The People of the State of California, appeared through Edmund G. Brown Jr., Attorney General by Howard Wayne, Deputy Attorney General. Defendants Ronna Green, Gaston Muhammad, Castleberrie, Inc., and Rahman Corporation appeared through their attorney Robert A. Curtis.

Both parties having presented evidence, made their arguments and rested, the Court hereby makes the following **FINDINGS**:

1) Solicitations mailed by Defendants between January 2007 and November 2008 violated Business and Professions Code sections 17533.6 and 17500, Civil Code section 1716, and the Permanent Injunction filed in the Superior Court of the State of California, County of

Not for payment to Government Code
Section 6109

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1 Orange on January 3, 2007, in Case Number 05CC12258. Such solicitations further constituted
2 unfair competition as defined in Business and Professions Code section 17200.

3 2) The above-referenced solicitations were obviously misleading in the way they
4 were set up: (1) the first thing one sees on them is a seal that resembled a state seal; (2) the title
5 **ANNUAL MINUTES DISCLOSURE STATEMENT** is in the biggest font on the page; (3) the
6 solicitations tracked the language of the Annual Statement of Information form used by the
7 California Secretary of State; (4) the use of the terms "ANNUAL FEE" and "REPLY BY," and
8 use of the Corporation Number of the recipient corporation; (5) the use of citations to the
9 California Corporations Code; (6) the use of a misleading address in Sacramento, which people
10 know is the capitol of the state; and (7) the large font stating "TO ENSURE APPROPRIATE
11 PROCESSING AND FULFILLMENT," leading anyone looking at the form quickly to say he or
12 she should do something quickly or something is going to happen to their corporation.

13 3) If the Defendants in this case did not realize earlier that the form was misleading,
14 they certainly should have known it after the January 2007 injunction was entered.

15 4) The disclosures on the form were not conspicuous for obvious reasons. The first
16 disclosure, that "California Corporate Headquarters is not affiliated with the Office of the
17 California Secretary of State," did not use the complete language required for the statutory
18 disclosure. The second disclosure, at the bottom of the page, was not conspicuous and was
19 preceded by a California Business and Professions Code section. Someone reading that would
20 reasonably think it was just another statement of the law. Had this been done in bold
21 conspicuous print, particularly in a different color, at the top of the page, it would not have been
22 in the best interests of the Defendants. The disclaimer did not satisfy the law or the injunction
23 because it was not conspicuous, it was not set apart, and it was not in big enough bold font.

24 5) Both individual Defendants, Gaston Muhammad and Ronna Green, are equally
25 liable under this Judgment. Defendant Ronna Green is a corporate officer, she wrote checks to
26 herself from the corporate account, and she was actively involved in the business of Castleberrie,
27 Inc.

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1 5) Defendants sent 986,000 solicitations, each of which violated Business and
2 Professions Code sections 17533.6 and 17500, Civil Code section 1716, the Permanent Injunction
3 filed in the Superior Court of the State of California, County of Orange on January 3, 2007, in
4 Case Number 05CC12258, and which constituted unfair business practices as defined in
5 Business and Professions Code section 17200.

6 **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:**

7 1) Pursuant to Business and Professions Code sections 17203 and 17535, Defendants
8 Ronna Green, Gaston Muhammad, Castleberrie, Inc., and Rahman Corporation, jointly and
9 severally, are ordered to pay restitution of two hundred thousand dollars (\$200,000.00) for
10 money obtained pursuant to their deceptive business scheme between January 2007 and
11 November 2008. Payment shall be due upon entry of Judgment, by certified check payable to
12 The Attorney General of California. The Attorney General shall effectuate distribution of this
13 amount to those who paid Defendants pursuant to solicitations mailed between January 2007 and
14 November 2008.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**

16 2) Pursuant to Business and Professions Code sections 17206 and 17536, Defendants
17 Ronna Green, Gaston Muhammad, Castleberrie, Inc., and Rahman Corporation, jointly and
18 severally, are ordered to pay civil penalties of nine hundred, eighty six thousand dollars
19 (\$986,000.00). Payment shall be upon entry of Judgment, by certified check, payable to The
20 Attorney General of California.

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**

22 3) Pursuant to the Court's equitable powers, including those remedial powers
23 authorized by California Business and Professions Code section 17203 and 17535, Defendants,
24 and each of them, and the agents, independent contractors, partners, associates and
25 representatives of each of them, and all persons, corporations, or other entities acting in concert
26 or in participation with them, and with actual or constructive knowledge of this Final Judgment
27 and Permanent Injunction, shall be and hereby are permanently enjoined and restrained from,
28 directly or indirectly, engaging in any of the following acts or practices:

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A. Engaging in any way in the business of selling, offering to sell, or preparing corporate minutes, including but not limited to templates or guidelines for minutes, for a period of five (5) years from the date of entry of this Judgment.

B. Violating Business and Professions Code section 17533.6.

C. Soliciting the purchase of, or payment for, any product or service by any means that implies the solicitation is from or connected with a government agency.

D. Soliciting the purchase of, or payment for, any product or service by any means that is untrue, misleading, unfair, unlawful, fraudulent or deceptive.

E. Utilizing in any solicitation for the purchase of or payment for any product or service a form which

- (1) resembles an official state or federal form; or
- (2) uses an official-looking seal; or
- (3) uses a corporate or corporation number; or
- (4) uses an official-sounding title on the form which could imply that completion of the form is a requirement, such as, but not limited to, including the name of any state of the United States, or of the United States; or
- (5) uses an official-sounding name, such as, but not limited to, "Processing Division" or "Compliance Division" or "Business Division."

F. Failing to include on the front of every written solicitation which could reasonably be interpreted or construed as implying any state or local government connection, approval or endorsement, unless the solicitation bears on its face, the following statement:

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**"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED
OR ENDORSED BY ANY GOVERNMENT AGENCY,
AND THIS OFFER IS NOT BEING MADE BY AN AGENCY
OF THE GOVERNMENT."**

The statement shall be in conspicuous and legible type of not less than twelve-point and at least two (2) points larger than the next largest printing on the page. It shall be in bold, capital letters and by virtue of its typography, layout or color contrast with other printing on its face It shall be displayed conspicuously apart from other print on the page. It shall not be preceded, followed or surrounded by any words, symbols or other matter.

G. Violating Civil Code section 1716. Included in this prohibition is that any solicitation which reasonably could be construed as a bill, invoice, or statement of account due, but which is in fact, a solicitation or an order, shall have the notice or disclaimer provided for by this section set forth in type of not less than 30-point and the notice shall not be preceded, followed or surrounded by any words, symbols or other matter.

H. Soliciting payment of money by means of any writing that reasonably could be considered as a bill, invoice, or statement of account due, which is, in fact, a solicitation for an order.

I. Implying in any solicitation for the purchase of or payment for any product or service that: (1) payment is mandatory; or (2) the recipient is required to fill out the form to retain its corporate status or to remain in compliance with the law. For purposes of this Judgment, examples of phrases that imply payment is mandatory include, but are not limited to: "fee," "annual fee," "reply by," "notice date," "due date," "remit by" date, "late fee," and "fee if received after."

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J. Providing, or offering to provide, to any purchaser of goods or services, minutes of corporate meetings or other such documents unless the minutes or other such documents provided or to be provided correctly reflect the date of the meeting, the location of the meeting, the participants in the meeting and the events that took place at the meetings, and do not contain any information which is untrue or misleading.

K. Representing that Defendants' product or service will serve to meet the statutory requirement for the maintenance of corporate minutes or will, in any way, protect or tend to protect individuals from liability that may arise from failing to maintain such minutes, unless that is accurate and not misleading

IT IS FURTHER ORDERED, ADJUDGED AND DECREED

4) Plaintiff, The People of The State of California, as the prevailing party, shall recover from Defendants, jointly and severally, pursuant to Code of Civil Procedure section 1032, *et seq.*, its cost of suit incurred in this action. This amount shall be established pursuant to Plaintiff's Memorandum of Costs.

Dated: JUL 28 2009

JOHN S. MEYER

HONORABLE JOHN S. MEYER
Judge of the Superior Court

Approved as to form and content.

Dated: _____

ROBERT A. CURTIS
Attorney for Defendants Ronna Green,
Gaston Muhammad, Castleberrie, Inc., and
Rahman Corporation.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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Facsimile: 619-645-2012
E-Mail: howard.wayne@doj.ca.gov

July 2, 2009

Robert Curtis
250 West Ocean Boulevard, Suite 1804
Long Beach, California 90802

RE: *People v. Ronna Green, et al*,
San Diego Superior Court No. 37-2008-00083667-CU-CTL
Proposed Final Judgment

Dear Mr. Curtis:

Enclosed please find a copy of the Proposed Final Judgment and Permanent Injunction in this matter. Please review it for form and content and sign the last page where indicated. Please return it to me by close of business on July 13, 2009 or I will file it with the Court without your signature.

Sincerely,

A handwritten signature in cursive script that reads "Howard Wayne".

HOWARD WAYNE
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

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Plaintiff,

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DOES 1-20 inclusive,

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1 Orange on January 3, 2007, in Case Number 05CC12258. Such solicitations further constituted
2 unfair competition as defined in Business and Professions Code section 17200.

3 2) The above-referenced solicitations were obviously misleading in the way they
4 were set up: (1) the first thing one sees on them is a seal that resembled a state seal; (2) the title
5 **ANNUAL MINUTES DISCLOSURE STATEMENT** is in the biggest font on the page; (3) the
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7 California Secretary of State; (4) the use of the terms "**ANNUAL FEE**" and "REPLY BY," and
8 use of the Corporation Number of the recipient corporation; (5) the use of citations to the
9 California Corporations Code; (6) the use of a misleading address in Sacramento, which people
10 know is the capitol of the state; and (7) the large font stating "TO ENSURE APPROPRIATE
11 PROCESSING AND FULFILLMENT," leading anyone looking at the form quickly to say he or
12 she should do something quickly or something is going to happen to their corporation.

13 3) If the Defendants in this case did not realize earlier that the form was misleading,
14 they certainly should have known it after the January 2007 injunction was entered.

15 4) The disclosures on the form were not conspicuous for obvious reasons. The first
16 disclosure, that "California Corporate Headquarters is not affiliated with the Office of the
17 California Secretary of State," did not use the complete language required for the statutory
18 disclosure. The second disclosure, at the bottom of the page, was not conspicuous and was
19 preceded by a California Business and Professions Code section. Someone reading that would
20 reasonably think it was just another statement of the law. Had this been done in bold
21 conspicuous print, particularly in a different color, at the top of the page, it would not have been
22 in the best interests of the Defendants. The disclaimer did not satisfy the law or the injunction
23 because it was not conspicuous, it was not set apart, and it was not in big enough bold font.

24 5) Both individual Defendants, Gaston Muhammad and Ronna Green, are equally
25 liable under this Judgment. Defendant Ronna Green is a corporate officer, she wrote checks to
26 herself from the corporate account, and she was actively involved in the business of Castleberrie,
27 Inc.

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19 (\$986,000.00). Payment shall be upon entry of Judgment, by certified check, payable to The
20 Attorney General of California.

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**

22 3) Pursuant to the Court's equitable powers, including those remedial powers
23 authorized by California Business and Professions Code section 17203 and 17535, Defendants,
24 and each of them, and the agents, independent contractors, partners, associates and
25 representatives of each of them, and all persons, corporations, or other entities acting in concert
26 or in participation with them, and with actual or constructive knowledge of this Final Judgment
27 and Permanent Injunction, shall be and hereby are permanently enjoined and restrained from,
28 directly or indirectly, engaging in any of the following acts or practices:

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A. Engaging in any way in the business of selling, offering to sell, or preparing corporate minutes, including but not limited to templates or guidelines for minutes, for a period of five (5) years from the date of entry of this Judgment.

B. Violating Business and Professions Code section 17533.6.

C. Soliciting the purchase of, or payment for, any product or service by any means that implies the solicitation is from or connected with a government agency.

D. Soliciting the purchase of, or payment for, any product or service by any means that is untrue, misleading, unfair, unlawful, fraudulent or deceptive.

E. Utilizing in any solicitation for the purchase of or payment for any product or service a form which

- (1) resembles an official state or federal form; or
- (2) uses an official-looking seal; or
- (3) uses a corporate or corporation number; or
- (4) uses an official-sounding title on the form which could imply that completion of the form is a requirement, such as, but not limited to, including the name of any state of the United States, or of the United States; or
- (5) uses an official-sounding name, such as, but not limited to, "Processing Division" or "Compliance Division" or "Business Division."

F. Failing to include on the front of every written solicitation which could reasonably be interpreted or construed as implying any state or local government connection, approval or endorsement, unless the solicitation bears on its face, the following statement:

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**"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED
OR ENDORSED BY ANY GOVERNMENT AGENCY,
AND THIS OFFER IS NOT BEING MADE BY AN AGENCY
OF THE GOVERNMENT."**

The statement shall be in conspicuous and legible type of not less than twelve-point and at least two (2) points larger than the next largest printing on the page. It shall be in bold, capital letters and by virtue of its typography, layout or color contrast with other printing on its face. It shall be displayed conspicuously apart from other print on the page. It shall not be preceded, followed or surrounded by any words, symbols or other matter.

G. Violating Civil Code section 1716. Included in this prohibition is that any solicitation which reasonably could be construed as a bill, invoice, or statement of account due, but which is in fact, a solicitation or an order, shall have the notice or disclaimer provided for by this section set forth in type of not less than 30-point and the notice shall not be preceded, followed or surrounded by any words, symbols or other matter.

H. Soliciting payment of money by means of any writing that reasonably could be considered as a bill, invoice, or statement of account due, which is, in fact, a solicitation for an order.

I. Implying in any solicitation for the purchase of or payment for any product or service that: (1) payment is mandatory; or (2) the recipient is required to fill out the form to retain its corporate status or to remain in compliance with the law. For purposes of this Judgment, examples of phrases that imply payment is mandatory include, but are not limited to: "fee," "annual fee," "reply by," "notice date," "due date," "remit by" date, "late fee," and "fee if received after."

1 J. Providing, or offering to provide, to any purchaser of goods or
2 services, minutes of corporate meetings or other such documents unless the
3 minutes or other such documents provided or to be provided correctly reflect
4 the date of the meeting, the location of the meeting, the participants in the
5 meeting and the events that took place at the meetings, and do not contain
6 any information which is untrue or misleading.

7 K. Representing that Defendants' product or service will serve to meet
8 the statutory requirement for the maintenance of corporate minutes or will,
9 in any way, protect or tend to protect individuals from liability that may
10 arise from failing to maintain such minutes, unless that is accurate and not
11 misleading

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**

13 4) Plaintiff, The People of The State of California, as the prevailing party, shall
14 recover from Defendants, jointly and severally, pursuant to Code of Civil Procedure section
15 1032, *et seq.*, its cost of suit incurred in this action. This amount shall be established pursuant to
16 Plaintiff's Memorandum of Costs.

17 Dated: _____

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20 HONORABLE JOHN S. MEYER
Judge of the Superior Court

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22 Approved as to form and content

23 Dated: _____

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26 ROBERT A. CURTIS
27 Attorney for Defendants Ronna Green,
28 Gaston Muhammad, Castleberrie, Inc., and
Rahman Corporation.

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *People v. Ronna Green, et al.*
San Diego Superior Court, Case No. 37-2008-00083667-CU-MC-CTL

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 14, 2009, I served the attached, **[PROPOSED] FINAL JUDGMENT AND PERMANENT INJUNCTION; ALSO ATTACHED IS CORRESPONDENCE, DATED 7/2/09, ENCLOSING A COPY OF THE [PROPOSED] FINAL JUDGMENT AND PERMANENT INJUNCTION**, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

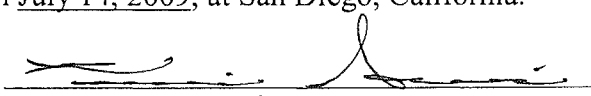
Robert A. Curtis, Esq.
250 W. Ocean Blvd., Suite #1804
Long Beach, CA 90802

Attorney for Defendants Ronna Green,
Gaston Muhammad, Castleberrie, Inc., and
Rahman Corporation

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 14, 2009, at San Diego, California.

Rosario Asensio

Declarant



Signature