

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CV 16

2100
GLASSER, J.

UNITED STATES OF AMERICA,

Plaintiff,

- against -

TRENDS SERVICE IN KOMMUNIKATIE,
B.V., KOMMUNIKATIE SERVICE
BUITENLAND, B.V., and ERIK DEKKER,
individually and as an officer of TRENDS
SERVICE IN KOMMUNIKATIE, B.V., and
KOMMUNIKATIE SERVICE
BUITENLAND, B.V.,

Defendants.

COMPLAINT

Civil Action No. 16-_____

GOLD, M.J.

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN - 1 2016 ★

BROOKLYN OFFICE

Plaintiff, the UNITED STATES OF AMERICA, by and through the undersigned attorneys, hereby alleges as follows:

INTRODUCTION

1. The United States brings this action for a temporary restraining order, preliminary and permanent injunctions, and other equitable relief pursuant to 18 U.S.C. § 1345, in order to enjoin the ongoing commission of criminal mail fraud in violation of 18 U.S.C. § 1341. The United States seeks to prevent continuing and substantial injury to the victims of fraud.

2. Defendants own and operate what is known in the direct mail industry as "caging" services. Defendants receive and open mail that is sent in response to direct mail solicitations. Defendants review and sort the responsive mail, record information about it in a database, and handle payments.

3. Since at least 2012, and continuing to the present, Defendants have provided caging services to multiple international direct mail fraud schemes that target victims in the United States, primarily elderly Americans. Solicitations are mailed from international locations to potential victims throughout the United States. The solicitations are styled as personalized letters, but are actually form letters sent out by the thousands. Although there are dozens of different solicitations, all contain misrepresentations designed to induce elderly and vulnerable victims to send payments to post office (“P.O.”) boxes registered to Defendants Trends Service in Kommunikatie, B.V., (“Trends”) and Kommunikatie Service Buitenland, B.V., (“KSB”). The solicitations falsely claim that the individual recipient has already won, or will soon win, cash or valuable prizes or will otherwise come into great fortune, and they urge victims to make payments in order to receive the promised cash or prizes. The solicitations generally fall into one of three categories:

- Solicitations that falsely claim that the victim has been declared the winner of a lottery or sweepstakes and that the victim will receive their winnings if they pay a processing fee. *See infra* ¶¶ 35-49, 62.
- Solicitations that falsely claim that the victim has won a large sum of money and then urge the victim to purchase a “guaranteed,” “secret” method for winning lotteries and other games of chance. *See infra* ¶¶ 50-54, 64, 67.
- Solicitations that purport to be from a person with psychic powers who promises to use their abilities to improve the victim’s financial and personal circumstances. The solicitations often state that the psychic has seen the individual recipient winning large sums of money through the lottery. The solicitations urge the recipient to purchase various supernatural and divinatory objects or services in order to achieve the predicted wealth. *See infra* ¶¶ 55-59, 65, 68.

4. All of these solicitations contain multiple false and misleading representations.

5. At their place of business in the Netherlands, Defendants sort, process, and catalogue hundreds of thousands of victim payments and responses annually, on behalf of multiple fraud schemes.

6. Victims, especially elderly and vulnerable victims, suffer financial losses from the mail fraud schemes that Defendants perpetrate. The Government estimates that victims send over \$18 million annually to P.O. boxes controlled by Defendants in response to solicitations containing the types of misrepresentations described above.

7. For the reasons stated herein, pursuant to 18 U.S.C. § 1345, the United States seeks to enjoin Defendants' ongoing schemes to defraud using the United States mail in violation of 18 U.S.C. § 1341.

JURISDICTION AND VENUE

8. The Court has subject matter jurisdiction over this action pursuant to 18 U.S.C. § 1345 and 28 U.S.C. §§ 1331 and 1345.

9. Venue lies in this district pursuant to 28 U.S.C. § 1391(b)(2).

PARTIES

10. Plaintiff is the United States of America.

11. Defendant Trends is, and was at all times relevant to this action, a Dutch business entity. Trends' principal place of business is Zonnebaan 54, 3542 EG Utrecht, the Netherlands. In connection with the matters alleged herein, Trends has caused fraudulent solicitations to be placed in the United States mail at the United States Postal Service International Service Center located at John F. Kennedy International Airport (the "New York ISC") in the Eastern District of New York and elsewhere. Trends has also caused fraudulent solicitations to be delivered through the United States mail to victims who reside in the Eastern District of New York

12. Defendant KSB is, and was at all times relevant to this action, a Dutch business entity. KSB's principal place of business is Zonnebaan 54, 3542 EG Utrecht, the Netherlands. In connection with the matters alleged herein, KSB has caused fraudulent solicitations to be

placed in the United States mail at the New York ISC in the Eastern District of New York and elsewhere. KSB has also caused fraudulent solicitations to be delivered through the United States mail to victims who reside in the Eastern District of New York

13. Defendant Erik Dekker is, and was at all times relevant to this action, an owner, officer, or director of both Trends and KSB. Trends and KSB are owned by a holding company, Stecha Holding, B.V. Defendant Erik Dekker is the sole owner and director of Stecha Holding, B.V. Erik Dekker resides in Langbroek, a town within the province of Utrecht, the Netherlands. In connection with the matters alleged herein, Erik Dekker has caused fraudulent solicitations to be placed in the United States mail at the New York ISC in the Eastern District of New York and elsewhere. Dekker has also caused fraudulent solicitations to be delivered through the United States mail to victims who reside in the Eastern District of New York.

DEFENDANTS' ONGOING FRAUDULENT SCHEMES

14. Beginning at least as early as 2011, Defendants have engaged in, are engaging in, and will continue to engage in multiple mail fraud schemes that have defrauded victims throughout the United States.

15. In furtherance of the fraud schemes, solicitation letters are sent from foreign countries through the international postal system and the United States mail to potential victims throughout the United States. The solicitations use a wide range of fraudulent tactics calculated to induce elderly and vulnerable victims to send money to Defendants.

16. The solicitations are styled as personalized letters. They claim that the victim is the sole recipient of the letter, or one of a small number of recipients, and that the solicitation was sent to the individual victim based on information about him or her (such as financial need or a vision that a psychic had about the victim). They claim that the individual recipient has

already won, or will soon win or receive, cash or valuable prizes. They urge victims to make payments, usually ranging from \$15 to \$55, in order to receive the promised cash or prizes.

17. In reality, after making the payment, none of the victims ever receive the promised money or prizes. The advertised services and products do not bring wealth to the purchasers as promised. The solicitations contain inconspicuous fine print that purports to set out terms and conditions. In many cases, these difficult-to-read “disclaimers” simply reiterate and reinforce the misrepresentations in the main part of the solicitation. *See, e.g.*, Exhibit C at 6.¹ In other solicitations, these small-font passages directly contradict the claims in the main body of the solicitation. For example, solicitations claim that the recipient has already been confirmed the winner of a check or prize in bold, prominent lettering, but then explain in inconspicuous text that the prize drawing has not yet taken place or that there is no prize drawing and the victim is agreeing to purchase an item that is not mentioned in the regular-size font. *See, e.g.*, Exhibit D at 6.

18. Despite misrepresentations that the solicitations are unique and personalized, thousands of nearly identical, purportedly personalized solicitations are sent every month to potential victims throughout the United States. The advertised services and products are not unique or personalized to the individual victims. Mail merge software is used to insert the names and addresses of potential victims into pre-written form letters.

19. Each solicitation contains a response card and a pre-addressed return envelope. The recipient is instructed to fill out the response card and mail it with their payment. The response cards resemble order forms and invite victims to pay with bank check, certified check, money order, or credit card. The response cards also give victims the opportunity to select, for

¹ All exhibits cited herein are attached hereto. The names of the recipients have been redacted to protect their privacy.

example, one of two valuable prizes, *see, e.g.*, Exhibit C at 7, or to select from different products or services guaranteed to bring future wealth, *see, e.g.*, Exhibit F at 12.

20. The return envelopes are pre-addressed to various P.O. boxes located in the Netherlands. *See, e.g.*, Exhibit A at 7. All of the P.O. boxes are registered to Defendants, who control more than fifty P.O. boxes in the Netherlands, which they use in furtherance of the mail fraud schemes.

21. When they receive incoming mail from victims, Defendants open the mail, review and sort it, and record the victim's response and payment method and amount in a customer database. Defendants record the names and addresses of the victims who send money in response to the fraudulent solicitations in a customer database. These services are known in the direct mail industry as "caging" services.

22. In their role as the caging service for multiple international direct mail fraud schemes, Defendants act as a hub through which hundreds of thousands of victims' responses and payments are sorted, processed, and recorded.

23. Defendants identify which recipients send money in response to the solicitations. These victims are then bombarded with numerous additional, similar solicitations.

24. Defendants know that the solicitations are fraudulent because they receive and process the response cards that victims fill out and mail with payments to Defendants' P.O. boxes. Even if Defendants never see the full solicitations (they do, as explained below), the response cards by themselves are plainly fraudulent. The response cards direct victims to send payment in exchange for a large check or prizes worth tens of thousands of dollars. *See e.g.*, Exhibit C at 7. Defendants know that identical solicitations are mass mailed to thousands of

potential victims, and it is obvious that thousands of people could not have won such valuable awards.

25. Similarly, other response cards offer for sale purportedly “secret” and “exclusive” methods that are guaranteed to ensure that the recipient will excel at games of chance and repeatedly win large amounts of money. *See, e.g.*, Exhibit H at 7. Defendants know that the methods are not secret or exclusive, but rather are sold to thousands of victims.

26. Defendants know how victims are affected by the fraudulent solicitations because victims frequently send handwritten letters to Defendants, along with their filled-in response cards and payments. The letters demonstrate that elderly and vulnerable victims believe the false claims in the solicitations. For example, victims send in the required fees while expressing their gratitude and joy over the money they believe they have won.

27. Defendants also know that the victims are defrauded by the solicitations, because victims frequently send complaints, saying that they sent in the requested money but never received the promised money or prizes, or that the item they did receive was worthless. Examples of victim responses are provided as Exhibits I - K (sent to P.O. boxes registered to Trends) and Exhibits L & M (sent to P.O. boxes registered to KSB).

28. Defendants know that the solicitations are fraudulent, because, in 2015 alone, the U.S. Postal Inspection Service issued approximately 70 administrative Determinations of Nonmailability (“DONs”) for solicitations that were part of the fraudulent schemes.

29. Each DON was mailed to one of the P.O. boxes registered to the Defendants with a sample of the intercepted solicitation. Each DON made clear that the solicitations were unlawful.²

30. Defendants therefore know of the fraudulent nature of the solicitations. Despite having received such notice, Defendants continue to participate in the fraudulent schemes.

SPECIFIC MISREPRESENTATIONS

Solicitations Misrepresent That Victims Have Won or Will Receive Cash or Prizes

31. Solicitations inform recipients that they have won or will receive cash or prizes, typically an amount greater than \$20,000.

32. Recipients are instructed that winnings can be delivered only after the recipient pays a “fee” or some other administrative expense.

33. Victims send the requested money by check, cash, or credit card, to Defendants’ P.O. boxes in the Netherlands through the United States mail and Dutch post.

34. Victims never receive the promised cash or prizes.

The Midas Financial Group Solicitation

35. One such solicitation purports to be from the Liquidation Asset Trust Fund of the Midas Financial Group. *See* Exhibit A at 5-8.

36. On the solicitation, the amount “\$15,000,000.00 USD” is prominently displayed and the heading announces in bold all-capital lettering: “MONIES NOTICE – PRIVATE

² In the DON process, the U.S. Postal Inspection Service determines whether foreign mail entering the United States contains lottery-related matter, in violation of 18 U.S.C. § 1302 or facsimile checks, in violation of 18 U.S.C. § 3001(k). The DON process does not screen for violations of 18 U.S.C. § 1341, and the DONs mailed to Defendants did not explicitly state that the solicitations violated 18 U.S.C. § 1341. Nonetheless, the sample solicitations mailed to Defendants in the DONs were fraudulent on their face and thus provided Defendants with notice of the fact that they were performing caging services for fraudulent mailing campaigns.

LETTER . . . FINANCIAL TRUST ESTABLISHED IN YOUR NAME.” The solicitation misrepresents that the recipient has been designated a beneficiary of a trust and that as much as \$15,000,000.00 in trust assets are likely to be paid out to the recipient. At various points the recipient is referred to as a “GUARANTEED Nominated Beneficiary,” “Verified nominee,” “designee,” and “nominated trustee/beneficial recipient.” Specific misrepresentations contained in this solicitation include the following:

- \$15,000,000.00 USD FIFTEEN MILLION US DOLLARS Confirmed.
- You are designated nominee. TRADING TRUSTS have been created to redistribute cash as per MANDATE. YOU ARE BENEFICIARY. THIS IS NOT A MISTAKE.
- Verify each step to receive your CASH AWARD when funds become realized when designated trades are finalized YOU WILL RECEIVE REALIZED FUNDS, 100% GUARANTEED. No small type or trick questions!
- [Victim name] - PRESUMPTIVE CANDIDATE. If the needed administration fee is received on time and your STATUS CHANGES TO PAYEE (simply send administration fee, your status is locked in).

The solicitation directs recipients to cut off the response card and mail it back using the provided return envelope along with an “administrative fee” of \$14.87.

37. The response card contains a partial disclaimer which states in pertinent part, “I hereby agree that . . . total aggregate sum can reach up to 15 million. I wish to be a cash income beneficiary for my fractional share of aggregate profit distribution of unrealized funds” This “disclaimer” reinforces the false impression that the victim is the beneficiary of a very large trust and will soon receive money from the trust.

38. Nearly identical solicitations were sent to thousands of other potential victims. All of the solicitations contained a return envelope pre-addressed to: Mergers Access Division, P.O. Box 8396, 3503 RJ Utrecht, the Netherlands. That P.O. box is registered to Trends, and Trends received and processed the responses mailed by victims to that P.O. box.

39. The U.S. Postal Inspection Service issued a DON and mailed it to P.O. Box 8396 with a sample of this solicitation on two separate occasions, May 7, 2015, and May 28, 2015.

See Exhibits A & B.

The Merchandise Processing Center Solicitation

40. Another solicitation creates the false impression that its recipient has won a 2015 Audi and need only mail in a \$20.00 “owner/acquisition fee” to arrange for delivery. *See Exhibit C at 5-9.*

41. The heading claims: “NOTICE PRIOR TO DELIVERY: ISSUED ENTITLEMENT/ AUTOMOBILE.” The solicitation bears a picture of a car; next to the picture it purports to provide the length and width of the car, and states: “IMPORTANT ARRIVAL / PARKING SITE DIMENSIONS > Carefully inspect Automobile parking dimensions. Check your available space on street, garage, or lot.” References to a “Freight Bin” for the delivery item imply that the award item is going to be a large item, such as a vehicle. Specific misrepresentations contained in this solicitation include the following:

- Your shipment was confirmed on 5/8/2015, all delivery and storage fees have been paid by PDN. Your assigned Freight Bin contains 2015 AUDI A6 SEDAN retail value of \$65,485.00 as insured for this or other merchandise entitlement.
- DUE TO HIGH VALUE OF THE 2015 AUDI A6 SEDAN, delivery is conducted adhering to PDN arranged Transit requiring a Personal ID shown at point of delivery. In advance of Your Delivery complete and return your form.
- Recipient of the 2015 AUDI A6 SEDAN is permitted to elect to receive cash equivalent of \$65,485.00 by Bank Check instead of physical possession of the car. Please indicate your preference for this important decision. Your Assigned property must be claimed promptly.

The response card is styled as a “Permit To Deliver” and gives the recipient the option to select “park on street or lot” or “park in garage.” The following items are listed on the response card,

as though they are items that will be delivered to the recipient: “Warranty”; “Keys (2)”; “Owners’ Manual”; “2015 AUDI A6 SEDAN maximum value insured for replacement.”

42. At the bottom of the solicitation in small font is the following statement:

The item a recipient is entitled to purchase has been determined before each mailing All mailings are assigned a different property allocation number which is assigned to an item that is for sale. Each customer who returns the required fee will be purchasing one of the items listed. The items available in this offer include one 2014 Audi A6, one 52” sony hdtv, one Panasonic digital camera and approximately one million unique jewelry items.

The print appears to be intentionally blurry in order to make it difficult to read. Moreover, even if a victim were to read this statement, it does nothing to dispel the misrepresentations elsewhere in the solicitation that the recipient has already been designated a grand prize winner.

43. Nearly identical solicitations were sent to thousands of other potential victims. All of the solicitations contained a return envelope pre-addressed to: Merchandise Processing Center, P.O. Box 40374, 3504 AD Utrecht, the Netherlands. That P.O. box is registered to Trends, and Trends received and processed the responses mailed by victims to that P.O. box.

44. The U.S. Postal Inspection Service issued a DON and mailed it to P.O. Box 40374 with a sample of this solicitation on July 24, 2016. *See Exhibit C.*

The Financial Transfer Institute Solicitation

45. Another similar solicitation represents that the victim has won a \$30,000 award and urges the victim to respond quickly or else the check which has already been issued in their name will be canceled. *See Exhibit D at 5-11.*

46. The solicitation purports to be from A. Ferguson of the Financial Transfer Institute. Specific misrepresentations contained in this solicitation include the following:

- To convince you of our good intentions, I have enclosed a PAYMENT AGREEMENT, IRREVOCABLE AND CONFIRMED, for you as well as your FORMAL CERTIFICATE OF PERSONAL STATUS enabling you to claim the CHECK YOU HAVE WON!

- \$30,000 will be paid to you if you return the PERSONAL CODE COUPON: RFG-924 186 urgently awaited by the Independent Adjudicator!
- As Finance Director, I formally commit to release the CHECK for \$30,000.00 to the holder of the unique PERSONAL CODE COUPON RFG-924 186 urgently awaited by the Independent Adjudicator. I confirm that if you return your registration card (of a winner) within 7 days (preferably) YOU CAN BE ABSOLUTELY SURE OF RECEIVING THE CHECK AS SOON AS POSSIBLE!

The reply card warns “urgent reply awaited!” and provides a box for the recipient to mark next to the words “YES, I want my request to be treated with SECURE PROCESSING which guarantees the secure dispatch of my CHECK. In order to benefit from this service I ask you to send me the ‘GUARANTEE FOR CASH WINNINGS’ for the modest amount of \$50.” The recipient can select “priority processing” for an extra \$5.

47. A disclaimer explains that the prize draw has not yet taken place. The fine print further explains that the “guarantee for cash winnings” is “a piece of jewelry that can bring luck and the chance to win big amounts of cash.” This small, hard-to-read statement contradicts the overall false impression created by the solicitation, which is that the recipient will receive a check for \$30,000 upon payment of the \$50 fee.

48. Nearly identical solicitations were sent to thousands of other potential victims. All of the solicitations contained a return envelope pre-addressed to: FTI, P.O. Box 8202, NL-3503 RE Utrecht, the Netherlands. That P.O. box is registered to KSB, and KSB received and processed the responses mailed by victims to that P.O. box.

49. The U.S. Postal Inspection Service issued a DON and mailed it to P.O. Box 8202 with a sample of this solicitation on two separate occasions, August 21, 2015, and September 15, 2015. *See Exhibits D & E.*

The Magister Davids Solicitation

50. A solicitation that purports to be from “Magister Davids” informs the recipient: “Today is the luckiest day of your life! [Victim name], I selected you in order to give you \$36,000.00 EXCLUSIVELY to you!” See Exhibit F at 6.

51. The solicitation repeatedly refers to “you” and uses the victim’s name; it is typewritten but contains text printed in a typeface designed to look like handwriting. The solicitation attempts to gain potential victims’ confidence by falsely claiming they have already won a check and then urges them to purchase a product. Specifically, Magister Davids extends an offer “destined exclusively for YOU,” to purchase an invention that will allow the victim to win large sums of money. The solicitation states that the recipient can obtain a refund if “the promised events do not come true within 90 days.” The response card requests \$50 which is described variously as “my modest payment,” “a symbolic contribution of US \$50,” and “my participation towards cost of US \$50.” Specific misrepresentations include:

- I have a check for you – a check exclusively for the Main Winner!
- Confirmed Award For You: [Victim name], now it is an official fact: You have been declared MAIN WINNER and SOLE RECIPIENT of a ONE-TIME-ONLY CHECK of 36,000.00 dollars! This is a formal and indisputable guarantee!
- Reminder: your award has been really confirmed for you.

52. The fine print at the end of the solicitation explains that the contest is still open and that the prize draw has not yet occurred. The inconspicuous statement contradicts the multiple prominent misrepresentations that the recipient has won a \$36,000 check.

53. Nearly identical solicitations were sent to thousands of other potential victims. Victims are instructed to return their responses in an enclosed return envelope to: Magister

Davids, P.O. Box 40388, NL-3504, AD Utrecht, the Netherlands. That P.O. box is registered to KSB, and KSB received and processed the responses mailed by victims to that P.O. box.

54. The U.S. Postal Inspection Service issued a DON and mailed it to P.O. Box 40388 with a sample of this solicitation on June 26, 2015. *See* Exhibit F. The U.S. Postal Inspection Service had previously issued a DON based on a different, but similar, Magister Davids solicitation and mailed it to another P.O. box registered to KSB with a sample of the solicitation on June 2, 2015. *See* Exhibit G.

The Olivia Kramer Solicitation

55. Another example appears to be a follow-up solicitation that is mailed to victims who have already made an initial payment. The first part of the solicitation purports to be from “Dr. Walter Barkley, Legal Department Director.” *See* Exhibit H at 6.

56. The solicitation heading announces “AN ADDITIONAL CHECK FOR \$22,500.00” and claims in bold, underlined lettering: “a check for \$22,500.00 will soon be sent!” The solicitation acknowledges the victim’s previous payment and promises to send “a check for \$22,500.00 that of course is in addition to the \$25,000.00 you have already claimed (I can officially confirm that your claim has been recorded).” It asserts that the victim is “now in direct contact with Olivia Kramer”; notes that Mrs. Kramer has “extraordinary powers”; and states that the victim is “very lucky” that Mrs. Kramer is “personally handling” his or her case. In addition to the correspondence from Dr. Walter Barkley, the solicitation also includes a second letter that purports to be from “Olivia Kramer, who wishes to contact ONLY [victim name].” The response card instructs the victim to write down 6 numbers, answer a set of questions, and pay \$50 for a consultation with Olivia Kramer. In the letter, Mrs. Kramer promises that, by using her

“extraordinary power,” she will “magnetize” the victim’s chosen numbers and help the victim win the lottery.

57. The fine print sets forth “OFFICIAL CONDITIONS OF THE CONTEST \$22,500.00 IN YOUR NAME.” In direct contradiction to the statement written in regular-size font, the fine print explains that the winner of \$22,500 has not yet been selected but, rather, will be chosen in a random draw that has yet to take place.

58. Nearly identical solicitations were sent to thousands of other potential victims. All of the solicitations contained a return envelope pre-addressed to: Dr. Walter Barkley, P.O. Box 1219, NL-3600 BE Maarssen, the Netherlands. That P.O. box is registered to KSB, and KSB received and processed the responses mailed by victims to that P.O. box.

59. The U.S. Postal Inspection Service issued a DON and mailed it to P.O. Box 1219 with a sample of this solicitation on May 15, 2015. *See* Exhibit H.

60. The representations described above in paragraphs 31-59 are false or misleading.

Solicitations Misrepresent That They Are Personalized Letters
Sent to Only a Small Number of Recipients

61. The solicitations misrepresent to victims that they are individualized and that the victim is one of a small number of recipients. In reality, Defendants know that nearly identical solicitations are sent to thousands of potential victims. The fraudulent schemes use mail merge software to insert the names and addresses of individuals into pre-written form letters.

62. Solicitations misrepresent that the recipient has already been declared the sole winner of a lottery, sweepstakes, or prize competition. They create this false impression, in part, by providing bar codes and “personal” reference numbers. For example, one solicitation asserts “UNIQUE LETTER – NO REMINDER” and “One single person had indeed received this coupon . . . It’s you and you alone!” *See* Exhibit D at 5. A box on the solicitation labeled

“PERSONAL CODE COUPON RFG-924 186” states: “Sent only to: [victim name]; Enables the Finance Department to identify the GRAND WINNER of \$30,000.00.” *Id.* at 8. It indicates that the recipient can claim a \$30,000 prize by cutting out the personal code coupon, affixing it to the response card, and mailing it to Defendants. *Id.* However, the identical solicitation with the identical numerical code was sent to other potential victims. *Compare Exhibit D with Exhibit E.*

63. Other solicitations misrepresent that the victim was personally selected by the letter’s purported author to be a recipient. Such solicitations falsely assert that the victim is one of only a few who have been selected for the opportunity to purchase the offered product or service. In reality, victims received the solicitations because their names appeared on a mailing list, and nearly identical solicitations have been mailed to thousands of recipients.

64. The Magister Davids solicitation, for example, contains the following misrepresentations that the solicitation is personalized:

- This letter effectively bears *your* address, [victim name], showing that you are the only person who has been declared officially a PRIVILEGED recipient!
- Now YOU have this fantastic possibility because I suggested your name as one possible candidate. This is because I believe that this miraculous method could considerably improve your personal financial situation.
- Of course the offer . . . has to remain absolutely confidential and secret, because it involves only you, [victim name].

65. The Olivia Kramer solicitation makes similar false claims, such as:

- I really want you to win because you have an absolute need for this money!
- I am doing this for you and you alone, [victim name]! Even though I am more easily fatigued than when I was younger, I will magnetize these 6 numbers only for you.
- Dear [victim name], don’t ask me why I am doing this for you and not someone else. My gift is such that even I do not know . . . it comes from a deep intuition.

- I am writing to you without waiting because as soon as your name was mentioned, I had the feeling that you really and urgently needed my help.
- If you agree (you must decide in the next 48 hours), please fill out the short questionnaire. Don't worry about confidentiality or data mining: I will use this information only to concentrate on you.

Solicitations Misrepresent That the Products and Services They Offer for Sale Will Bring the Purchaser Wealth and Good Fortune

66. The solicitations urge recipients to purchase various products, such as psychic services or a purportedly “proven” method for obtaining wealth, which they fraudulently misrepresent will bring the purchaser wealth and other good fortune. The solicitations describe happy customers who are alleged to have won hundreds of thousands of dollars. *See, e.g.*, Exhibit F at 9 & 11. Contrary to these representations, the purported products and services do not bring wealth or good fortune.

67. Such misrepresentations are included in the Magister Davids solicitation. *See* Exhibit F at 8-12. The solicitation attempts to obtain the victim’s confidence by making the false promise that the victim has already won a check for \$36,000. Then the recipient is urged to purchase TURBO-TOP AWARDS through the following misrepresentations:

- This is TURBO-TOP-AWARDS, the extremely profitable and absolute top secret method used by the greatest millionaires that will help you IN ALL CASES to become rich within 12 weeks by playing games of chance!
- The only thing to do is play your favorite game (the lottery, horse races, etc.). With one particular difference: It will not be a game of “chance” anymore- at least not for you! Because when using “TURBO-TOP AWARDS”, you can win considerable sums of money, almost for sure.
- You too will be able – just like the people I told you about – to apply this “profitable” discovery to your benefit! From now on it depends only on you whether or not to profit from your luck. Professor Flaming is giving you a fail-safe method to access it.

The response card instructs the recipient to pay “a symbolic contribution of US\$50 . . . for my Personal Passport for Wealth,” which is “given only to a select group of privileged persons.”

68. Similarly, the Olivia Kramer solicitation promises that her personalized psychic services will make the recipient prosperous. *See* Exhibit H at 7-9. It claims:

- You will soon be rich with at least \$ 150,000.00 in your account. You will be sheltered from this financial problem that I see on your horizon.
- Just as I did for Annabel, I am asking you to send me the numbers of your choice so I can do what is necessary to enable you to win. I can guarantee that the winning lottery numbers will ensure that you will soon receive a large sum of money that will shelter you from the financial problems I have seen coming rapidly in your direction.
- You must contact me within 48 hours and Dr. Barkley will then send me your response. I will then be able to immediately start working on your 6 numbers so you can WIN.

69. The specific misrepresentations identified in paragraphs 31 through 68 are only a few examples of the similar misrepresentations contained in dozens of form letter solicitations. Defendants know that the letters sent to victims are not in fact personalized letters, but are form letters sent to thousands of victims throughout the United States.

HARM TO VICTIMS

70. Victims, especially elderly and vulnerable victims, suffer financial losses from the mail fraud schemes that Defendants perpetrate. The Government estimates that victims mail over 530,000 payments to Defendants each year, and that Defendants receive over \$18 million annually from victims in response to solicitations containing the types of misrepresentations described above.

71. This harm to victims is ongoing and will continue without the injunctive relief sought by the United States.

COUNT I (18 U.S.C. § 1345 – Injunctive Relief)

72. The United States realleges and incorporates by reference paragraphs 1 through 71 of this Complaint as though fully set forth herein.

73. By reason of the conduct described herein, Defendants violated, are violating, and are about to violate 18 U.S.C. §§ 1341 and 1349 by executing schemes or artifices to defraud for obtaining money or property by means of false or fraudulent representations with the intent to defraud, and, in so doing, use the United States mail.

74. Upon a showing that Defendants are committing or about to commit mail fraud, the United States is entitled, under 18 U.S.C. § 1345, to a temporary restraining order, a preliminary injunction, and a permanent injunction restraining all future fraudulent conduct and any other action that this Court deems just in order to prevent a continuing and substantial injury to the victims of fraud.

75. As a result of the foregoing, Defendants' conduct should be enjoined pursuant to 18 U.S.C. § 1345.

PRAYER FOR RELIEF

WHEREFORE, the plaintiff United States of America requests of the Court the following relief:

- (a) A temporary restraining order under 18 U.S.C. § 1345 as follows:
 - i. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from committing mail fraud, as defined by 18 U.S.C. § 1341;
 - ii. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from using the United States mail or causing others to use the mail to distribute any advertisements, solicitations, or promotional materials:

- A. on behalf of any actual or fictional individual or entity purporting to offer psychic, clairvoyant or astrological items or services for a fee;
 - B. that represent, directly or indirectly, expressly or impliedly, that the recipient of the solicitation was specifically selected to receive the mailing based on a reason other than the fact that the recipient's name appears on a mailing list;
 - C. that represent, directly or indirectly, expressly or impliedly, that services or items offered for purchase will, or could, improve the victim's financial condition;
 - D. that represent, directly or indirectly, expressly or impliedly that the victim has won, will win, or will receive cash or awards; or
 - E. any other false or misleading advertisements, solicitations, or promotional materials;
- iii. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from receiving or causing to be placed into the United States mail any incoming mail that responds, by sending payment or otherwise, to materials described in paragraph (a)(ii)(A)-(E), *supra*;
 - iv. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from selling, offering for sale, leasing, or offering for sale or lease any lists of U.S. residents or mailing lists of any type compiled from U.S. residents who have

responded to any of the materials described in paragraph (a)(ii)(A)-(E), *supra*, thereby causing such materials to be sent to U.S. residents;

- v. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from performing “caging services” on mail received from U.S. residents in response to any of the materials described in paragraph (a)(ii)(A)-(E), including opening mail received from the United States; entering or inputting data about U.S. residents into a database or forwarding such data; handling, forwarding, or depositing payments received from U.S. residents, including currency, bank checks, certified checks, money orders, or credit card charge authorizations; or handling or forwarding any mail received from U.S. residents;
- vi. Enjoining Defendants, their agents, officers, and employees, and all other persons and entities in active concert or participation with them from destroying, deleting, moving, removing, or transferring any and all business, financial, accounting, and other records concerning Defendants’ operations and the operations of any other corporate entity controlled by Defendants;
- vii. Authorizing the United States Postal Service to detain all of Defendants’ incoming mail, addressed to any of Defendants’ P.O. boxes in the Netherlands, which is responsive to any of the materials described in paragraph (a)(ii)(A)-(E), *supra*;
- viii. Authorizing the United States Postal Service to detain any of the materials described in paragraph (a)(ii)(A)-(E), *supra*, and any substantially similar advertisements, solicitations, and promotional materials that are deposited into

the United States mail by Defendants, their agents, officers, or employees, or any other persons or entities in active concert or participation with them; and

ix. Authorizing the United States Postal Service to detain any of the materials described in paragraph (a)(ii)(A)-(E), *supra*, and any substantially similar advertisements, solicitations, and promotional materials brought into the United States as freight and destined for delivery to a potential victim in the United States.

- (b) A preliminary injunction on the same basis and to the same effect.
- (c) A permanent injunction on the same basis and to the same effect.
- (d) For such other and further relief as the Court shall deem just and proper.

Dated: June 1, 2016

ROBERT L. CAPERS
United States Attorney
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

/s/ John Vagelatos
JOHN VAGELATOS
Assistant United States Attorney
Tel. (718) 254-6182
Fax: (718) 254-7489
john.vagelatos@usdoj.gov

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General
Civil Division
United States Department of Justice

JONATHAN F. OLIN
Deputy Assistant Attorney General

MICHAEL S. BLUME
Director
Consumer Protection Branch

JILL FURMAN
Deputy Director

/s/ Kerala T. Cowart
KERALA T. COWART
California Bar No. 284519
Trial Attorney
Consumer Protection Branch
U.S. Department of Justice
P.O. Box 386
Washington, DC 20044
Telephone: (202) 353-3881
Fax: (202) 514-8742
Email: Kerala.T.Cowart@usdoj.gov

EXHIBIT A
TO COMPLAINT

UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100

In the Matter of the Determination of Nonmailability of Certain Material from:	)	Date of Issuance:
	)	May 7, 2015
)	
MERGERS ACCESS DIVISION)	
at)	
PO Box 8396)	
3503 RJ Utrecht)	
The Netherlands)	
	)	Case Number:
	)	[1080] 15-JFK-0637
)	

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A**.

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel



By: P. A. Edgehille
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

MIDAS FINANCIAL GROUP

CERTIFIED COPY
VERIFIED AND CONFIRMED

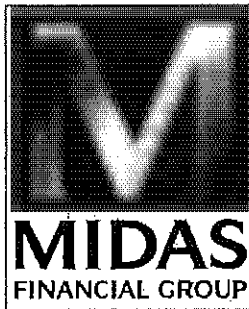


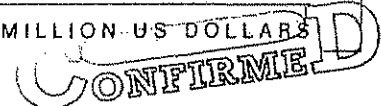
Exhibit 15-044-01
LIQUIDATION ASSET TRUST FUND
Mergers Access Division
PO Box 8396, 3503 RJ Utrecht,
The Netherlands
Telephone: +3120 808 0818
Fax: +3120 708 3081
MONIES OF ISSUANCE

DATED: January 23 2015

RECORDS AND FILES

\$15,000,000.00 USD

FIFTEEN MILLION US DOLLARS



MONIES NOTICE - PRIVATE LETTER

>> DOCUMENTATION TO SECURELY TRANSFER FUNDS <<
FINANCIAL TRUST ESTABLISHED IN YOUR NAME

AGGREGATE POTENTIAL REALIZABLE FUND ASSETS ON CONCLUSION OF SUCCESSFUL
COURSE \$15,000,000.00 POTENTIAL PAID OUT



GUARANTEED Nominated Beneficiary:

THIS LETTER WILL HEREBY VERIFY YOUR APPOINTMENT AS NOMINATED TRUSTEE/BENEFICIAL
RECIPIENT

PRIVATE MATTER: DESIGNEE

Read **THIS OFFICIAL COMMUNICATION** in a private place. It's about the money that I'd like to have on its
way to you. Funds will clear **IMMEDIATELY** on transfer.

You are designated nominee. **TRADING TRUSTS** have been created to redistribute cash as per **MANDATE**.
YOU ARE BENEFICIARY. THIS IS NOT A MISTAKE.

Procedure for Claiming PRIZE MONEY - Legal Disclosure for Check Recipients

Verified nominee

Please read terms below carefully. they will apply when aggregate realized sum will be disbursed to

This is standard procedure:

These Rules are Governed by the laws pertaining to Cash trading Funds transfers and are written clearly, in
Plain English. Verify each step to receive your **CASH AWARD** when funds become realized when designated
trades are finalized **YOU WILL RECEIVE REALIZED FUNDS. 100% GUARANTEED.** No small type or trick
questions!

When **YOU ARE PAID**, our firm gets the largest check realized off to you, by Federal Express, if you wish. I
know you wouldn't want any delay in getting this **CASHIER'S CHECK INTO** your bank account right away.
(This winner's check will clear the bank **THE NEXT DAY** it's certified or you can **CASH IT THE SAME DAY**, if
you want the money in your hands). Our firm can even make arrangements to call your bank to verify it for
you!



[REDACTED] - PRESUMPTIVE CANDIDATE. If the needed administration fee is received on time and your **STATUS CHANGES TO PAYEE** (simply send administration fee, your status is locked in). When you are **ACTUAL FUNDAGE RECIPIENT**, this is a simulacrum of the checklist you will receive:

- 1: You must check your personal **Trust Fund Guarantee** number to make sure it is the one for **[REDACTED]**. You can sign the **Identity Affidavit** we have enclosed, and have one picture ID ready to show the courier who delivers your check the next day.
- 2: You must tell us if you wish a **Certified check, a money order, or a regular bank check for \$15,000,000.00** aggregate payment. **You can make an arrangement to receive cash**, if you wish, but we must let you know now that you must pay taxes on your prize even if delivered in cash. Also, we will deduct one hundred dollars from the prize to pay for the bonded courier who will deliver it to your home. We feel it is much safer to receive a check, but it is up to you. * Wire Transfer now available for nominal fee.
- 3: Our Security Chief, Major Jonathan Harper (retired), will check your claim number and affidavit. When everything checks out, the check for designated **\$15,000,000.00** or awarded fractional denomination thereof will be cut payable to **[REDACTED]**. You are on file as living at **[REDACTED]**. If this is incorrect, **make sure we get your current address on the form**.
- 4: Make sure you use our official reply envelope. I am going to ask you to write the letters "CW" on the outside of the envelope. This stands for "Cash Winner", and will alert our staff that your acceptance form has arrived safely at our office.

That's it! When the designated potential trade sum is enumerated for your payment, the CHECK WILL BE ON THE WAY THE SAME DAY!

I've tried to make it simple for you, **[REDACTED]**, so please hold up your end of the deal. **Get this in the mail today, if possible.** I've taken the time to make it simple for you. Our policy is to transfer **LARGE SUMS OF MONEY** into the hands of the winner as early as possible as per terms of corporate assignment. **OUR STAFF IS ON ALERT FOR YOUR LETTER.**

RETURN THE FORM BELOW IN THE PROVIDED ENVELOPE

AGREEMENT OF CASH BENEFICIARY

I hereby agree that I would like to receive my cash benefits from liquidation of Trust Funds assets after all profits have been calculated according to settle structure nominated herein. **TOTAL AGGREGATE SUM** can reach up to **\$15,000,000.00 (FIFTEEN MILLION DOLLARS)**. I wish to be a **CASH INCOME BENEFICIARY** for my fractional share of **AGGREGATE PROFIT DISTRIBUTION OF UNREALIZED FUNDS** in my **PERSONAL TRUST**.

I wish to claim my appointment as a Cash Income Beneficiary. Herewith is my \$14.87 administration fee:

I HAVE ENCLOSED MY PAYMENT IN:

CASH CHECK MONEY ORDER (Make payable to Midas Financial Group)

CREDIT CARD VISA MASTERCARD

CARD NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

SIGNATURE CARD EXPIRY DATE

<input checked="" type="checkbox"/>							
-------------------------------------	--	--	--	--	--	--	--

Telephone: Email Address:

Fax Number: Date of Birth:



If address above is incorrect, please enter correct address on the lines below:



Send Mail to: Mergers Access Division
 PO Box 8396, 3503 RJ Utrecht, The Netherlands

By paying with your check you accept and agree that it may be reported electronically to the relevant and in the future.

RETURN ADDRESS

DTMFGBREBE

INTERNATIONAL
POSTAGE
REQUIRED

AIRMAIL
INTERNATIONAL

MERGERS ACCESS DIVISION
PO BOX 8396
3503 RJ UTRECHT
THE NETHERLANDS

PRIORITAR
EX
POȘTA ROMÂNĂ
Nr.107/E/13/2013
Valabilitate - cf. Contractului
București 83

2



BELGROU

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]---

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
 - (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
 - (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
 - (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
 - (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.
- (4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—
- (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.
- (5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.
- (6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39—POSTAL SERVICE

CHAPTER I—UNITED STATES POSTAL SERVICE

PART 953 _RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT B
TO COMPLAINT

**UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100**

In the Matter of the Determination of	)	Date of Issuance:
Nonmailability of Certain Material from:	)	May 28, 2015
)	
MERGERS ACCESS DIVISION)	
at)	
PO Box 8396)	
3503 RJ Utrecht)	
The Netherlands)	
	)	Case Number:
	)	[1134] 15-JFK-0786
)	

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

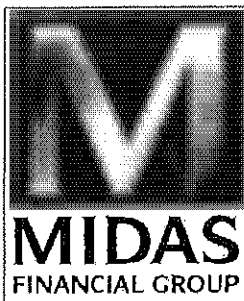
S. L. Spector
Chief Counsel

A handwritten signature in cursive script, appearing to read "P. A. Edgehill".

By: P. A. Edgehill
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

MIDAS FINANCIAL GROUP



LIQUIDATION ASSET TRUST FUND
Mergers Access Division
PO Box 8396, 3503 RJ Utrecht,
The Netherlands
Telephone: +3120 808 0818
Fax: +3120 708 9081
MONIES OF ISSUANCE

CERTIFIED COPY
REFUSED AND CONFIRMED

[REDACTED]

DATED: March 18 2015

RECORDS AND FILES

[REDACTED]

\$15,000,000.00 USD

FIFTEEN MILLION US DOLLARS

CONFIRMED

MONIES NOTICE - PRIVATE LETTER

>> DOCUMENTATION TO SECURELY TRANSFER FUNDS <<
FINANCIAL TRUST ESTABLISHED IN YOUR NAME
AGGREGATE POTENTIAL REALIZABLE FUND ASSETS ON CONCLUSION OF SUCCESSFUL
COURSE \$15,000,000.00 POTENTIAL PAID OUT
[REDACTED]

GUARANTEED Nominated Beneficiary:

THIS LETTER WILL HEREBY VERIFY YOUR APPOINTMENT AS NOMINATED TRUSTEE/BENEFICIAL RECIPIENT

PRIVATE MATTER: DESIGNEE [REDACTED]

Read **THIS OFFICIAL COMMUNICATION** in a private place. It's about the money that I'd like to have on its way to you. Funds will clear IMMEDIATELY on transfer.

You are designated nominee. **TRADING TRUSTS** have been created to redistribute cash as per **MANDATE. YOU ARE BENEFICIARY. THIS IS NOT A MISTAKE.**

Procedure for Claiming PRIZE MONEY. Legal Disclosure for Check Recipients

[REDACTED] **Verified nominee**

Please read terms below carefully, they will apply when aggregate realized sum will be disbursed to [REDACTED]

This is standard procedure:

These Rules are Governed by the laws pertaining to Cash trading Funds transfers and are written clearly, in Plain English. Verify each step to receive your **CASH AWARD** when funds become realized when designated trades are finalized **YOU WILL RECEIVE REALIZED FUNDS, 100% GUARANTEED.** No small type or trick questions!

When **YOU ARE PAID**, our firm gets the largest check realized off to you, by Federal Express, if you wish. I know you wouldn't want any delay in getting this **CASHIER'S CHECK INTO** your bank account right away. (This winner's check will clear the bank **THE NEXT DAY** it's certified or you can **CASH IT THE SAME DAY**, if you want the money in your hands). Our firm can even make arrangements to call your bank to verify it for you!

[REDACTED]

RELEASE NOTIFICATION

063093

USMFGMNO1B

USMFGMNO1B



██████████ - PRESUMPTIVE CANDIDATE. If the needed administration fee is received on time and your **STATUS CHANGES TO PAYEE** (simply send administration fee, your status is locked in). When you are **ACTUAL FUNDAGE RECIPIENT**, this is a simulacrum of the checklist you will receive:

- 1: You must check your personal **Trust Fund Guarantee** number to make sure it is the one for ██████████. You can sign the **Identity Affidavit** we have enclosed, and have one picture ID ready to show the courier who delivers your check the next day.
- 2: You must tell us if you wish a **Certified check, a money order, or a regular bank check for \$15,000,000.00** aggregate payment. **You can make an arrangement to receive cash**, if you wish, but we must let you know now that you must pay taxes on your prize even if delivered in cash. Also, we will deduct one hundred dollars from the prize to pay for the bonded courier who will deliver it to your home. We feel it is much safer to receive a check, but it is up to you. * Wire Transfer now available for nominal fee.
- 3: Our Security Chief, Major Jonathan Harper (retired), will check your claim number and affidavit. When everything checks out, the check for designated **\$15,000,000.00** or awarded fractional denomination thereof will be cut payable to ██████████. You are on file as living at ██████████. If this is incorrect, make sure we get your current address on the form.
- 4: Make sure you use our official reply envelope. I am going to ask you to write the letters "CW" on the outside of the envelope. This stands for "Cash Winner", and will alert our staff that your acceptance form has arrived safely at our office.

That's it! When the designated potential trade sum is enumerated for your payment, the CHECK WILL BE ON THE WAY THE SAME DAY!

I've tried to make it simple for you, ██████████ so please hold up your end of the deal. **Get this in the mail today, if possible.** I've taken the time to make it simple for you. **Our policy is to transfer LARGE SUMS OF MONEY into the hands of the winner as early as possible as per terms of corporate assignment. OUR STAFF IS ON ALERT FOR YOUR LETTER.**

----- RETURN THE FORM BELOW IN THE PROVIDED ENVELOPE -----

AGREEMENT OF CASH BENEFICIARY

I hereby agree that I would like to receive my cash benefits from liquidation of Trust Funds assets after all profits have been calculated according to settle structure nominated herein. **TOTAL AGGREGATE SUM** can reach up to **\$15,000,000.00 (FIFTEEN MILLION DOLLARS)**. I wish to be a **CASH INCOME BENEFICIARY** for my fractional share of **AGGREGATE PROFIT DISTRIBUTION OF UNREALIZED FUNDS** in my **PERSONAL TRUST**.

I wish to claim my appointment as a Cash Income Beneficiary. Herewith is my \$14.87 administration fee:

<p>I HAVE ENCLOSED MY PAYMENT IN:</p> <p><input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER (Make payable to Midas Financial Group)</p> <p><input type="checkbox"/> CREDIT CARD <input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD</p> <p>CARD NUMBER</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> <td style="border: 1px solid black; width: 25px; height: 20px;"></td> </tr> </table> <p>SIGNATURE _____</p> <p>CARD EXPIRY DATE _____</p> <p>Telephone: _____</p> <p>Fax Number: _____</p> <p>Email Address: _____</p> <p>Date of Birth: _____</p>											<div style="background-color: black; width: 100%; height: 80px; margin-bottom: 10px;"></div> <p>If address above is incorrect, please enter correct address on the lines below:</p> <p>_____</p> <p>_____</p> <p>_____</p>



Send Mail to: Mergers Access Division
 PO Box 8396, 3503 RJ Utrecht, The Netherlands
 Client Services Telephone Enquiries: +3120 808 0818
 Return your Notice of Appointment in the envelope provided
 You can FAX your Notice on +3120 708 3081 this option is only available if you use a credit card. Notice of Appointment can be faxed 24 hours a day 7 days a week.

By paying with your check you accept and agree that it may be presented electronically for payment and in the unlikely event that your check is returned unpaid, a state allowable handling fee may be charged by the same means.

RETURN ADDRESS

DTMFGBREBE

INTERNATIONAL
POSTAGE
REQUIRED

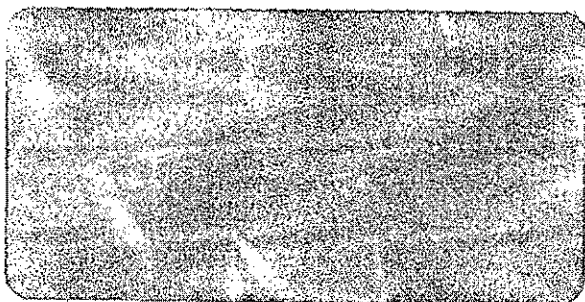
AIRMAIL
INTERNATIONAL

MERGEKS ACCESS DIVISION
PO BOX 8396
3503 RJ UTRECHT
THE NETHERLANDS

BEI OF PPA

PRIORITY	
It is recommended, please return to: Freepost	POSTAGE
Private Locked Bag Royal Airport	PAID RM

12-12-1305



2959

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

- (B) the term "facsimile check" means any matter that—
 - (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
 - (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
 - (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
 - (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.

(4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—

 - (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.

(5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.

(6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

**EXHIBIT C
TO COMPLAINT**

**UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100**

In the Matter of the Determination of)
Nonmailability of Certain Material from:)
)
MERCHANDISE PROCESSING CENTER)
at)
PO Box 40374)
AD Utrecht 3504)
The Netherlands)
)
)
)

Date of Issuance:
July 24, 2015

Case Number:
[1217] 15-JFK-0959

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and

3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel

A handwritten signature in cursive script, appearing to read "P. A. Edgehille".

By: P. A. Edgehille
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

Exhibit 15-JFK-D69-02

**NOTICE PRIOR TO DELIVERY
ISSUED ENTITLEMENT/AUTOMOBILE.**

THESE ARE YOUR DELIVERY NUMBERS
.....

NOTICE TO OWNER: [redacted], please be advised of Your crated/package inside FREIGHT BIN #PDN5-15 is insured up to \$65,485.00, the valuables/goods are shipped to you on receipt of your attached ISSUANCE FORM.

Your shipment was confirmed on 5/8/2015, all delivery and storage fees have been paid by PDN. Your assigned Freight Bin contains 2015 AUDI A6 SEDAN retail value of \$65,485.00 as insured for this or other merchandise entitlement.

DUE TO HIGH VALUE OF THE 2015 AUDI A6 SEDAN, delivery is conducted adhering to PDN arranged Transit requiring a Personal ID shown at point of delivery. In advance of Your Delivery complete and return your form.

FIRM TO DELIVER: Recipient of the 2015 AUDI A6 SEDAN is permitted to elect to receive cash equivalent of \$65,485.00 by Bank Check instead of physical possession of the Car. Please indicate your preference for this important decision. Your Assigned property must be claimed promptly. Return Your completed ISSUANCE FORM PDN5-15 with the only required owner/acquisition fee of \$20.00 within 10 days of receiving This Form, 2 days preferred. A Pleasure Bringing You this wonderful News!

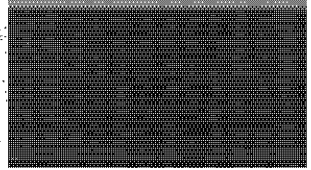
Detach and Return

Walter Downes PDN Contact Office

SHIPMENT SCHEDULED TO THIS RECEIVER AND ADDRESS:

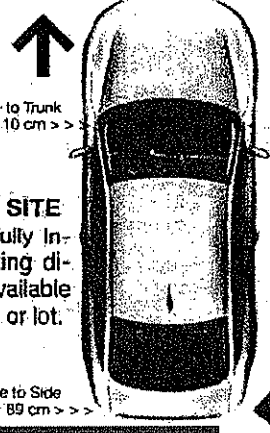
SHIPMENT RECEIVER:

MAILED: 5/8/2015
→ 2015



LENGTH Hood to Trunk
>>> 150 inches 110 cm >>>

IMPORTANT
ARRIVAL / PARKING SITE DIMENSIONS - Carefully inspect Automobile parking dimensions. Check your available space on street, garage, or lot.



WIDTH Side to Side
>>> 82 inches 89 cm >>>

RETAIN THIS SECTION OF NOTIFICATION Delivery will follow upon receipt of the Insurance Form at right.

SHIPMENT TO ADDRESS SHOWN



**NOTICE PRIOR TO DELIVERY
ISSUED ENTITLEMENT/AUTOMOBILE.**

THESE ARE YOUR DELIVERY NUMBERS
.....

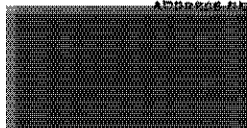
ISSUED
ENTITLEMENT DIVISION

Permit To Deliver

CERTIFICATE OF PERMIT
ACTUAL FORM
OWNER POSSESSION FORM
00975-14

CERTIFICATE DATE 5/8/2015

VEHICLE DESCRIPTION AUDI A6	MODEL Sedan	STOCK I.D. 975	COLOR Silver
VIN REFERENCE	RECEIVER ON RECORD FOR ENTITLEMENT		YEAR 2015



SELECT ONE: PARK ON STREET OR LOT PARK IN GARAGE
INDICATE SHIPMENT ARRIVAL SPECS.

WARRANTY
KEYS (2)
OWNERS
MANUAL

2015 AUDI A6 SEDAN
Maximum Value Insured
for Replacement

VEHICLE VALUE
\$65,485.00

COVERAGE

COMPLETE BOXES BELOW

I am ticking below to confirm formal request for My Entitled Possession described on these Documents bearing my Personal Identification. I am submitting this 4081 PDN FORM with required fee to receive said Entitled Possession in good order. Entitled Acceptance Options: At Formal Assignment, I prefer: 2015 AUDI A6 Sedan; I prefer a check for: \$65,485.00

I have enclosed Acquisition Fee of \$20.00 by Cash, Check or Money
Order payable to 'PDN' charge to my Credit Card: VISA Mastercard

--	--	--	--	--	--	--	--	--	--

Credit Card Number

Owner Signs Here
Release For this Delivery: 2015

OWNER X

RECEIVER SIGNS

--	--	--	--	--	--

Expiration Date

REF.



NAME OF SALES/ENTITLEMENT DIVISION
FREIGHT BIN NUMBER
2015 AUDI A6 SEDAN
Freight Bin PDNS-15
I.D. 15002704065
Permit ATTACHED

SHIPPING TO:

FREIGHT BIN FORM

RECEIVER OF SHIPMENT IS DIRECT TO RECEIVER ADDRESS SHIPPING ON THE ACQUISITION FORM AND THIS FREIGHT BIN FORM PERMIT TO DELIVER MUST ACCOMPANY THIS PERMIT. THIS IS AN ACTUAL SHIPMENT PERMIT. 00975-15

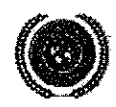


ISSUED

21-GF1

Permit To Deliver

ISSUED
ENTITLEMENT DIVISION



ACTUAL FORM
OWNER POSSESSION FORM

21-GF1

From: _____

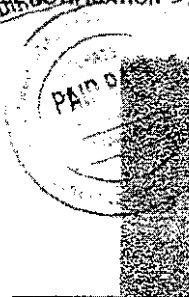
B-RU1

Please
Apply
Postage

Merchandise Processing Center
PO BOX 40374
3504 AD Utrecht
The Netherlands

PARCEL NOTIFICATION >> Delivery of these Important Enclosures designated to Addressee.

PRIORITY	TAKE PERCUE
Handwritten, please return to: P.O. Box 010 CE-2000 Prague 120	CE-2000 Praha 120



DELIVERY
AIR
AND
COURIER
HANDLING



14-0
RECEIVER ADDRESSED
Delivery Services

ALL CHARGES PAID >> ---14-0 > 76500837---
14-0 > 76500837



* * * * * 14-0 > 76500837 * * * * *



2014 PDN PARCEL
OFFICIAL PDN MAIL

RECEIVER DIRECT >>

VERY IMPORTANT PARCEL

RECEIVER



IMPORTANT
CONTAINED ARE IMPORTANT
ENTHALTEN SIND WICHTIG

[Handwritten signature]

21-E13

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
- (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
- (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
- (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
- (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
- (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
- (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
- (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.
- (4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—
- (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.
- (5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.
- (6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT D
TO COMPLAINT

**UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100**

In the Matter of the Determination of	)	Date of Issuance:
Nonmailability of Certain Material from:	)	August 21, 2015
)	
FTI)	
at)	
PO Box 8202)	
RE Utrecht NL 3503)	
The Netherlands)	
	)	Case Number:
	)	[1276] 15-JFK-1111
)	

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel



By: P. A. Edgehille
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

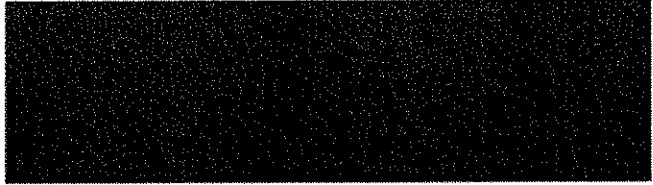
EXHIBIT A

+++ **GENT** +++
CLAIM NOTIFICATION!

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

Exhibit 15-JFK-083-01

\$30,000.00 will be paid to you if you return the **PERSONAL CODE COUPON: RFG-924 186** urgently awaited by the Independent Adjudicator!
Be warned... there is only one!



US-2

X100-USA

UNIQUE LETTER - NO REMINDER

One single person has indeed received this coupon... It's you and you alone.



URGENT REPLY REQUESTED

Dear [Redacted]

It's the honest truth: this \$30,000.00 CHECK really will be sent to you by recorded delivery, as soon as you return the **PERSONAL CODE COUPON: RFG-924 186** urgently awaited by our Finance Department.

The CHECK for \$30,000.00 will be sent to you by the Independent Adjudicator strictly according to the official rules.

I am sure you have your doubts... and yet! To convince you of our good intentions, I have enclosed a **PAYMENT AGREEMENT, IRREVOCABLE AND CONFIRMED**, for you as well as your **FORMAL CERTIFICATE OF PERSONAL STATUS** enabling you to claim the **CHECK YOU HAVE WON!**

Be careful, you have limited time to claim the \$30,000.00. It's still enough, but please, don't risk missing the specified deadline. In this case, and to my great regret, I will be obliged to cancel your rights as well as your CHECK. Keep that in mind!

A. Ferguson



With my compliments!

A. Ferguson, Management

X100-USA

FTI
Financial Transfer Institute

IMPORTANT!!!

IS [Redacted] THE ADDRESS TO WHICH I SHOULD SEND THE \$30,000.00 GRAND PRIZE? IF NOT, PLEASE PROVIDE ME WITH ANOTHER ADDRESS.

LETTER OF CONFIRMATION

OFFICIAL TERMS: THIS DRAW IS PART OF THE CAMPAIGNS ORGANIZED BY FTI WITHIN THE FRAMEWORK OF PRIZE DRAWS PRESENTED IN VARIOUS FORMS AND PRESENTATIONS. TO BE ELIGIBLE FOR ENTRY PARTICIPANTS MUST BE AGED 18 YEARS AND OVER. THE GRAND PRIZE REFERRED TO IN THIS PROMOTION IS \$ 30,000.00. IN ADDITION, EACH PARTICIPANT WHO SUBMITS A VALID ENTRY IN COMPLIANCE WITH THE TERMS AND CONDITIONS BEFORE THE CLOSING DATE (12/31/2015) WILL RECEIVE A VOUCHER CHECK REDEEMABLE AGAINST FUTURE OFFERS BY FTI. THESE VOUCHER CHECKS ARE NOT CASHABLE. THE GRAND WINNER WILL BE DRAWN AFTER THE CLOSING DATE AND AN OFFICIAL NOTIFICATION WILL BE SENT OUT TO THIS WINNER WITHIN 4 WEEKS. THE GRAND WINNER THEN HAS 2 WEEKS TO RESPOND AND CLAIM HIS PRIZE. IN THE EVENT THAT THE GRAND WINNER FAILS TO CLAIM HIS PRIZE WITHIN THE TIME GIVEN, THE PRIZE WILL BE FORFEITED AND NOT AWARDED. THIS PROMOTION IS NOT A BINDING OFFER TO RECEIVE \$ 30,000.00 AND NO PURCHASE IS NECESSARY TO ENTER THE DRAW. FOR ENTRIES WITHOUT ORDERS PLEASE DO NOT USE THE ENCLOSED REPLY ENVELOPE BUT RETURN YOUR DOCUMENTS IN A NEUTRAL WHITE ENVELOPE. ANY RECOURSE TO JUSTICE IS EXCLUDED. THIS PROMOTION IS ORGANIZED ON AN INTERNATIONAL LEVEL AND CAN BE WITHDRAWN WITHOUT FURTHER NOTICE IF CERTAIN CIRCUMSTANCES MAKE THIS NECESSARY. THE GRAND WINNER AGREES TO HIS NAME AND PHOTO BE USED FOR FUTURE PRESENTATIONS. THE PRESENT PROMOTION SERVES TO PROMOTE THE ESOTERIC PRODUCTS AND METHODS OF FTI. IN THIS CASE THE "GUARANTEE FOR CASH WINNINGS", A PIECE OF JEWELRY THAT CAN BRING LUCK AND THE CHANCE TO WIN BIG AMOUNTS OF CASH. EACH PARTICIPANT IS FREE TO BELIEVE IN THE SUPERNATURAL OR NOT. PLEASE READ EVERYTHING CAREFULLY. NO CORRESPONDENCE WILL BE ENTERED INTO AND NO LIABILITY CAN BE ACCEPTED FOR ENTRIES LOST, DAMAGED OR DELAYED IN TRANSIT TO THE PROMOTIONAL ADDRESS. THE DRAW IS NOT OPEN TO EMPLOYEES OF THE PROMOTER, THEIR FAMILIES OR TO AGENTS, DISTRIBUTORS OR ANY OTHER PERSON CONNECTED WITH THE PROMOTION. THE CHANCE OF WINNING THE MAIN PRIZE IS 1/112,000. IF YOUR CHECK IS RETURNED NSF OR FOR INSUFFICIENT FUNDS BY YOUR BANK YOU HEREBY AUTHORIZE US TO ELECTRONICALLY DEBIT THE FACE AMOUNT OF THE CHECK AND DEBIT ALL APPLICABLE STATE ALLOWABLE FEES.

X106-4 USA

OFFICIAL REPORT AS PROOF - CHECK WINNER IDENTIFIED

GRAND PRIZE
1 CHECK for
\$ 30,000.00

TABLE DRAFTED FOLLOWING YOUR PERSONAL CODE COUPON RFG-924 186 BEING DECLARED WINNER

This official table is sent to you, [REDACTED], so that you may be aware that you have won a CHECK. You must therefore reply immediately.

[REDACTED]

[REDACTED]

STATEMENT N° 1	STATEMENT N° 2	STATEMENT N° 3	CONCLUSION
Allocated number:	[REDACTED]	unique number	CONFIRMED!
Holder:	[REDACTED]	selected	CONFIRMED!
Confirmed status:	WINNER	filed	CONFIRMED!
Reminder GRAND PRIZE:	CHECK	\$ 30,000.00	CONFIRMED!
Dispatch of your CHECK:	to [REDACTED]	URGENT	CONFIRMED!
Recommended reply deadline:	for [REDACTED]	7 DAYS	CONFIRMED!

WARNING ISSUED

Some people declared GRAND WINNERS (they were fortunate enough to receive a winning number) despite this actually became losers... simply because they didn't reply in time! For the sake of confidentiality (and to avoid causing regret) we will not disclose these people's names.

above all don't waste time!

I would really like you to be on the list of our GRAND WINNERS! But for that to happen, you must firstly reply to me! Use your coupon located below!

for the attention of [REDACTED]

following the current nomination to the status of CHECK winner under the auspices of A. Ferguson

A. Ferguson

FORMAL CERTIFICATE OF PERSONAL STATUS

Status acquired:	Thanks to the winning number	<i>Yes, it's confirmed</i>
Holder:	[REDACTED]	<i>Yes, it's confirmed</i>
Status and prize:	has been declared WINNER of a CHECK	<i>Yes, it's confirmed</i>
Reminder GRAND PRIZE:	in the value of \$ 30,000.00	<i>Yes, it's confirmed</i>

The winning number for the GRAND PRIZE of \$ 30,000.00 appears on a unique coupon...

ON RECEIPT OF THIS COUPON WE WILL SEND YOU THE CHECK FOR \$ 30,000.00 AS SOON AS POSSIBLE.

REGISTRATION DEPARTMENT
 for identified beneficiaries of winning

PERSONAL CODE COUPON
RFG-924 186

Sent only to: [REDACTED]

Enables the Finance Department to identify the GRAND WINNER of \$30,000.00

IN ACCORDANCE WITH THE RULES AND REGULATIONS, YOU MUST RETURN THIS COUPON BY AFFIXING IT TO YOUR REGISTRATION CARD OF A WINNER.

REGISTRATION CARD OF A CONFIRMED WINNER

Please return in the enclosed envelope to: FTI, P.O. Box 8202, NE-3503 RE Utrecht, The Netherlands

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

RESERVED FOR:



URGENT REPLY AWAITED!

**AFFIX YOUR
PERSONAL CODE COUPON
HERE**

YES, my documents prove that I am indeed a CHECK WINNER. I claim the **GRAND PRIZE CHECK OF \$30,000.00 according to the official rules** I affix my **PERSONAL CODE COUPON** as proof.

YES, I confirm that my address details are correct.

YES, I want my request to be treated with **SECURE PROCESSING** which guarantees the secure dispatch of my CHECK. In order to benefit from this service I ask you to send me the "**GUARANTEE FOR CASH WINNINGS**" for the modest amount of \$50.

Please process my request with priority. I am paying an additional \$5 for this service.

Please send us your PERSONAL CODE COUPON as soon as possible!

I am paying the \$50 or \$55 as follows:
(Fill out and return in the enclosed reply envelope)

By bank check made out to FTI By cash enclosed
 By credit card: Visa Mastercard

Card No.: Expires on:

My birthdate: E-Mail:

Date: Signature (required for credit card payment):

I have read, understood and accept all the conditions

No, I forfeit the opportunity to receive \$30,000.00 and to become rich. You can give the money to someone else or donate it to a charity of your choice.

OFFICIAL CERTIFICATE

FINANCIAL COMMISSION OF FINANCIAL TRANSFER INSTITUTE TASKED WITH
PAYMENT OF DONATIONS, DIVIDENDS AND FINANCIAL TRANSACTIONS

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

\$30,000.00

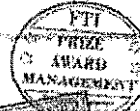
PERSONAL CODE COUPON

RFG-924 186

MANAGER OF THE DRAW

FINANCIAL MANAGER

S. Ritzefeld
Joyce Goodman



DATE SENT
TODAY

PLACE OF PAYMENT
Utrecht

KEEP IN SAFE PLACE

PROTECTED FORM

URGENT Payment dossier

RETURN WITHIN 7 DAYS

/// OFFICIAL VERIFICATION ///

Identity of declared winner

VERIFIED

GRAND PRIZE: \$30,000.00

VERIFIED

Secure processing offered

VERIFIED

Official procedure for the identification of winner

VERIFIED

Confirmed payment notice of Financial Department

VERIFIED

Official certificate enclosed for \$30,000.00

VERIFIED

Please fill out the form on the BACK and return it today.
For rapid dispatch use the enclosed reply envelope.

OFFICIAL
MAIL ENVELOPE

Please use
sufficient
postage

For internal use only:

- Contains REGISTRATION CARD OF A WINNER
- The deadline has been met
- Secure processing requested
- Priority processing

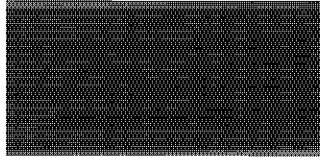
FTI
P.O. Box 8202
NL-3503 RE Utrecht
The Netherlands

X 100-4 LSA

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

UNIQUE NOTIFICATION

If undelivered, please return to:



POSTAGE PAID



AIRMAIL PRINTED MATTER

THE REPLY OF THE HOLDER OF
PERSONAL CODE COUPON:
RFG-924 186
IS URGENTLY REQUESTED!



TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
- (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
- (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
- (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
- (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.
- (4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—
- (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.
- (5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.
- (6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 _RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

- (a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).
- (2) The Recorder shall promptly serve this notice on the parties as follows:
 - (i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.
 - (ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT E
TO COMPLAINT

**UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100**

In the Matter of the Determination of	)	Date of Issuance:
Nonmailability of Certain Material from:	)	September 15, 2015
)	
FTI)	
at)	
PO Box 8202)	
Utrecht RE NL-3503)	
The Netherlands)	
	)	Case Number:
	)	[1311] 15-JFK-1194
)	

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

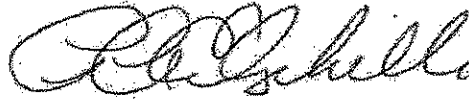
Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel

A handwritten signature in cursive script, appearing to read "P. A. Edgehille".

By: P. A. Edgehille
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

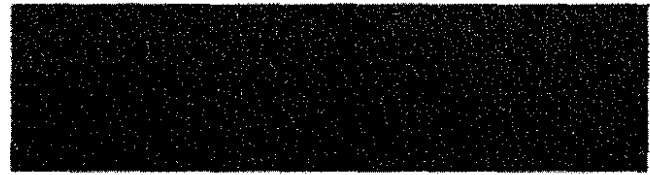
THE LETTER WILL BE VALID IF YOU ARE OUR GAMING PARTNER

+++ URGENT +++
CLAIM NOTIFICATION

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

Exhibit 15-JFK-100-01

██████████
\$30,000.00 will be paid to you if you return the **PERSONAL CODE COUPON: RFG-924-186** urgently awaited by the Independent Adjudicator!
Be warned... there is only one!

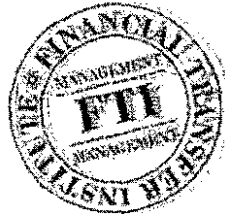


100-1328

X100-4 USA

UNIQUE LETTER - NO REMINDER

One single person has indeed received this coupon... It's you and you alone!



URGENT REPLY REQUESTED

Dear ██████████,

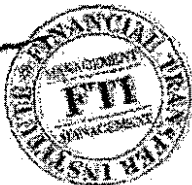
It's the honest truth: this \$30,000.00 CHECK really will be sent to you by recorded delivery, as soon as you return the **PERSONAL CODE COUPON: RFG-924-186** urgently awaited by our Finance Department.

The CHECK for \$30,000.00 will be sent to you by the Independent Adjudicator strictly according to the official rules.

I am sure you have your doubts... and yet! To convince you of our good intentions, I have enclosed a **PAYMENT AGREEMENT, IRREVOCABLE AND CONFIRMED**, for you as well as your **FORMAL CERTIFICATE OF PERSONAL STATUS** enabling you to claim the **CHECK YOU HAVE WON!**

Be careful, you have limited time to claim the \$30,000.00. It's still enough, but please, don't risk missing the specified deadline. In this case, and to my great regret, I will be obliged to cancel your rights as well as your CHECK. Keep that in mind!

A. Ferguson



With my compliments!

A. Ferguson, Management

X100-4 USA

FTI
2015

IMPORTANT!!!

IS ██████████ THE ADDRESS TO WHICH I SHOULD SEND THE \$30,000.00 GRAND PRIZE? IF NOT, PLEASE PROVIDE ME WITH ANOTHER ADDRESS.

OFFICIAL TERMS: THIS DRAW IS PART OF THE CAMPAIGNS ORGANIZED BY FTI WITHIN THE FRAMEWORK OF PRIZE DRAWS PRESENTED IN VARIOUS FORMS, AND PRESENTATIONS. TO BE ELIGIBLE FOR ENTRY PARTICIPANTS MUST BE AGED 18 YEARS AND OVER. THE GRAND PRIZE REFERRED TO IN THIS PROMOTION IS \$ 30,000.00. IN ADDITION, EACH PARTICIPANT WHO SUBMITS A VALID ENTRY IN COMPLIANCE WITH THE TERMS AND CONDITIONS BEFORE THE CLOSING DATE (12/31/2015) WILL RECEIVE A VOUCHER CHECK REDEEMABLE AGAINST FUTURE OFFERS BY FTI. THESE VOUCHER CHECKS ARE NOT CASHABLE. THE GRAND WINNER WILL BE DRAWN AFTER THE CLOSING DATE AND AN OFFICIAL NOTIFICATION WILL BE SENT OUT TO THIS WINNER WITHIN 4 WEEKS. THE GRAND WINNER THEN HAS 2 WEEKS TO RESPOND AND CLAIM HIS PRIZE. IN THE EVENT THAT THE GRAND WINNER FAILS TO CLAIM HIS PRIZE WITHIN THE TIME GIVEN, THE PRIZE WILL BE FORFEITED AND NOT AWARDED. THIS PROMOTION IS NOT A BINDING OFFER TO RECEIVE \$ 30,000.00 AND NO PURCHASE IS NECESSARY TO ENTER THE DRAW. FOR ENTRIES WITHOUT ORDERS PLEASE DO NOT USE THE ENCLOSED REPLY ENVELOPE BUT RETURN YOUR DOCUMENTS IN A NEUTRAL WHITE ENVELOPE. ANY RECOURSE TO JUSTICE IS EXCLUDED. THIS PROMOTION IS ORGANIZED ON AN INTERNATIONAL LEVEL AND CAN BE WITHDRAWN WITHOUT FURTHER NOTICE IF CERTAIN CIRCUMSTANCES MAKE THIS NECESSARY. THE GRAND WINNER AGREES TO HIS NAME AND PHOTO BE USED FOR FUTURE PRESENTATIONS. THE PRESENT PROMOTION SERVES TO PROMOTE THE ESOTERIC PRODUCTS AND METHODS OF FTI. IN THIS CASE THE "GUARANTEE FOR CASH WINNINGS", A PIECE OF JEWELRY THAT CAN BRING LUCK AND THE CHANCE TO WIN BIG AMOUNTS OF CASH. EACH PARTICIPANT IS FREE TO BELIEVE IN THE SUPERNATURAL OR NOT. PLEASE READ EVERYTHING CAREFULLY. NO CORRESPONDENCE WILL BE ENTERED INTO AND NO LIABILITY CAN BE ACCEPTED FOR ENTRIES LOST, DAMAGED OR DELAYED IN TRANSIT TO THE PROMOTIONAL ADDRESS. THE DRAW IS NOT OPEN TO EMPLOYEES OF THE PROMOTER, THEIR FAMILIES OR TO AGENTS, DISTRIBUTORS OR ANY OTHER PERSON CONNECTED WITH THE PROMOTION. THE CHANCE OF WINNING THE MAIN PRIZE IS 1/117,000. IF YOUR CHECK IS RETURNED NSF OR FOR INSUFFICIENT FUNDS BY YOUR BANK YOU HEREBY AUTHORIZE US TO ELECTRONICALLY DEBIT THE FACE AMOUNT OF THE CHECK AND DEBIT ALL APPLICABLE STATE ALLOWABLE FEES.

X065-4-USA

REGISTRATION CARD OF A CONFIRMED WINNER

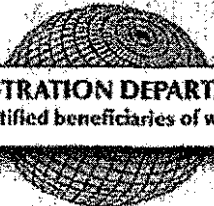
Please return this card to: Postbus 17
NL-PO: Box 8202 NL-3503 RE Utrecht, The Netherlands

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

RESERVED FOR:



**URGENT REPLY
AWAITED!**



**AFFIX YOUR
PERSONAL CODE COUPON
HERE**

- YES**, my documents prove that I am indeed a CHECK WINNER. I claim the GRAND PRIZE CHECK OF **\$30,000.00** according to the official rules! I affix my PERSONAL CODE COUPON as proof.
- YES**, I confirm that my address details are correct.
- YES**, I want my request to be treated with SECURE PROCESSING which guarantees the secure dispatch of my CHECK. In order to benefit from this service I ask you to send me the "GUARANTEE FOR CASH WINNINGS" for the modest amount of \$50.
- Please process my request with priority. I am paying an additional \$5 for this service.

Please send us your **PERSONAL CODE COUPON** as soon as possible!

I am paying the \$50 or \$55 as follows:
(Fill out and return in the enclosed reply envelope)

- By bank check made out to FTI By cash enclosed
- By credit card: Visa Mastercard

Card No.: _____ Expires on: _____

My birthdate: _____ E-Mail: _____

Date: _____ Signature (required for credit card payment): _____

I have read, understood and accept all the conditions

- No, I forfeit the opportunity to receive \$30,000.00 and to become rich. You can give the money to someone else or donate it to a charity of your choice.



X1064 USA-AUS-CH-NO-ZA

OFFICIAL CERTIFICATE

FINANCIAL COMMISSION OF FINANCIAL TRANSFER INSTITUTE TASK FORCE WITH
PAYMENT OF DONATIONS, DIVIDENDS AND FINANCIAL TRANSACTIONS

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

\$30,000.00

PERSONAL CODE COUPON

RFG-924 186

DATE SENT
TODAY

MANAGER OF THE DRAW

S. Ritzenthaler



PLACE OF DRAWING
Utrecht

FINANCIAL MANAGER

Joyce Goodman



KEEP IN SAFE PLACE

PROTECTED FORM

URGENT Payment dossier

RETURN WITHIN 7 DAYS

/// OFFICIAL VERIFICATION ///

Identity of declared winner

VERIFIED

GRAND PRIZE: \$30,000.00

VERIFIED

Secure processing offered

VERIFIED

Official procedure for the identification of winner

VERIFIED

Confirmed payment notice of Financial Department

VERIFIED

Official certificate enclosed for \$30,000.00

VERIFIED

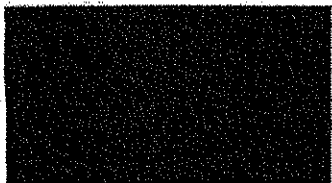
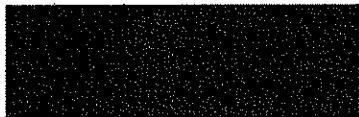
Please fill out the form on the BACK and return it today.
For rapid dispatch use the enclosed reply envelope.

OFFICIAL REPORT AS PROOF - CHECK WINNER IDENTIFIED

TABLE DRAFTED FOLLOWING YOUR PERSONAL CODE COUPON RFG-924 186 BEING DECLARED WINNER



This official table is sent to you, [REDACTED], so that you may be aware that you have won a CHECK. You must therefore reply immediately.



STATEMENT N° 1	STATEMENT N° 2	STATEMENT N° 3	CONCLUSION
Allocated number:	10 932 28	unique number	CONFIRMED !!
Holder:	[REDACTED]	selected	CONFIRMED !!
Confirmed status:	WINNER	filed	CONFIRMED !!
Reminder GRAND PRIZE:	CHECK	\$ 30,000.00	CONFIRMED !!
Dispatch of your CHECK:	to [REDACTED]	URGENT	CONFIRMED !!
Recommended reply deadline:	for [REDACTED]	7 DAYS	CONFIRMED !!

WARNING ISSUED

Some people declared GRAND WINNERS (they were fortunate enough to receive a winning number) despite this actually became losers... simply because they didn't reply in time! For the sake of confidentiality (and to avoid causing regret) we will not disclose these people's names.

above all don't waste time!

I would really like you to be on the list of our GRAND WINNERS! But for that to happen, you must firstly reply to me! Use your coupon located below!

for the attention of [REDACTED]

following the current nomination to the status of CHECK winner under the auspices of A. Ferguson

A. Ferguson

FORMAL CERTIFICATE OF PERSONAL STATUS

Status acquired:	Thanks to the winning number	Yes, it's confirmed
Holder:	[REDACTED]	Yes, it's confirmed
Status and prize:	has been declared WINNER of a CHECK	Yes, it's confirmed
Reminder GRAND PRIZE:	in the value of \$ 30,000.00	Yes, it's confirmed

The winning number for the GRAND PRIZE of \$ 30,000.00 appears on a unique coupon...

ON RECEIPT OF THIS COUPON WE WILL SEND YOU THE CHECK FOR \$ 30,000.00 AS SOON AS POSSIBLE

REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

PERSONAL CODE COUPON
RFG-924 186

Sent only to: [REDACTED] US-1328

Enables the Finance Department to identify the GRANDWINNER of \$30,000.00

IN ACCORDANCE WITH THE RULES AND REGULATIONS YOU MUST RETURN THIS COUPON BY AFFIXING IT TO YOUR REGISTRATION CARD OF A WINNER

Retain this agreement that serves as proof
until the effective release of the CHECK!

**FOR THE
GRAND WINNER**

**PAYMENT AGREEMENT
IRREVOCABLE & CONFIRMED**

As Finance Director, I formally commit to release the CHECK for:

\$ 30,000.00

to the holder of the unique

**PERSONAL CODE COUPON:
RFG-924 186**

urgently awaited by the Independent Adjudicator.

*I confirm that, if you return your REGISTRATION CARD OF A
WINNER within 7 days (preferably) YOU CAN BE ABSOLUTELY
SURE OF RECEIVING THE CHECK AS SOON AS
POSSIBLE!*

Joyce Goodman
J. Goodman, Finance Director



**OFFICIAL
REPLY ENVELOPE**

For internal use only:

- Contains REGISTRATION CARD OF A WINNER
- The deadline has been met
- Secure processing requested
- Priority processing

Please use
sufficient
postage

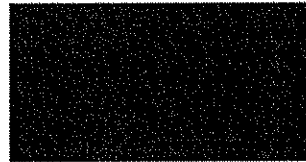
FTI
P.O. Box 8202
NL-3503 RE Utrecht
The Netherlands

X 102-A USA

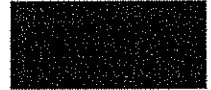
REGISTRATION DEPARTMENT
for identified beneficiaries of winnings

UNIQUE NOTIFICATION

If undelivered, please return to:

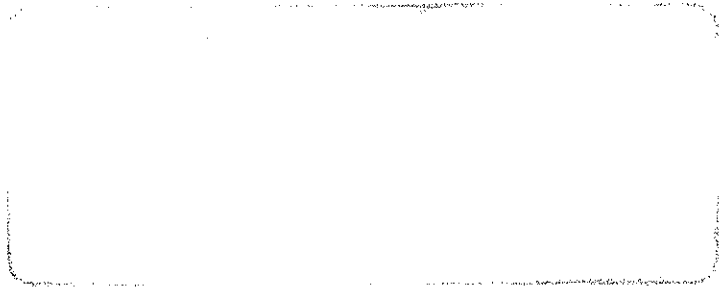


POSTAGE PAID



AIRMAIL PRINTED MATTER

THE REPLY OF THE HOLDER OF
PERSONAL CODE COUPON:
RFG-924 186
IS URGENTLY REQUESTED!



TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
- (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
- (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
- (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
- (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.

(4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—

 - (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.

(5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.

(6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT F
TO COMPLAINT

UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100

In the Matter of the Determination of)
Nonmailability of Certain Material from:)
)
MAGISTER DAVIDS)
 at)
P.O. Box 40388 NL-3504 AD Utrecht)
The Netherlands)
)
)
)
)

Date of Issuance:
June 26, 2015

Case Number:
[1194] 15-ORD-1677

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

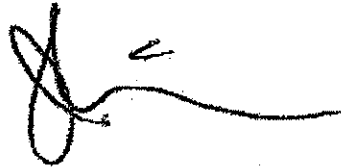
Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel

A handwritten signature in black ink, appearing to be 'J.D. Bingham', with a long horizontal flourish extending to the right.

By: Jared D. Bingham
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

Please use
sufficient
postage

Magister Davids
P.O. Box 40388
NL-3504 AD Utrecht
The Netherlands

Z30-7 All English

If undelivered, please return to:
[REDACTED]
Taipei, Taiwan R.O.C.

TAIPEI, TAIWAN
R.O.C.
POSTAGE PAID
[REDACTED]

AIRMAIL PRINTED MATTER

*In a few days, it will be
all over...*

USPS 7-9112

Exhibit 15-ORD-137-1

Important Announcement

Re.: ONE-TIME PAYMENT BY BANK CHECK

36,000.00 dollars

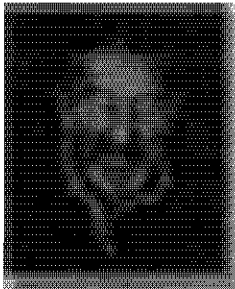
Comment:

Today is the luckiest day
of your life!

I selected you in order to

give **\$ 36,000.00**
EXCLUSIVELY to you!

Office of Magister Davids



Magister Davids

This money award, available as from now, is really meant for you... We are sure you could find a use for this sum!

Please follow the steps below in order for everything to turn out right and to help me resolve all the remaining issues as soon as possible.

Magister Davids



OFFICIAL PRIZE-WINNER'S STICKER

Personal winning no.
107.033.676

Confirmed status
MAIN WINNER

- O.W.C. - OFFICIAL WINNER CERTIFICATE

> Sole recipient: [Redacted]
> Personal winning no.: [Redacted] > Confirmed: *Magister Davids*
> Money award: **\$ 36,000.00**
1.85-1061

GUARANTEED
AND CONFIRMED
CHECK

PAYMENT OF THE AWARD: ONLY POSSIBLE WITH AUTHENTICATED WINNER'S STICKER!

IMPORTANT: Please don't forget to attach your official prize winner's sticker on the proper place on your "CHECK TRANSFER REQUEST"

*I have a check for you - a check
exclusively for the Main Winner!*
*Please return the signed
Check Transfer Request
to me as soon as possible.*

Magister Davids

**CONFIRMED AWARD
FOR YOU**



now it is an official fact: You have been declared
MAIN WINNER
and **SOLE RECIPIENT**
of a **ONE-TIME-ONLY CHECK**
of **36,000.00 dollars!**

This is a formal and indisputable guarantee!

My sincere congratulations!

Magister Davids



Magister Davids	PAYMENT BUREAU OF THE Office of Magister Davids	
Please pay against this check:		\$ ** 36,000.00 **
## thirty-six thousand dollars ##		
## \$ 36,000.00 ##		
To:		
Date: 05/14/2015	<i>Magister Davids</i>	
#MODEL#		

-This is not a bona fide check. Cannot be cashed.-

**+++ This is a very special offer,
destined exclusively for YOU +++**

This is **TURBO-TOPAWARDS**, the extremely profitable and absolute top secret method used by the greatest millionaires that will help you IN ALL CASES to become rich within 12 weeks by playing games of chance!

As proof of the seriousness of our offer and the reliability of the results reached with the **TURBO-TOPAWARDS** I promise you that, in case you will win less than 36,000.00 dollars, I will compensate you with a genuine check of a considerable amount!

In this way you will be absolutely sure to WIN in any case!

US-1031

This letter effectively bears your address, [REDACTED] showing that you are the only person who has been declared officially a PRIVILEGED recipient!

I can say that many things are developing in a "FAVORABLE" way for you....and this of course is excellent!

Attention, this is extremely serious!! In the beginning of this letter you saw the announcement of a 36,000.00 dollar prize! 36,000.00 dollars are waiting for you. All you have to do is claim the prize!

I also have other good news for you...

Yesterday evening I saw Prof. Jonathan Flaming, the mathematician and recognized international expert in games of chance. We had a long conversation about probability calculations, possibilities for accumulation of wins, prize multipliers, and so on. When you have the chance to talk to an expert like that, you must seize the opportunity....

In the course of our conversation he asked me if I had a client or a friend who would be interested (absolutely free, of course) in his latest find, a method to quickly win money in any type of games of chance (lottery, scratch cards, horse races, etc...).

Professor Flaming says that this particular procedure enables very large wins in all these games of chance.

This amazing invention, "TURBO-TOPAWARDS", which he usually reserves for his family and closest friends, has procured a lot of money to many of his friends all over the world. As I pledged absolute discretion I cannot say much, but some of them have become billionaires.

Now YOU have this fantastic possibility because I suggested your name as one possible candidate. This is because I believe that this miraculous method could considerably improve your personal financial situation. Prof. Flaming is a passionate numerologist and scientist, and at the same time a man with a good heart.

Of course the offer he made has to remain absolutely confidential and secret, because it involves only you, [REDACTED]. Please be careful not to let anyone know that you possess the "TURBO-TOPAWARDS" method and take care that nobody watches you when using this method, as it must not come into the wrong hands.

A discovery that will not please gaming companies and casinos!

This is because you can easily understand why organizers of games of chance will not be overjoyed when they hear that this method will ensure winning to those who possess it and use it when playing. They will do all they can to prevent that from happening.

But the use of "TURBO-TOPAWARDS" is of course a fully legal method that everyone would like to possess!

And so you will profit from it!

"TURBO-TOPAWARDS" functions according to a principle that not only challenges the laws of chance, but also experts in the field.

The greatest advantage of "TURBO-TOPAWARDS" is that the method works for all games of chance, bar none!

Before I describe how Professor Flaming made this profitable discovery, I would like to tell you the story of Terry Martin, a close friend of Prof. Flaming, one who normally never participates in games of chance and who recently experimented with "TURBO-TOPAWARDS".

Read Terry's report..

"I filled out my lottery ticket without thinking. It was the first time I ever played a game of chance. At the time of the draw - because of the idea that I could actually win - I had a feeling of euphoria. I felt safe and confident, as if I could not lose, a very exceptional feeling. I soon discovered that this was no illusion. I watched the draw on the television and at the end of the draw, the fact that I won the Jackpot did not immediately sink in! I was sent a check for \$ 250,000.00! I was flabbergasted because I thought that this only happened to other people. The only possible explanation is that having "TURBO-TOP AWARDS" on me when I filled out the ticket helped me win more money in one evening than I had earned in the past seven years! It was far more than I had ever wished for. In the blink of an eye my life changed completely."

*"TURBO-TOP AWARDS", the secret weapon to quickly become rich,
starting from scratch!*

What happened to Terry may happen to you in a few days' time!

The only thing to do is play your favorite game (the lottery, horse races, etc.). **With one particular difference:** It will not be a game of "chance" anymore – at least not for you! Because when using "TURBO-TOP AWARDS", you can win considerable sums of money, almost for sure.

Ever since this fantastic discovery, hundreds of people throughout the world have won enough money to ensure their future and start a new life. Now it's your turn to belong to the category of the well-to-do. It is a sign of fate, a sign that knows no error, as if it had all been written beforehand.

A revolutionary discovery!

The circumstances in which Professor Flaming made this incredible discovery are fascinating in themselves. His job brought him to South Africa where one evening he went out for a walk, as usual deep in thought about problems connected with his work. Suddenly he felt uncommonly intense energy where his feet had led him without him being fully aware of where he was going.

Of course he wanted to know what caused this intense energy, which he felt especially strong at a certain spot. The next day, he went back with a set of special instruments in order to measure and capture this high concentrated pure energy. The nearer he came to the spot, the stronger was the energy he measured. Soon he discovered the entry to an abandoned gold mine.

He immediately understood that this field of energy and activity originated deep in the earth that was especially rich in gold and other precious metals. He repeated his research in other abandoned and spent mines and found that only gold mines were the source of this particular energy.

With help of his advanced technology he was able to capture and store that energy. When he informed a close friend of his discovery, he handed him the storage device to feel the activity it contained. Two days later this friend won a fabulous prize in the lottery.

At first the coincidence was not clear. But the event repeated itself when a trusted colleague took the device in his hands to closely examine the energy stored in it. After a relatively short time also he won the lottery, after having felt, as he reported later on, a sudden urge to fill out a lottery ticket. He won 1 million dollars.

Very soon Professor Flaming had understood the peculiarity of his discovery. Since then a few privileged people have been able to use this discovery to win enough money to start their lives all over again, or in any case to dramatically improve it. In these cases quite another matter is involved than sheer luck. It is a sign of fate.

And today it is a lucky sign of fate for you!

You too will be able – just like the people I told you about – to apply this "profitable" discovery to your benefit! From now on it depends only on you whether or not to profit from your luck. Professor Flaming is giving you a fail-safe method to access it...

Maybe you are still skeptical and uncertain whether to accept this unique gift. I understand, but did you ever note how some people really live in the lap of wealth and luxury, whereas others always strive in vain for it? They exist, the accelerators of fortune, but not everyone owns one.

Allow me to tell you this: with the decision to acquire your "TURBO-TOP AWARDS" you will experience this series of positive events in your life!

So make your decision in order to not have any regrets later on.

Accept my help. You will not incur any risk. I confirm here and now that if in the next 90 days you do not win an ASTRONOMICAL SUM OF MONEY with "TURBO-TOP AWARDS" – the only thing you have to do is write me a short letter. In reply I will send you a BONA FIDE dated and signed check. (I am able to make an offer like this thanks to Professor Flaming's gift. This is how sure I am that "TURBO-TOP AWARDS" will also bring luck to you!)

Only your Confirmation of Acceptance is lacking - for things to get started!

Please return your Personal Acceptance Form for "TURBO-TOP AWARDS" to me. I will send it to you with absolute priority after having received your request.

I am waiting to hear from you and send you my best wishes.
Congratulations in advance!

Magister Davids

Magister Davids



Please read these excerpts from letters received by Professor Flaming...

*...I can hardly believe my luck...
Ever since I acquired
Turbo-Top my lucky streak
knows no end. Only a few weeks
ago I won 305,000.00 dollars and
bought a small home, isn't that
wonderful? ...*

*Dear Professor Flaming,
Thanks to Turbo-Top
we are able to enjoy this
marvelous dream vacation in the
Maldives and many other of these
fantastic trips in the future.
Many greetings from*

Dear Professor Flaming,
Like most people I know I participated every week in all kinds of games without ever winning something. How could I draw myself out of my desolate situation ... I had lost all hope. Then I unexpectedly received your letter explaining "Turbo-Top".
I should admit at this point that I had some difficulty in believing its contact. But on the other hand I had nothing to lose either. You cannot imagine how glad I am to have decided to try it. I only had to accept having "Turbo-Top" sent to my address in order to change my life.
You said so. And that was exactly what happened.
The day I started to play, my "Turbo-Top Awards" hidden deep in my pocket, my courage and hope returned. And I started to win letteries and other games of chance! Yes I, who never won anything! I could hardly believe my luck. You really are a person with a heart, Professor Flaming, I owe so much to you!

*Mr P
P.O.
NL
The*

===== **YOUR GUARANTEE** =====

If for any reason you are not satisfied, simply send a short note. After it is received, your money will be refunded in full, no discussion and no questions asked. This is your personal, unconditional and contractual guarantee.

CONDITIONS OF PARTICIPATION: THE EVENT ENTITLED "OFFICIAL PRIZE-WINNING CERTIFICATE" IS PART OF VARIOUS CONTESTS WITH PRIZE AWARDS CONDUCTED THROUGHOUT THE YEAR IN THE FRAMEWORK OF ESOTERIC AND WINNING METHODS. IN THE PRESENT CASE, THE METHOD IS CALLED TURBO-TOP AWARDS. THE PRIZES AT STAKE IN THIS CONTEST ARE A MAIN PRIZE, A BANK CHECK FOR \$ 36,000.00 (THIRTY-SIX THOUSAND DOLLARS) AND SECONDARY PRIZES FOR EVERY PARTICIPANT RESPONDING IN DUE FORM, DISCOUNT CHECKS (VOUCHERS) FOR AT LEAST \$ 20 APPLICABLE TO A DISCOUNT ON A SUBSEQUENT OFFER BY MAGISTER DAVIDS, OR A GIFT OF A SIMILAR VALUE. THESE DISCOUNT CHECKS CANNOT BE CASHED. PRIZES WILL BE AWARDED TO THE WINNER IN A DRAW AT THE END OF THE CONTEST THAT CLOSES ON DEC. 31, 2015, UNDER THE SUPERVISION OF AN IMPARTIAL OFFICIAL. THE MAIN PRIZE WILL BE DRAWN AFTER THE CONTEST CLOSES USING A LIST OF ADDRESSES OF RECIPIENTS OF THESE DOCUMENTS. THE WINNER OF THE MAIN PRIZE WILL BE THE RECIPIENT WHOSE PARTICIPATION NUMBER WILL HAVE BEEN DECLARED MAIN WINNER AFTER THE DRAW VERIFIED BY THE SUPERVISING OFFICIAL. PARTICIPATION IN THIS CONTEST IS FREE AND WITH NO OBLIGATION TO PURCHASE. PARTICIPATION IS OPEN TO ALL ADDRESSEES WHO RECEIVED A PARTICIPATION DOCUMENT AND WHO FILLED IT OUT CORRECTLY, RETURNED IT TO THE ADDRESS INDICATED AND BEFORE THE REPLY DEADLINE, IN ANY CASE BEFORE THE CONTEST CLOSES. EMPLOYEES OF MAGISTER DAVIDS, AND THEIR IMMEDIATE FAMILY MEMBERS, AS WELL AS THOSE OF AGENCIES, SERVICE PROVIDERS AND OTHER SUPPLIERS WORKING WITH OR FOR MAGISTER DAVIDS, ARE EXCLUDED FROM PARTICIPATING. THE WINNING NUMBER OF THE CONTEST "OFFICIAL PRIZE-WINNING CERTIFICATE" WILL BE DRAWN UNDER OFFICIAL SUPERVISION SEVERAL DAYS AFTER THE CONTEST CLOSES AMONG ALL DOCUMENTS RECEIVED IN DUE FORM AND BEFORE THE DEADLINE. EVERY PARTICIPANT HAS RECEIVED A PARTICIPATION DOCUMENT ENTITLED "CHECK TRANSFER REQUEST" THAT IS VALID AS A PARTICIPATION FORM. THIS FORM MUST HAVE BEEN CORRECTLY FILLED OUT AND CONTAIN THE "OFFICIAL WINNER'S CERTIFICATE", FOUND ON THE OFFICIAL PRIZE-WINNING CERTIFICATE. IT MUST BE ATTACHED WHERE INDICATED ON THE PARTICIPATION FORM AND RETURNED TO MAGISTER DAVIDS, FOR VERIFICATION BEFORE THE DEADLINE. THE CONTEST CLOSES ON DEC. 31, 2015 (DATE OF RECEIPT). THE RECOMMENDED REPLY DEADLINE IS 10 DAYS FOR LOGISTICAL REASONS AND TO AVOID FORGETTING TO RETURN THE PARTICIPATION FORM. ANY INCOMPLETE, ILLEGIBLE OR DEFACED FORMS, AS WELL AS COPIES, SHALL NOT BE ADMITTED, AS WELL AS FORMS WITHOUT THE "OFFICIAL WINNER'S CERTIFICATE" ATTACHED THAT PROVIDES THE RIGHT TO PARTICIPATE. THE POTENTIAL MAIN WINNER WILL BE NOTIFIED BY REGISTERED MAIL WITHIN ONE MONTH AFTER CONTEST CLOSURE, PROVIDED PARTICIPATION WAS ACCORDING TO THE CONDITIONS OF THE CONTEST "OFFICIAL PRIZE-WINNING CERTIFICATE". THE MAIN WINNER MUST THEN CLAIM THE PRIZE IN WRITING TO MAGISTER DAVIDS, WITHIN TWO WEEKS. PAYMENT WILL THEN BE MADE WITHIN FOUR WEEKS AFTER RECEPTION OF THE WINNER'S CONSENT TO RECEIVE THE MAIN PRIZE. IF THE MAIN WINNER OF THE \$ 36,000.00 PRIZE DOES NOT RESPOND, THE ORGANIZER SHALL NOT BE OBLIGATED TO SEND A SECOND NOTIFICATION TO THE MAIN WINNER. IN THIS CASE, THE ORGANIZER MAY: 1) DISTRIBUTE ALL OR PART OF THIS UNCLAIMED PRIZE TO OTHER PARTICIPANTS DULY ENTITLED, WHO HAVE RETURNED THEIR PARTICIPATION FORM BEFORE THE DEADLINE AND CORRECTLY FILLED OUT; 2) DRAW AN ALTERNATE WINNER OR 3) DONATE ALL OR PART TO A CHARITABLE ORGANIZATION OF ITS CHOICE. THE ABOVE POSSIBILITIES ARE NOT OBLIGATORY, HOWEVER, AND SHALL LEAD TO NO LEGAL CLAIM. BY ACCEPTING THE PRIZE, THE MAIN WINNER OF THE EVENT CONSENTS TO THE PUBLICATION OF HIS OR HER NAME AND PHOTO BY THE ORGANIZING COMPANY FOR ADVERTISING PURPOSES. AS COUNTERPART, THE ORGANIZING COMPANY SHALL NOT USE THE NAME AND PHOTO OF THE MAIN WINNER FOR DISPARAGING PURPOSES AND SHALL AT ALL TIMES PROTECT THE INDIVIDUAL RIGHTS OF THE WINNER. NO INFORMATION ON THE CONTEST CAN BE GIVEN BY TELEPHONE. PARTICIPATION IMPLIES THE UNEQUIVOCAL ACCEPTANCE OF THE PRESENT CONDITIONS, AS WELL AS THE INSTRUCTIONS ON THE PARTICIPATION FORMS. THE CONTEST "OFFICIAL PRIZE-WINNING CERTIFICATE" IS AN ADVERTISING EVENT WHOSE PURPOSE IS TO ATTRACT POTENTIAL CUSTOMERS TO THE ENCLOSED COMMERCIAL OFFER. ACCORDING TO DATA PROTECTION LAWS, EVERY PARTICIPANT AND/OR CUSTOMER HAS THE RIGHT TO EXAMINE AND CORRECT PERSONAL DATA. THE ORGANIZER SHALL NOT BE RESPONSIBLE FOR ANY CHANGES, DELAYS OR CANCELLATION OF ANY ADVERTISING EVENT FOR WHATEVER REASON. ALL DECISIONS ARE FINAL. THIS IS AN INTERNATIONAL CONTEST, THE CHANCE OF WINNING THE MAIN PRIZE IS 1/200,000. IF YOUR CHECK IS RETURNED NSF OR FOR INSUFFICIENT FUNDS BY YOUR BANK YOU HEREBY AUTHORIZE US TO ELECTRONICALLY DEBIT THE FACE AMOUNT OF THE CHECK AND DEBIT ALL APPLICABLE STATE ALLOWABLE FEES.

210-7 USA

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
 - (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
 - (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
 - (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
 - (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.

(4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—

 - (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.

(5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.

(6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and Informal dispositions.

Either party may request the other to consider informal disposition of any question of maintainability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT G
TO COMPLAINT

UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100

In the Matter of the Determination of)
Nonmailability of Certain Material from:)
)
MAGISTER DAVIDS)
 at)
P.O. Box 40388)
Utrecht AD NL 3504)
The Netherlands)
)
)
)

Date of Issuance:
June 2, 2015

Case Number:
[1146] 15-ORD-1330

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

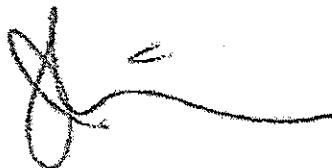
Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the *Inspection Service* will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel

A handwritten signature in black ink, appearing to be 'J. Bingham', with a long horizontal flourish extending to the right.

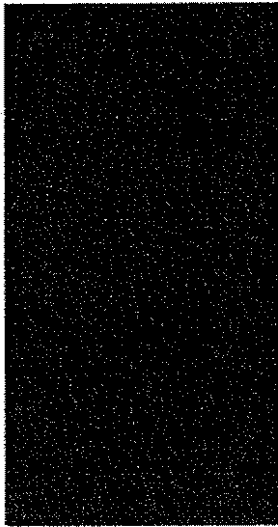
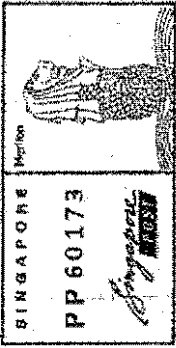
By: Jared D. Bingham
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

Exhibit 15-ORD-113-1

If undelivered,
please return to:

Singapore



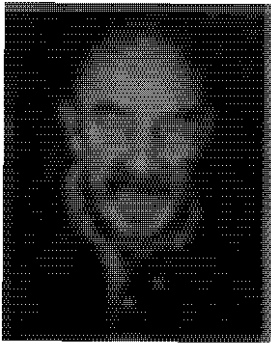
AIRMAIL
CUSTOMS
DECLARATION

May be opened
officially

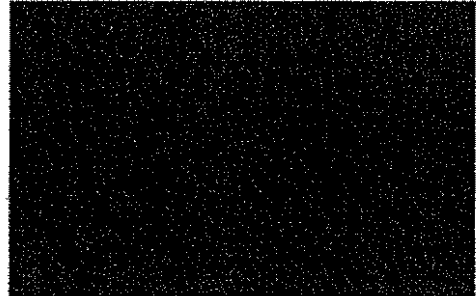
CN 22

Postal administration		Important See instructions on this list	
<input checked="" type="checkbox"/>	Gift	<input type="checkbox"/>	Commercial sample
<input type="checkbox"/>	Documents	<input type="checkbox"/>	Other
Quantity and detailed description of contents (1)		Tick as appropriate Weight (in kg) (2)	
GIFT		Value (3)	
		NCV	
For commercial items only. If known, HS tariff number (4) and country of origin of goods (5)		Total weight (in kg) (6)	Total value (7)
<p>The undersigned, whose name and address are given on the item, certifies that the particulars given in this declaration are correct and that the item does not contain any dangerous article or article prohibited by legislation or by postal administrative regulations.</p>			
Date and sender's signature (8)			

CONFIDENTIAL



Maitre Davids



We are pleased to send Professor Daudet's Method (**whose calculations have been adapted to your personal case**).

In accordance with our agreement, you are committed to keeping absolute silence on the origin of the fortune you will obtain with this Method. I also want to remind you of Professor Daudet's desire that you donate 10% of the money you win to the charitable association(s) of your choice.



First of all, in the name of the International Centre of Financial Leaders, I would like to welcome you to our small circle of rich people.

I am equally pleased to send you the "Reservoir of Money" specially adapted to your case, along with Professor Daudet's Method. Do not lose it since it is the key to your future fortune!

This rare metallic element has fantastic properties that Professor Daudet discovered during his research. The "Reservoir of Money" that has already brought luck truly has surprising effects on winning numbers!

It goes without saying that you cannot only become a millionaire, but also and truly a multimillionaire after you multiply your future wins!

On the following pages I will tell you how to correctly use your "Reservoir of Money" to obtain an immense fortune!

Before this, I would like to tell you something about Professor Daudet and above all about how he chose you among millions of people so that you can live a fantastic adventure.

Yes, [REDACTED], with the present documents, you can become a multimillionaire without working!

The goal of our group is to serve the public interest and we try simply to right certain wrongs of life.

It is common knowledge that the richer a person is, the easier it is to become even richer. Speculation, the stock market, real estate, major investments, relocating to tax havens and more. All these possibilities of becoming richer and richer are reserved only for those who already have money.

- So what is left for the rest of us?

For the "have nots" to become rich, there remain games of chance such as the lottery and casinos. Here again, the only ones really making money are the government and gaming company heads. Professor Daudet is going to change all that.

Professor Daudet has found a singular source of money while seeking a solution to get out of a difficult financial situation.

Professor Daudet is a quantum theoretical physicist. After losing his job he was at the brink of a nervous breakdown. Rather than give in, he decided to use his intelligence to find an honest way to rescue himself from this situation. His scientific research until then had been devoted to the determination of actions and movements in the universe.

A complex scientific domain totally incomprehensible for ordinary people like you and me.

Regardless, Professor Daudet worked for 2 years non stop on this project and finally succeeded in developing a series of differential equations to exclude any phenomenon of random luck.

Using mathematics applied to quantum physics, he finally found a way to exert a targeted effect on random movements. This was so fantastic that he is currently considered a scientific genius!

At the time of his discovery, he could have made it public by publishing and receive his rightful recognition by the scientific community... but he didn't! He kept his findings secret because he knew that his method could be used to win at games of chance.

Professor Daudet had the choice between wealth and academic honours in a prestigious university and chose the former option! This is not at all surprising.

Professor Daudet then started to play. The first time, he won the tidy sum of 6000 dollars! He was stupefied to concretely see to what point the theory he developed in his research really worked.

He nevertheless decided to improve the method because he was firmly convinced that in practice he could win even more (because he did not yet win the jackpot which was his goal).

One year later, he refined his method and saved it in a special metal. In the end, more than 10 billion combinations that efficiently neutralise random luck were saved in this metal. It was the birth of the "Reservoir of Money".

This is how the "Reservoir of Money" was born!

This fantastic invention was going to completely change his life.

From that point on, nothing could stop him from winning every time he played. He was more than convinced of his success. At the time, for a single precise date he calculated the numbers to play using his "Reservoir of Money" in order to be assured of winning the jackpot. On that day, he played a number of lotteries around the world.

The next day, Professor Daudet was the proud possessor of a fortune estimated at 30 million dollars! He played again the next week ... and again won every time.

In only several days he became a multimillionaire!

As incredible as it sounds, he won the jackpot every time!

After this he decided to stop playing! His newfound and immense fortune was largely sufficient and he wanted only to discreetly profit from his new life.

The downside is that his unbelievable wins far beyond any reasonable "chances" attracted the attention of lottery companies (and this is one of the main reasons we are so discreet today).

He was obliged to explain how he won jackpot after jackpot and I cannot even describe the stupefied looks on the faces of the directors of the lottery company. He won this money honestly but was forced to stop playing.

Professor Daudet thus no longer had the right to play the lottery. Regardless of the country, he was also barred from entering casinos. This man was a thorn in the side of gaming companies since he was capable of wiping them out.

His situation confirmed to what point he was right when he said that current millionaires were upset when a poor person became rich!

At that time, he and his family could have moved and profited from the glorious days of a fairy tale life without worrying about others but Professor Daudet saw things in a different light.

He preferred investing the money he won in a specialised scientific centre to establish a better balance between rich and poor, since he believed that that in this context the world was extremely unfair.

Since he no longer had the right to play, he decided to have others win in his place.

You can personally profit from his decision to get back at gaming companies,



You are being given this chance today. I know that you are far from being rich and this is why you are exactly the right person to profit from our help for this "revenge"!

Here is precisely what Professor Daudet would like: he selects only people with considerable financial difficulties to enable them to win and thus bring the equilibrium between the rich and poor more into balance. This is why this philanthropist selected you.

You made the right choice to accept his offer and Professor Daudet as well as all of us at the I.R.E. congratulate you. You now have all you need to completely change your life and become a millionaire.

You will find your table of calculations in an appendix. It contains the precise numbers whose potential for success is guaranteed!

In order to multiply your wins, you must pace your personal "Reservoir of Money" on the table (it was prepared for you personally by Professor Daudet). Using an impressive example that concerns you directly, I will now prove the remarkable effectiveness of the "Reservoir of Money"!

As you know, you have really won with your personal number. Immediately after receiving your response, Professor Daudet used a "Reservoir of Money" for your number. As an example, you will double your win of 22,222 to 44,444 in only 2 days. You will DOUBLE it.

Honestly, I cannot explain how it works because it is far too complicated for me ... Even so, only the result counts - nothing else matters. And the result is that you have won a main prize and this prize is yours to keep!

You will find below the exact instructions to win fantastic sums for 4 weeks.

Professor Daudet has calculated the 4 dates on which you must play. His "Reservoir of Money" contains all the personalised calculations for you to win and it has been equipped with a unique, exclusive and very personal "memory unit" that concerns only you.

All you have to do is play the numbers on your four tables on the dates indicated. It's not complicated at all ... and you will take absolutely no risk whatsoever.

We recommend that you play anonymously. If you are contacted to receive the check, Professor Daudet asks you not to appear on television in order to keep the secret you now share with us.

If you play four times you could win up to 10 million dollars (and perhaps even much more). Professor Daudet would have liked to send you more numbers so you could win 10 times, but we must also think of others.

Allow me to remind you of the moral charter of our centre: you are asked to donate 10% of your wins to the charitable association(s) of your choice. We believe that this is the least you could do.

When you are filling out your lottery tickets, it is ABSOLUTELY NECESSARY to be far from any electrical device or appliance. No television, portable phone or any other device less than 4 metres/13 feet away. The "Reservoir of Money" does not operate in the presence of magnetic or radio waves.

Concentrate and above all remain discreet,

[REDACTED]

Once you will have obtained your first win, the best thing will be to open a new bank account. Choose a bank where nobody knows you so that no unwanted questions are asked and that you are "under the radar" so to speak. In this way you will avoid attracting the attention of gaming companies who may become aware of your existence (remember Professor Daudet's experience).

We once again remind you not to tell anyone about your experience, except people in whom you have total trust and of course only if these people can keep a secret.

Nor do you have the right to mention the name of Professor Daudet or the Centre.

If you need advice, our financial specialists are there to help you wisely invest your millions. They have been doing this for years for all our winners and I can assure you that they are totally trustworthy. If on the other hand you require no advice, we will not bother you.

You have nothing to report to the Centre. Just use your winnings for your own good and for that of others ... Professor Daudet considers that we were right in having trust in you.

**And now, [REDACTED], you can play... and become a millionaire!
And who knows how much you will win?**

- EXTREMELY CONFIDENTIAL -

Now find out how you can win fantastic sums during 4 weeks.

When you play, use your "Reservoir of Money" at the exact moment you enter the numbers on your lottery ticket. These numbers are found in the four tables below and should be played on the dates indicated even if there is no drawing on that day.

Pay attention to the fact that the four tables are valid only on the dates indicated and only for the lottery (the system will not work for horse races, roulette or other games of chance).

It is thus very simple and you will profit immensely with no risk!

Once you have filled out the ticket with the winning numbers indicated, you must place the "Reservoir of Money" on the ticket, where it exerts its most powerful action. In this way, it will considerably increase the potential of your winning numbers that is already enormous.

If you follow these instructions, your wins will increase maximally!

Professor Daudet has already played many times with and without the Reservoir and every time the results spoke for themselves:

The Reservoir is ABSOLUTELY NECESSARY to win big.

Now, [REDACTED] it's your turn to play... Play and win vast amounts of money!

**** Your personal results pour
the numbers with the highest potential ****

01	4	3	0	1	4	1	1	1	X	1	1	1	19
	7	9	5	0	3	2	3	4	X	6	7	8	
20	2	2	X	2	2	3	2	X	0	0	0	2	09
	1	2	X	4	5	5	7	X	8	6	7	9	
30	3	3	3	3	2	3	4	4	1	4	4	4	02
	1	2	3	4	6	6	0	2	1	4	5	6	
XX	4	1	2	2	4	3	0	3	4	X	X	0	47
	9	5	3	8	8	8	4	7	1	X	X	1	
39	0	1	4	1	1	1	X	1	1	1	1	2	21
	5	0	3	2	3	4	X	6	7	8	9	0	
22	X	2	2	3	2	X	0	0	0	2	0	4	42
	X	4	5	5	7	X	8	6	7	9	9	0	
11	4	4	4	0	X	4	1	2	2	4	3	0	37
	4	5	6	2	X	9	5	3	8	8	8	4	
41	X	X	1	2	2	4	3	0	3	4	X	X	01
	X	X	5	3	8	8	8	4	7	1	X	X	
47	3	0	1	4	1	1	1	X	1	1	1	1	20
	9	5	0	3	2	3	4	X	6	7	8	9	

Place your "Reservoir of Money" here:

LOTTERY DRAW

Saturday 3 weeks later:

02-07-11-14-18-31

LOTTERY DRAW

Saturday 6 weeks later:

12-17-26-28-33-39

LOTTERY DRAW

Saturday 9 weeks later:

03-07-15-21-22-30

LOTTERY DRAW

Saturday 12 weeks later:

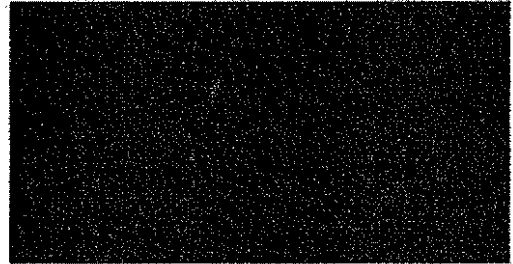
03-11-20-22-25-31

**Remember that there must be no electric devices in proximity
when you fill out your lottery tickets.**



Magister Davids

[REDACTED], I am extending a helping hand. Take it now because it will help you. Your chain of luck and energy has broken. You are missing a link and it is HERE. This missing link will turn your dreams into reality.



[REDACTED]

If your life is not what you imagined it to be, if you do not feel happy, if you suffer from solitude and need money ... React rapidly and take the hand held out to you. I am there to help you and guide you.

[REDACTED], I know from a reliable source that you really need me at this time. Above all remain positive, I will not abandon you. I want only the best for you and for your entire life.

I am here to help you, my helping hand is reaching out to you ... and believe me [REDACTED], I have excellent news for you.

In exactly 6 weeks, starting on 17.04.2015, a period of EXCEPTIONAL LUCK will enter your life! It will remain with you for 120 days so that all your dreams can come true, from the smallest to the most important!

I said that I am sure of what I am saying: there is a link missing in your chain of LUCK and VITAL ENERGY. This is normal, [REDACTED] since worries, stress, money problems and deceptions have all accumulated. You are emotionally exhausted and have resigned yourself to the inevitable.

"The dice have been rolled and I can't change anything"

This is what you are undoubtedly thinking, [REDACTED] but believe me you are wrong. There are excellent perspectives for you on the horizon. This is precisely why I am writing to you!

I am a student of psychology and whatever has happened to you is explicable. But this will all change, [REDACTED], because you are not the last person on earth. I am there, holding out a hand.

Seize the chance I am offering you without asking for anything in return. You will see that your entire life will change for the better. You will hold your head high and everything will be different ...

You will soon take your fate into your own hands. You will no longer have thoughts like "nothing good can ever happen to me again".

**I am offering you the link that is missing from your chain:
If is a magical link. Once you will be in contact with it,
your life will become MARVELLOUS.**

I have decided to help you escape from your impasse. This is why I went to seek what is missing. It is the Magical Link of Luck. It was hidden in a place I cannot speak of here.

Please do not ask me to divulge this secret. We have access to certain highly confidential information and only a very limited amount is accessible and must not be transmitted. This is a question of professional ethics.

**The Magical Link of your Luck will change your life:
In 6 weeks, it will become a fairy tale.**

Yes, this will happen soon. In 42 days you will see that you life will enter a positive era.

Your Magical link will restore full integrity to your chain of LUCK and VITAL ENERGY that will once again be unbroken and will be in harmony with the Cosmos. Positive vibrations will be released for a full 120 days.

**120 days to build your fortune, consolidate your luck,
find love and success.**

120 days to make your dreams come true... everything will happen at the same time!

It is up to only you to manage this wonderful situation so that you obtain beneficial and long-lasting results. Here are the areas of life you can change in your favour in 120 days:

Money. You can win enormous sums. You must simply invest wisely to amass a fortune that will make all your worries disappear forever. I already "see" you purchasing real estate and having steady income from rentals, among other things.

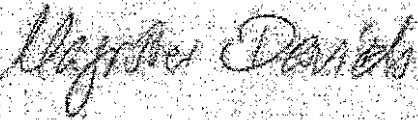
Success in your projects. This could occur in unexpected areas. Your fortune will enable you to make professional investments consistent with your objectives. You will succeed in every undertaking. Success attracts success, you know this very well!

Luck is opening its arms to you! Your circle of friends and acquaintances will broaden, enabling you to embark on new projects. Your relations with others will be honest and sincere and you will be loved for who you are. Your values and virtues will be recognised and you will be the object of the admiration you have always deserved.

Love: fate has prepared a wonderful gift.

All this is waiting for you but you must hurry and request the Magical Link of Luck.

Yours truly,

A handwritten signature in cursive script, appearing to read "Myrtle Davis", is centered on the page. The signature is written in dark ink on a light background.

Dep't.: Prize Registration

The winner is immediately
authorized to receive

1 automobile

or its

value in cash.

Claim form inside

A97-6 USA

**SECOND REMINDER:
PRIZE READY FOR
PAYMENT - PLEASE REPLY
IMMEDIATELY!**

A97-6 USA

Please use
sufficient
postage

Magister Davids
P.O. Box 40388
NL- 3504 AD Utrecht
The Netherlands

If you return the winning number for the car or cash, we could officially confirm:



**YOU HAVE OFFICIALLY WON
EITHER A VW GOLF WORTH \$ 25,000.00
OR \$ 25,000.00 IN CASH - YOUR CHOICE!**

URGENT - PLEASE NOTE!

I am happy to be sending your claim form today that will enable you to obtain either the car or its value in cash: \$ 25,000.00! It's up to you to decide which! One thing is very important: we must receive this form before the deadline mentioned so you can be officially registered.

THERE ARE NO EXCEPTIONS TO THE DEADLINE IN LIGHT OF THE VALUE OF THE PRIZE. IF YOUR FORM IS MAILED TOO LATE, YOU WILL LOSE ALL RIGHTS TO THE AUTO WORTH \$ 25,000.00 OR THIS AMOUNT IN CASH

ATTENTION! The official conditions stipulate that registering the VW worth \$ 25,000.00 (or bank transfer if this amount to your account) can be done only if your claim form with the prize registration number is returned before the deadline.

**SECOND REMINDER:
PRIZE READY FOR
PAYMENT - PLEASE REPLY
IMMEDIATELY!**

AS7-5 USA

Pay special attention to the prize claim/trial order form! Do not forget to sign it!

You are strongly advised to return your prize claim immediately!

US PRIZE FORM (VW GOLF / AUTOMOBILE OR \$25,000.00 CASH)			
NAME (PRINT)	NAME (PRINT)	ADDRESS	CITY
STATE (PRINT)	ZIP (PRINT)	TELEPHONE (AREA CODE AND NUMBER)	PRIZE REGISTRATION NUMBER
DATE OF BIRTH (MM/DD/YY)	DATE OF BIRTH (MM/DD/YY)	DATE OF BIRTH (MM/DD/YY)	DATE OF BIRTH (MM/DD/YY)
YOUR PRIZE REGISTRATION NUMBER (SEE LEFT)		IMPORTANT! Delivery of the vehicle or payment of \$25,000.00 will be immediate if you return this form today with the prize registration number.	
SIGNATURE (PRINT)		SIGNATURE (PRINT)	
You agree to accept the prize as described and to release the sponsor from all liability.		Return X	

Current list of winners:

<input type="radio"/>	Mrs. Keller	\$ 35,000.00	Official winner	Prize awarded	<input type="radio"/>
<input type="radio"/>	Mr. Robertson	\$ 30,000.00	Official winner	Prize awarded	<input type="radio"/>
<input type="radio"/>	YOU are being selected for	\$ 25,000.00	Official winner	Prize to be awarded	<input type="radio"/>

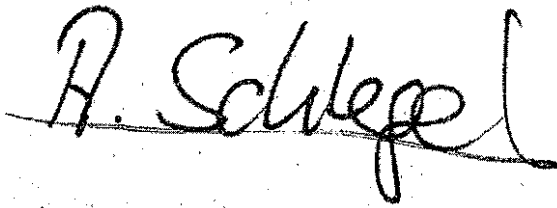
This is entirely true and we are looking forward to receiving your response!

Please turn over →

Along with this occasion to win a prize or its cash value of \$ 25,000.00, you can profit from our current offer – and also save up to \$ 45 off retail price. In addition, if you place an order you will receive the FREE gift of the elegant "Florenzia" satin scarf.

Remember that you cannot win the car or its value in cash if you do not return your documents, preferably with an order, before the reply deadline. It would be a shame if you lost your rights to the prize. Please avoid this by answering without waiting, today would be best.

Yours truly,



A. Schlegel / Management representative


**ATTENTION – pay attention to the deadline!
Wednesday of next week!!**

Mineralis

PRIZE CLAIM/TRIAL ORDER FORM

You are strongly advised to return your prize claim immediately!
(If you wait and the deadline expires, you definitively lose any chance of winning the car or its cash value.)

RECEPTION FORM FOR AN AUTOMOBILE OR ITS VALUE IN CASH

PRICE OF VEHICLE: \$ 25,000.00	YEAR OF CONSTRUCTION: 2015	MANUFACTURER: VOLKSWAGEN	MODEL: GOLF	DELIVERY DATE: After acceptance
COUNTRY OF OWNER: United States	REASON FOR HANDOVER OF MERCHANDISE: Main prize		Please write in block letters: Last name: _____ First name: _____ Address: _____ Locality/Zip code: _____	
YOUR REGISTRATION NUMBER: 153.480	IMPORTANT! Delivery of the vehicle or payment of \$ 25,000.00 will be immediate if you return this form today with the prize registration number!			
NOTE:				
RETURN DEADLINE: Wednesday of next week			APPROVED:  (Management representative)	

Yes, I want to claim my prize now.
I have read the official conditions and accept them.

Signature: **X**

SCHISANDRA

Capsules for force and vitality
The remedy for a variety of disorders that must be in every medicine cabinet!



Return to: Mineralis, P.O. Box 8202, NL-3503 RE Utrecht, The Netherlands

09420974

Quantity	Art. No.	Article designation	Price	Total
	211.020	1 month treatment, 60 Schisandra capsules Schisandra capsules	\$ 45	
	211.022	2 month treatment, 120 Schisandra capsules Schisandra capsules You save \$ 15	instead of \$ 90 \$ 75	
	211.023	3 month treatment, 180 Schisandra capsules Schisandra capsules You save \$ 45	instead of \$ 135 \$ 90	

Fill out and return in the enclosed response envelope. I am paying as follows:

A97-5 USA

By bank check enclosed made out to Mineralis

By cash enclosed 0942097499

By credit card:

Visa MasterCard

Card No.: _____

Expires on: _____

Date: _____

My birthdate: _____

Signature (required for credit card payment)

I have read, understand and accept the conditions of participation

E-mail: _____

Personal gift confirmation for: 905.260
YOU - as exclusive gift recipient

Enjoy your gift of the
PREMIUM

Prize remittance No. 1



Shipping charges	\$ 5
For only an additional \$ 5, we will insure your merchandise against damage or loss during transport (strike out if not desired)	\$ 5
For only \$ 5, you will have express delivery and your order will be processed in priority (strike out if not desired)	\$ 5
Thank you for your order	Total

GUARANTEE

If in spite of expectations you are not satisfied, simply return the package and your full purchase price will be refunded!

**Telephone interview with
Dr. Jan Harsen, general practitioner
and specialist in natural medicine**

Doctor, Schisandra is being regarded as the new miracle fruit. Does it really deserve this distinction compared to other valuable fruits and vegetables we hear of?

Dr. Harsen: Schisandra chinensis is one of the most widely used plants in traditional Chinese medicine, where it occupies the first rank of importance. It has always been used to cure a variety of physical disorders or psychic problems.

Over the past years, there has been growing interest in traditional Chinese medicine (TCM). How important is it for the Western World?

Dr. Harsen: I am firmly convinced that TCM can teach us much in light of the upsurge in "lifestyle diseases" (diseases of civilization), of the importance of growing stress and pollution, and of an aging worldwide population. So-called "official" medicine and TCM are not at all mutually exclusive and are in fact complementary. As a result, TCM as we understand it in the West can be accepted as "holistic medicine" since it explores the causes of disorders not in a localized manner, but in the full context of the patient. Knowledge acquired over millennia - not merely centuries as in the West - and the use of natural health remedies such as the medicinal plant Schisandra, or acupuncture, long recognized as an effective therapeutic procedure, have been used to re-establish good health and wellbeing. In this sense, Schisandra is without doubt a relatively unknown fruit in the Western World that is very beneficial for health. Traditional Chinese medicine, on the other hand, has long been convinced that it is a fruit of undeniable value for preserving youth and that by a stroke of luck we can now profit from.

How can Schisandra capsules for force and vitality help?

Dr. Harsen: allow me explain as follows: in modern times, with changes in eating habits and increased pollutants in the environment, the body rapidly becomes imbalanced because of a large number of factors and reasons. In other words, certain vital functions are adversely affected. The berry of Schisandra chinensis provides exactly what is needed by an imbalanced body and/or mind so they can regain - even regenerate - force and vitality. This is because substances called "adaptogens" act to restore harmony to body functions by fortifying, regenerating and stimulating those regions where this is necessary, and by equilibrating and relaxing other regions.

This action that is reinvigorating, revitalizing, equilibrating and harmonizing makes Schisandra a genuine virtuoso for health. In many cases it slows the aging process and can be recommended to treat a wide variety of disorders and to reinforce health in general!

SCHISANDRA
capsules for force
and vitality

- fortify
- strengthen
- rejuvenate
- stimulate
- harmonize

100% natural



IMPORTANT MESSAGE

Today is really your lucky day!
You are not only the designated cash
winner, but will also
receive a premium gift!

This means that your exclusive gift is
guaranteed to be yours, to thank you
for placing an order today!

OUR GIFT FOR YOU

Make sure you receive this great gift and ensure your
chances of winning by returning the documents with
order without waiting!

"Florenzia" satin scarf

An elegant scarf with classical soft and fluid warp
sateen design, a magnificent fashion accessory that
enhances the elegance of your wardrobe.



Different possibilities to wear it:

Wear it on your shoulders, over a blouse, knotted around
your neck, secured with a clasp, pin or broach, or as an elegant
headpiece. You will discover other possibilities of wearing it if you
claim your free EXCLUSIVE GIFT today!



FREE
to thank you
for your order

Your exclusive **FREE** gift

satin scarf "Florenzia"

Different ways to knot your scarf



Ascot
knot



Scarf
knot



Classical knot
around the neck



Double
loop



Knot on
shoulder

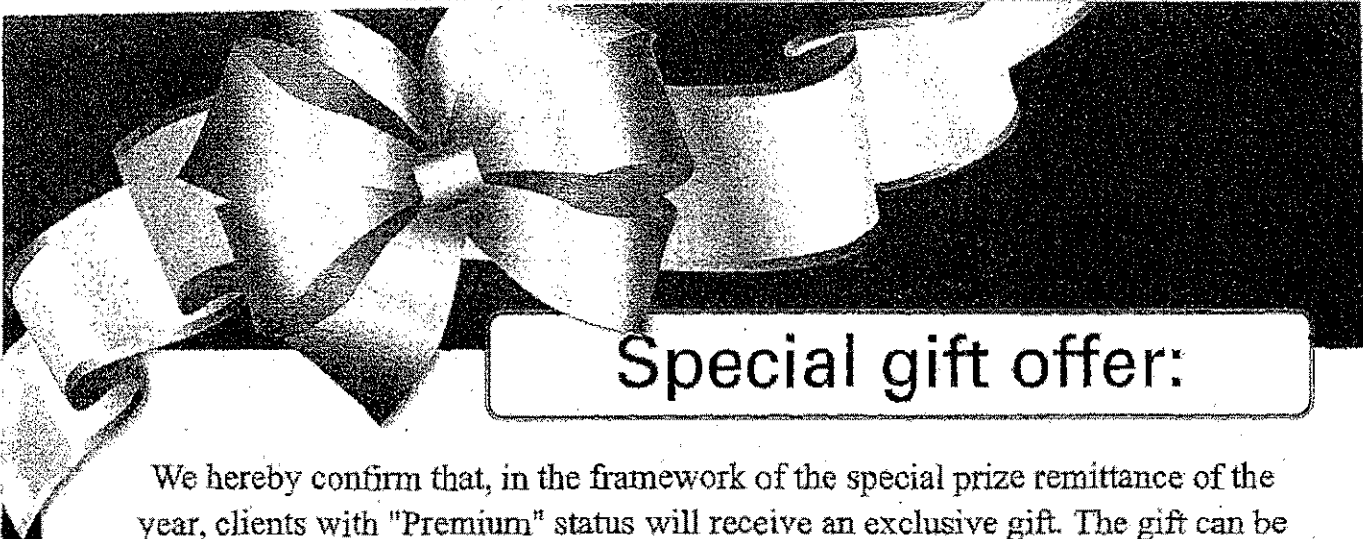


Head
scarf

FREE

Size: 31" x 31"
Material: 100% polyester
Color: violet





Special gift offer:

We hereby confirm that, in the framework of the special prize remittance of the year, clients with "Premium" status will receive an exclusive gift. The gift can be claimed only by the Premium client. The gift cannot be transferred.

Authorized recipient of the gift and prize:

CONGRATULATIONS! YOU ARE THE EXCLUSIVE RECIPIENT OF A GIFT.

Customer status: Premium client

Meeting agenda: Special gift offer

Gift: "Florenzia" satin scarf

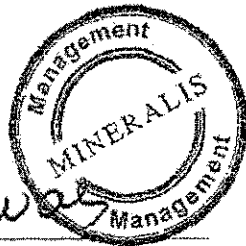
Reservation deadline:

**Deadline
9 days!**



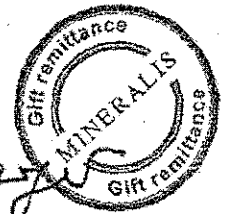
Charles Devos

Mineralis Management



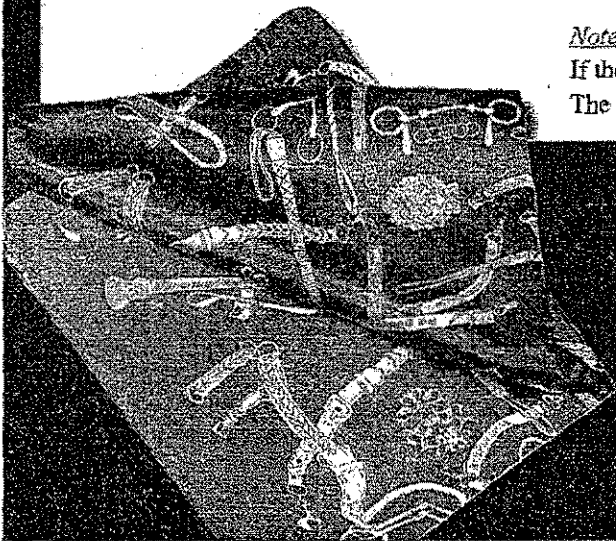
Hans Eidenberger

Mineralis gift remittance department



Note:

If the gift is not claimed before the deadline, you will lose the right to it. The gift cannot be claimed at a later time

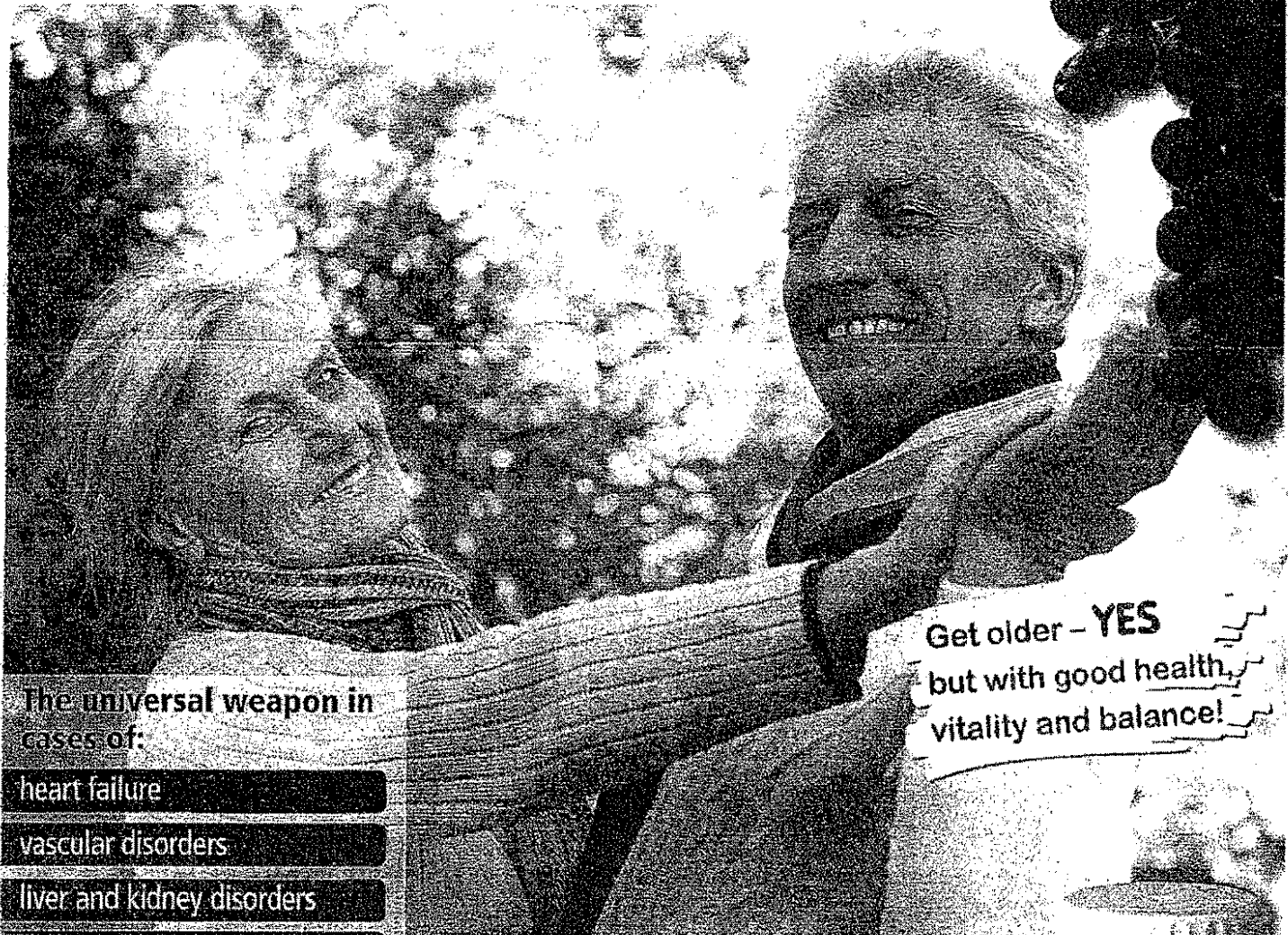


**OUR GIFT
FOR YOU**

Get older without aging!

Discover the "power of youth"
of the Middle Kingdom:

The miraculous fire-red berry of "Wu-Wei-Zi": Schisandra



The universal weapon in
cases of:

heart failure

vascular disorders

liver and kidney disorders

diabetes

winter colds and flu

memory problems

sensations of overall weakness

depression

insomnia

age-related problems

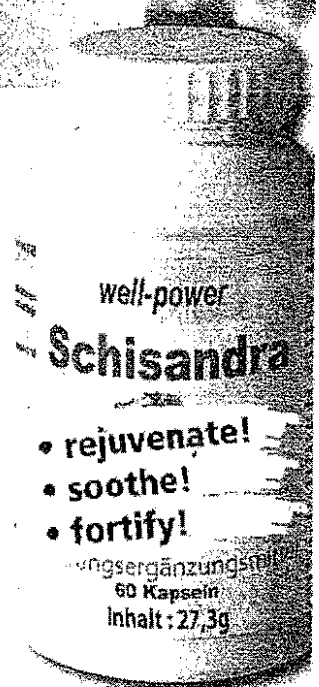
bladder and urinary tract problems

Get older – YES
but with good health,
vitality and balance!

Fill up with new vitality – with

SCHISANDRA capsules for force and vitality

Traditional Chinese medicine has long kept this treasure a secret from outsiders: the Schisandra berry. In its native country it is called "the berry favoring health, for eternal youth and unlimited wellbeing". For centuries if not millennia, it has been one of the most important plants used in traditional Chinese medicine. In spite of the large number of its proven effects that benefit health, this plant has remained relatively inaccessible to us.





Health, vitality, equilibrium - until a ripe old age:

The Chinese "secret of youth"
thousands of years old is found in
a mysterious fruit called
"Schisandra"!

The berry of *Schisandra chinensis*, also called Wu-Wei-Zi berry, is reputed in China to be a "berry favoring health, for eternal youth and unlimited wellbeing", because including it in the diet results in people getting older without aging!

Mineralis has now made this treasure of traditional Chinese medicine available to you by developing Schisandra capsules for force and vitality that are so concentrated that all you need is two capsules a day!

What makes it so special is its action called adaptogenic — *what is present in excess is reduced, what is insufficient is compensated.*

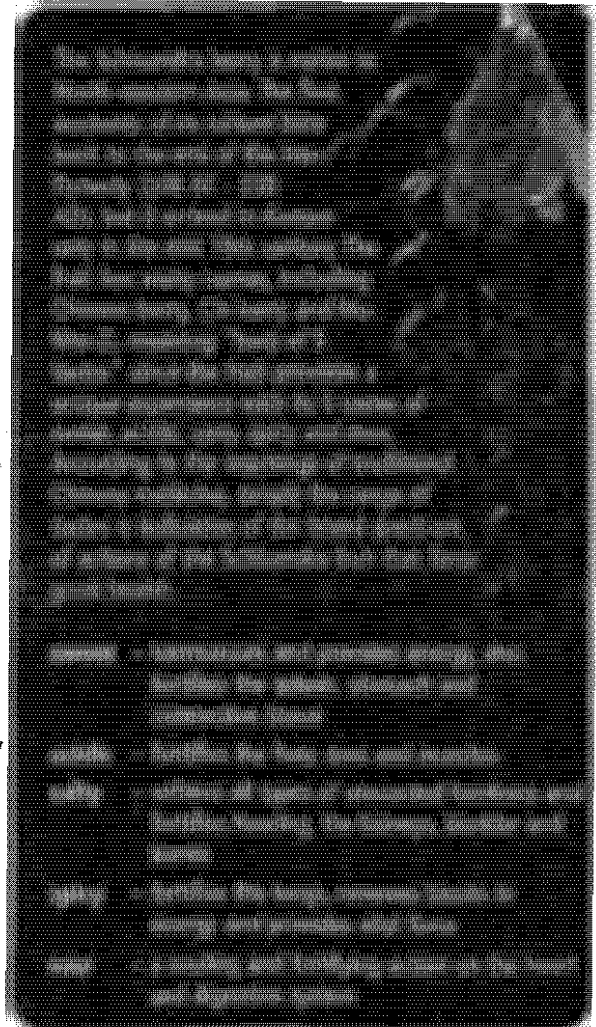
The fortifying and rejuvenating action of the Schisandra berry results from its substances called adaptogens, much more powerful than the well known and highly touted adaptogens of ginseng.

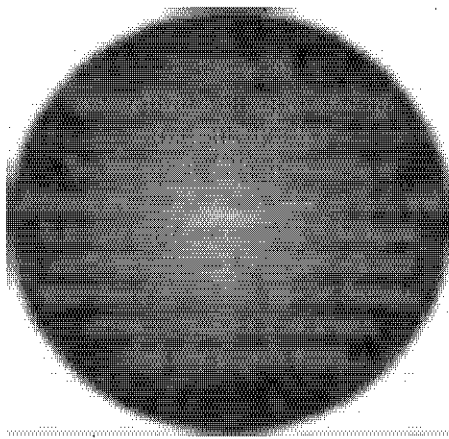
Adaptogens act by harmonizing all of the body's organs and functions. They thus stabilize the body and result in the disappearance of functional disorders that are the cause of a wide variety of diseases:

Adaptogens ("adaptare" means adapt in Latin)

- > boost the body's immune defenses and have a stimulating, fortifying and constructive action
- > have a regulating action on excessive or deficient functions, for example high blood pressure is reduced and low blood pressure is increased, etc.
- > act on the brain, nerves and the glandular endocrine system
- > boost the entire immune system.

They thus reinforce the body's healing mechanisms and help to eliminate the causes and consequences of disorders.





Say "Yes" to more vitality, augmented performance and wellbeing with

SCHISANDRA capsules for force and vitality



The 100% natural Schisandra extract reinforces body functions and provides effective and long-lasting support for health and vitality!

Scientific studies have proven the sensational revitalizing and cell regeneration properties of the Schisandra berry. Its fortifying and regenerating action on the liver and kidneys has also been proven in a number of clinical studies, for example hepatitis was cured with a 76% rate of success. The miracle berry also eliminates harmful deposits in blood vessels and purifies the blood.

The many areas in which this "multi-function" berry is used make it an indispensable remedy in cases of:

- > heart failure
- > deposits in blood vessels
- > liver and kidney disorders
- > diabetes
- > infections
- > winter colds and flu
- > sensations of overall weakness
- > insomnia
- > asthma
- > depression
- > age-related problems
- > bladder and urinary tract problems
- > memory problems
- > stress
- > hearing disorders, tinnitus (noises in the ears)



"I have regained my former vitality after a very hard year in which I was often weak and even exhausted. I felt old and useless, to the point of not having enough energy for my beloved grandson and my family. This was a very heavy burden. My

daughter encouraged me to try Schisandra capsules after reading an article about them and that convinced her they could do me good. I started taking them more to please her than anything else. To my surprise, I started regaining my former lost energy. It was simply fantastic: I had not felt so good for such a long time, almost like I drank from the Fountain of Youth."

Elisabeth G., 76 years old

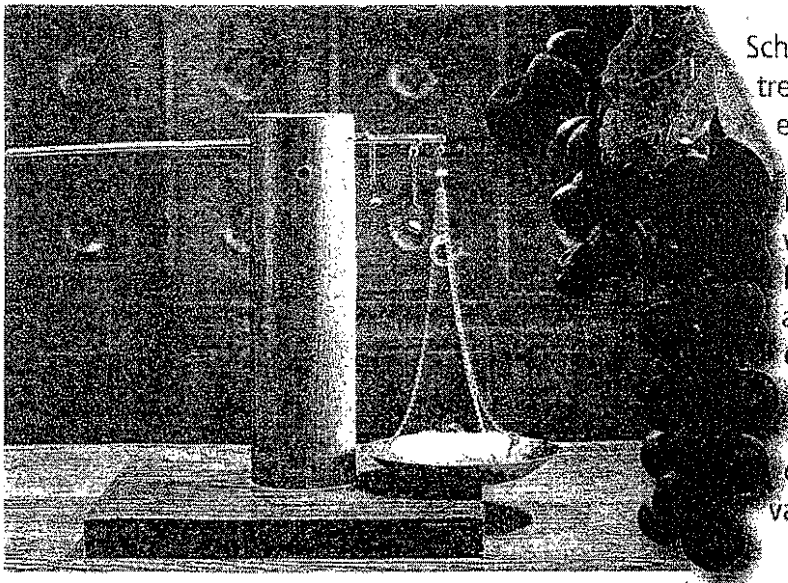


"I am a special educator and children use up all my energy. I need my total concentration to work with them. When I was forced to take a leave of absence a few months ago because of high blood pressure and cardiovascular problems, it was very hard for me. Since I have been taking Schisandra capsules for force and vitality, I feel 20 years younger and I am once again in top form and filled with energy, even more than before."

Peter E., 59 years old

"Since I have been taking Schisandra capsules I feel better overall. When it comes to health, there are many useful things in Asia that we could use. When we see how many Asians remain in form and active until a very old age, we have to admit that there is something to be said."

Christel E., 73 years old



Schisandra is reputed to be one of the most valuable treasures of traditional Chinese medicine and is an effective polyvalent remedy for the physical and psychic maladies of our times. This impressive medicinal plant is recognized by scientists around the world as a very valuable "adaptogen" that harmonizes body functions and in this way can avoid and prevent diseases that often result from functional disorders. Thus, it has a stimulating and regenerating action on certain body functions, and also is soothing and equilibrating. It is this particular combination of polyvalent actions that makes it so valuable and sought after for good health.

"Tweak" your biological age!

And profit from the fantastic powers of the Schisandra berry for your health: the same fruit trusted by millions of people of the Middle Kingdom for millennia!



One of the most valuable fortifying and reinforcing remedies now available to us:

Schisandra capsules for force and vitality

- ✓ reinforce resistance and immune defenses
- ✓ regenerate a weakened body
- ✓ revitalize the brain and muscles
- ✓ fortify the liver and kidneys
- ✓ improve performance and increase tone
- ✓ equilibrate to better cope with stress and strain
- ✓ harmonize the body and mind



Test Schisandra capsules for force and vitality and now and you will feel regenerated!

Or your purchase price will be refunded!

Before sealing the envelope,
check that you have

- Enclosed your claim form
for the car or its value in cash
- Indicated the articles you desire
- Corrected any errors in your address

Please use
sufficient
postage

MAILMAN: DELIVER QUICKLY

URGENT DOCUMENTS

Mineralis
P.O. Box 8202
NL-3503 RE Utrecht
The Netherlands

ATTENTION

The main prize at stake is \$ 25,000.00. The automobile is being proposed by Mineralis as a delivery option and upon demand can be exchanged for the prize in cash. The automobile is worth about \$ 25,000.00. Any difference in the actual cost of the car will be included in the prize check if the winner does not select the auto. According to the official conditions you have the right to claim the entire amount of \$ 25,000.00.

OFFICIAL CONDITIONS

THIS FREE CONTEST IS ONE OF THE RANDOM DRAWS ORGANIZED BY MINERALIS THAT ARE PUBLISHED IN VARIED FORMS. THE PREREQUISITE CONDITION FOR WINNING IS RETURNING THE SIGNED PRIZE CLAIM WITH THE WINNING REGISTRATION NUMBER BEFORE THE DEADLINE. WE ARE NOT RESPONSIBLE FOR PRINTING ERRORS OR FOR INCORRECT DISTRIBUTION OR LOSS IN THE POSTAL SYSTEM. THE AMOUNT AT STAKE IS \$ 25,000.00. A REGISTRATION NUMBER HAS BEEN ATTRIBUTED TO ALL RECIPIENTS. THIS NUMBER MAY BE ATTRIBUTED SEVERAL TIMES. EVERY HOLDER OF A VALID REGISTRATION NUMBER IS AUTHORIZED TO PARTICIPATE. EMPLOYEES OF MINERALIS AND THEIR FAMILY MEMBERS ARE EXCLUDED FROM PARTICIPATING, AS ARE MINORS YOUNGER THAN 18. THE PRIZE CANNOT BE TRANSFERRED. THE AUTOMOBILE OR THE CORRESPONDING AMOUNT IN CASH WILL BE REMITTED IF THE RECIPIENT RETURNS HIS/HER REGISTRATION NUMBER WITHIN 7 DAYS AND IF THE PERSON'S NAME IS THE SAME AS THAT RANDOMLY DRAWN AFTER THE CONTEST CLOSES. ALL PRIZE CLAIMS MUST BE RECEIVED BEFORE DEC. 31, 2015, THE DATE OF CONTEST CLOSURE. ONLY SIGNED PRIZE CLAIMS WILL PARTICIPATE IN THE RANDOM PRIZE DRAW. COPIES OF PRIZE CLAIM DOCUMENTS ARE NOT ACCEPTED AND THERE MUST BE ONLY ONE CLAIM PER REPLY ENVELOPE. PARTICIPATION IS INDEPENDENT OF PLACING AN ORDER. FOR REASONS OF ORGANIZATION IT IS NOT POSSIBLE TO ANSWER QUESTIONS ON CONTEST PROGRESSION BY TELEPHONE. THE WINNER WILL BE INFORMED IN WRITING. MINERALIS SHALL SEND CONSOLATION PRIZES IN KIND TO ALL RECIPIENTS WHO RESPOND. ALL DECISIONS ARE FINAL. THIS IS AN INTERNATIONAL CONTEST. A PURCHASE WILL NOT INCREASE YOUR CHANCE OF WINNING. NO PURCHASE IS NECESSARY. THE CHANCE OF WINNING THE MAIN PRIZE IS 1/200,000. IF YOUR CHECK IS RETURNED NSF OR FOR INSUFFICIENT FUNDS BY YOUR BANK YOU HEREBY AUTHORIZE US TO ELECTRONICALLY DEBIT THE FACE AMOUNT OF THE CHECK AND DEBIT ALL APPLICABLE STATE ALLOWABLE FEES.

A97-S USA

- 2 -

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
 - (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
 - (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
 - (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
 - (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.
 - (4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—
 - (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.
 - (5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.
 - (6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-307B, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

[[Page 268]]

to proceedings under these rules of practice.

EXHIBIT H
TO COMPLAINT

UNITED STATES POSTAL INSPECTION SERVICE
WASHINGTON, D.C. 20260-2100

In the Matter of the Determination of Nonmailability of Certain Material from:	)	Date of Issuance:
	)	May 15, 2015
)	
DR. WALTER BARKLEY)	
at)	
P.O. Box 1219)	
Maarssen BE NL-3600)	
The Netherlands)	
	)	Case Number:
	)	[1109] 15-ORD-1114
)	

DETERMINATION OF NONMAILABILITY

Evidence Presented

As a consequence of border searches of inbound mail performed by Customs and Border Protection, the U.S. Postal Inspection Service has been presented with evidence that you have caused the mailing of lottery related matter **and/or** facsimile checks addressed to persons located in the United States. A representative copy from the detained mail pieces is attached as **Exhibit A.**

Mailability Determination

Based on this evidence, the Inspection Service makes the following determination:

1. The mailing constitutes matter, the mailing of which is punishable under the criminal postal anti-lottery statute, 18 U.S.C. § 1302; **and/or**
2. The financial instruments contained in the mailing constitute nonmailable "facsimile checks" as defined under subsection (k) of

- 39 U.S.C. § 3001 since they depict financial instruments that are not negotiable and do not contain the statutorily required language; and
3. The mailing constitutes nonmailable matter under 39 U.S. C. § 3001; and
 4. The mailing should be destroyed pursuant to subsection (b) of 39 U.S.C. § 3001.

Attachments One and Two contain a copy of the cited statutory provisions.

Appeal Rights

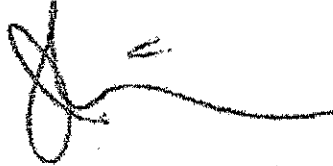
Upon expiration of forty-five calendar days immediately following the date of issuance of this determination, the Inspection Service will order the destruction of the detained mail and any other identical mail received and detained after the issuance of this determination. The Destruction Order will not issue if, within that forty-five day period, either of the appeal options described below are exercised:

1. An officer of your organization contacts Deputy Counsel for the U.S. Postal Inspection Service and arranges to claim the mail in person at the U.S. Postal Service facility where it is being held, personally appears there, and provides satisfactory proof of his or her identity and ownership of the mail; or
2. The Recorder of the U.S. Postal Service's Judicial Officer Department receives your appeal, filed in accordance with the prescribed rules of practice (Title 39, Code of Federal Regulations, Part 953).

Attachment Three contains a copy of these rules.

GUY J. COTTRELL
Chief Postal Inspector

S. L. Spector
Chief Counsel

A handwritten signature in black ink, appearing to be 'J. Bingham', with a long horizontal flourish extending to the right.

By: Jared D. Bingham
Postal Inspector Attorney
U.S. Postal Inspection Service
475 L'Enfant Plaza, SW, Room 3100
Washington, DC 20260-3100
202-268-4774

EXHIBIT A

Dr. Walter **Barkley**

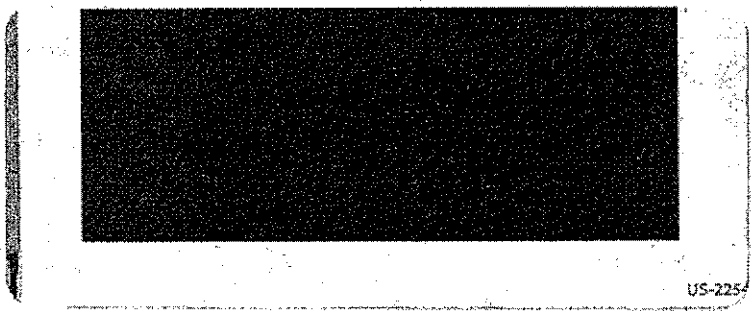
If undelivered, please return to:

[Redacted]
Taipei, Taiwan R.O.C.

TAIPEI, TAIWAN
R.O.C.
POSTAGE PAID
[Redacted]

AIRMAIL PRINTED MATTER

URGENT!



US-225

USA-1-82Z

Please use
sufficient
postage

Dr. Walter Barkley
P.O. Box 1219
NL-3600 BE Maarssen
The Netherlands

Exhibit H to Complaint, Page 5 of 19

EXHIBIT 15-ORD-87-2

AN ADDITIONAL CHECK FOR \$ 22,500.00!

Recipient

[Redacted]

Confirmation of a bank payment

\$ 22,500.00

[Redacted]

**OFFICIALLY
VERIFIED AND CERTIFIED**

US-2254

Dear [Redacted],

What a surprise it was to see that your name was on the list of donations processed by our office! I am therefore informing you that a check for \$ 22,500.00 will soon be sent!

As stated in our last letter, our administrative service has prepared your check (and also that of Mrs. Olivia Kramer). Both checks were ready to be sent when I conducted a final verification on my computer. That is when I saw that your name, [Redacted], was also mentioned in the context of the latest donation we received!

It is a check for \$ 22,500.00 that of course is in addition to the \$ 25,000.00 you have already claimed (I can officially confirm that your claim has been recorded).

This is why I am again requesting your signature so I can send you the additional check that has been attributed to you! In order to ensure your rights, we are obligated to comply with all stipulations and conditions.

Our Financial Manager, Melinda Rogers, personally confirmed that you are now in direct contact with Olivia Kramer. Just below the acceptance form for your check, there is a paragraph that I ask you to read with utmost attention and fill-out.

Mrs. Kramer has also provided a great deal of assistance to Mrs. Rogers. I honestly feel a great admiration for this woman with extraordinary powers. You are really very lucky, [Redacted], that she is personally handling your case. Mrs. Kramer asked us to send you this letter that we of course agreed to do with pleasure.

Please return all the documents required as soon as possible.

Sincerely,

Dr. Walter Barkley, Legal Department Director

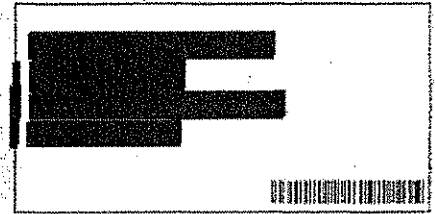
Acceptance form for the additional check for \$ 22,500.00

Please return in the enclosed reply envelope to: Dr. Walter Barkley, P.O. Box 1219, NL-3600 BE Maarssen, The Netherlands so that your response can be recorded and processed as soon as possible.

YES, [REDACTED], accept the additional check that has been attributed to me in a recent donation.

YES, I hereby officially confirm my claim for \$ 22,500.00 + \$ 25,000.00 which is my share.

YES, I am aware of and accept the conditions and regulations.



US-2254

THIS PART IS FROM:

Olivia Kramer, who wishes to contact ONLY [REDACTED]

Dear [REDACTED]

This letter has been written with Dr. Barkley so that we can correspond confidentially. The US\$ 50 to pay also covers the costs of Dr. Barkley.

If you do not win at least \$ 150,000.00 in less than 30 days in spite of the numbers you will play, I have decided to reimburse you from my own pocket after receiving a short written note from you. As a counterpart, you must promise to use these numbers only during this 30 day period. After I magnetize your numbers, all you have to do is follow to the letter the precise instructions I will send you.

I really want you to win because you have an absolute need for this money! Please check the boxes below and legibly write the lottery numbers of your choice. Do not give excessive thought to this because after 48 hours it will be too late.

Answer within 48 hours

YES, [REDACTED] I accept your offer and am writing here a maximum of 6 winning lottery numbers that I will keep in a safe place until I receive your response.

▶	□	□	□	□	□	◀
---	---	---	---	---	---	---

I want rapid processing so I can win sooner. I am enclosing an additional US\$ 5 for this express service, which makes a total of US\$ 55.

I am paying US\$ 50 or US\$ 55 for your consultation as follows:

(Fill out and return in the enclosed reply envelope)

By bank or postal check made out to Dr. Walter Barkley By cash enclosed

By credit card: Visa MasterCard

3019797356 03410412.1.1042-4

Card No.: [] Expires on: [] [] [] []

My birthdate: [] E-Mail: []

Date: [] Signature (required for credit card payment): []

I have read, understood and accept all the conditions.

US-2254

Questionnaire for [REDACTED] to fill out

[REDACTED], please answer these questions without hesitating - trust your instinct.

1/ Do you sleep well? Yes No

2/ Do you have headaches in the morning? Yes No

3/ Do you have headaches in the evening? Yes No

4/ Are there people you just can't stand without knowing why? Yes No

5/ What is your preferred metal?
 Gold Silver Iron Copper

6/ Do you believe in good luck? Yes No

7/ Are you an optimistic person? Yes No

This is no joke or scam: I have shown that I can do this several times in the past!

When and only when you will have at least \$ 150,000.00, we will both have the certainty that you will be financially protected from quirks of fate.

As I have just said, I have used and proven my abilities countless times, even twice for the same person. I am totally serious as proven by the facts.

This person was required to keep my assistance secret, but there was a leak to the media.

Thankfully my name was not mentioned! It is crucial that my secret not be divulged because you can imagine that my life would simply become impossible. I am retired with a husband who loves me and I want to continue this life without attracting undue attention.

Annabel is the name of the woman who I enabled to win the lottery twice - and by playing the same numbers! This "breaks the laws" of probability and is the proof of my capacity to determine winning numbers when I want to!

I will do the same for you, but you will be the last person to benefit from my gift because it is time to enjoy retirement. In addition, this gift is not "free" to me as it requires substantial physical effort and I am not as young as I used to be.

You will soon be rich with at least \$ 150,000.00 in your account.

You will be sheltered from this financial problem that I see on your horizon.

If you agree (you must decide in the next **48 hours**), please fill out the short questionnaire. Don't worry about confidentiality or data mining: I will use this information only to concentrate on you. You should know that this method was used by sages in Antiquity.

I am presently unable to physically hold your hand, explaining why I need another means of contact so I can concentrate my power on your financial future and make it prosperous.

Just as I did for Annabel, I am asking you to send me the numbers of your choice so I can do what is necessary to enable you to win.

I can guarantee that the winning lottery numbers will ensure that you will soon receive a large sum of money that will shelter you from the financial problems I have seen coming rapidly in your direction.

I am doing this for you and you alone, [REDACTED]!

Even though I am more easily fatigued than when I was younger, I will magnetize these **6 numbers** only for you. You can see that there is nothing complicated to do.

All you have to do is send me the 6 numbers of your choice and I will make you win!

AS I SAID, [REDACTED], IT'S VERY SIMPLE!

Dear [REDACTED], don't ask me why I am doing this for you and not someone else. My gift is such that even I do not know ... it comes from a deep intuition.

Please fill out the short questionnaire and return with the completed form to Dr. Barkley, after which he will then forward it to me quickly. I hope that your responses will enable me to determine why you have suddenly been propelled into my life!

I do not want to cause you anxiety. I am writing to you without waiting because as soon as your name was mentioned, I had the feeling that you really and urgently needed my help.

There are moments in life when the position of heavenly bodies, fate and all those things over which we have no control seem to act against us.

At these times, there is nothing you can do!

But I can do something! And I will do everything, I stress **EVERYTHING** in my power (an extraordinary power, shown by the testimonials of dozens of people) to help you. I will transform your life for the better, [REDACTED], make it shine with a new light and eliminate all the problems that until now have seemed insurmountable to you.

This is my personal commitment to you.

I am truly capable doing a lot for you to prevent and eliminate these difficult moments.

Recently and without being asked to do so, I helped Mrs. Melinda Rogers, Dr. Walter Barkley's Financial Manager. She too can furnish proof of my effectiveness.

[REDACTED], this is why you should respond without waiting.

Sincerely,

Olivia Kramer

Olivia Kramer

US-2254

P.S.: There is no time to lose, [REDACTED]. In order for you to obtain the money you need in the months to come, I must act so that you can win the next lottery draws. You must contact me within 48 hours and Dr. Barkley will then send me your response. I will then be able to immediately start working on your 6 numbers so you can WIN. I repeat: we must act **RAPIDLY!**

OFFICIAL CONDITIONS OF THE CONTEST "\$ 22,500.00 IN YOUR NAME":

This automatically generated document is to be read with the utmost attention. It is a contest in the framework of international events organized by Dr. Walter Barkley and affiliated companies. This remittance entitled "Additional check for \$ 22,500.00" is part of these international contests. When the contest closes, the winner of the main prize of \$ 22,500.00 will be randomly drawn among all participants who have correctly filled out and returned their participation form entitled "Acceptance form for the additional check" before the deadline. The contest closes on December 31, 2015. Participation forms received after the response deadline or after the contest closes will not be accepted. Minors younger than 18 cannot enter the contest. Participation in the contest is free and it is not necessary to place an order. If you participate without ordering the esoteric method to win the lottery, you must use a plain envelope to respond and not the enclosed reply envelope. As is the case for many aspects of esoteric methods, its success depends on the faith of the person using it. Dr. Walter Barkley shall in no case be responsible for any results obtained. The main winner will be drawn after the contest closes and will be informed by registered mail, after which the winner will have 14 days to claim the prize. Failure to respond before the deadline will result in the loss of all rights to the prize. The other participants who are not the main winner will receive a consolation prize called "Your check" that can be used against the purchase of another product of Dr. Walter Barkley. These reduction vouchers cannot be redeemed for cash. Participation in the contest requires the unconditional acceptance of all prize remittance conditions explained here. All decisions are final. The chance of winning the main prize is 1/200,000. If your check is returned NSF or for insufficient funds by your bank you hereby authorize us to electronically debit the face amount of the check and debit all applicable state allowable fees

242-A USA

TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I. CRIMES
CHAPTER 61. LOTTERIES

18 USCS §1302

§1302. Mailing lottery tickets or related matter

Whoever knowingly deposits in the mail, or sends or delivers by mail:

Any letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance;

Any check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme;

Any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes;

Any article described in section 1953 of this title [18 USCS §1953]—

Shall be fined under this title or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years.

ATTACHMENT ONE

TITLE 39. POSTAL SERVICE
PART IV. MAIL MATTER
CHAPTER 30. NONMAILABLE MATTER

39 USCS §3001

§3001. Nonmailable matter

(a) Matter of deposit of which in the mails is punishable under section 1302, 1341, 1342, 1461, 1463, 1715, 1716, 1717, or 1738 of title 18, or section 26 of the Animal Welfare Act [7 USCS § 2156] is nonmailable.

(b) Except as provided in subsection (c) of this section, nonmailable matter which reaches the office of delivery, or which may be seized or detained for violation of law, shall be disposed of as the Postal Service shall direct.

(c) (1) Matter which—

(A) exceeds the size and weight limits prescribed for the particular class of mail; or

(B) is of a character perishable within the period required for transportation and delivery; is nonmailable.

(2) Matter made nonmailable by this subsection which reaches the office of destination may be delivered in accordance with its address, if the party addressed furnishes the name and address of the sender.

(d) Matter otherwise legally acceptable in the mails which—

(1) is in the form of, and reasonably could be interpreted or construed as, a bill, invoice, or statement of account due; but

(2) constitutes, in fact, a solicitation for the order by the addressee of goods or services, or both; is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe—

(A) the following notice: "This is a solicitation for the order of goods or services, or both, and not a bill, invoice, or statement of account due. You are under no obligation to make any payments on account of this offer unless you accept this offer."; or

(B) in lieu thereof, a notice to the same effect in words which the Postal Service may prescribe.

(e) (1) Any matter which is unsolicited by the addressee and which is designed, adapted, or intended for preventing conception (except unsolicited samples thereof mailed to a manufacturer thereof, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Any unsolicited advertisement of matter which is designed, adapted, or intended for preventing conception is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs unless the advertisement—

(A) is mailed to a manufacturer of such matter, a dealer therein, a licensed physician or surgeon, or a nurse, pharmacist, druggist, hospital, or clinic; or

(B) accompanies in the same parcel any unsolicited sample excepted by paragraph (1) of this subsection. An advertisement shall not be deemed to be unsolicited for the purposes of this paragraph if it is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive.

(f) Any matter which is unsolicited by the addressee, which contains a "household substance" (as defined by section 2 of the Poison Prevention Packaging Act of 1970 [15 USCS § 1471]), and which does not comply with the requirements for special child-resistant packaging established for that substance by the Consumer Product Safety Commission, is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(g) (1) Matter otherwise legally acceptable in the mails which contains or includes a fragrance advertising sample is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless the sample is sealed, wrapped, treated, or otherwise prepared in a manner reasonably designed to prevent individuals from being unknowingly or involuntarily exposed to the sample.

ATTACHMENT TWO

(2) The Postal Service shall by regulation establish the standards or requirements which a fragrance advertising sample must satisfy in order for the mail matter involved not to be considered nonmailable under this subsection.

(h) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for the purchase of or payment for a product or service; and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any purchase or nonpurchase; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(i) Matter otherwise legally acceptable in the mails which constitutes a solicitation by a nongovernmental entity for information or the contribution of funds or membership fees and which reasonably could be interpreted or construed as implying any Federal Government connection, approval, or endorsement through the use of a seal, insignia, reference to the Postmaster General, citation to a Federal statute, name of a Federal agency, department, commission, or program, trade or brand name, or any other term or symbol; or contains any reference to the Postmaster General or a citation to a Federal statute that misrepresents either the identity of the mailer or the protection or status afforded such matter by the Federal Government is nonmailable matter and shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs, unless—

(1) such nongovernmental entity has such expressed connection, approval or endorsement;

(2) (A) such matter bears on its face, in conspicuous and legible type in contrast by typography, layout, or color with other printing on its face, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT."**, or a notice to the same effect in words which the Postal Service may prescribe;

(B) the envelope or outside cover or wrapper in which such matter is mailed bears on its face in capital letters and in conspicuous and legible type, in accordance with regulations which the Postal Service shall prescribe, the following notice: **"THIS IS NOT A GOVERNMENT DOCUMENT."**, or a notice to the same effect in words which the Postal Service may prescribe; and

(C) such matter does not contain a false representation stating or implying that Federal Government benefits or services will be affected by any contribution or noncontribution; or

(3) such matter is contained in a publication for which the addressee has paid or promised to pay a consideration or which he has otherwise indicated he desires to receive, except that this paragraph shall not apply if the solicitation is on behalf of the publisher of the publication.

(j) (1) Any matter otherwise legally acceptable in the mails which is described in paragraph (2) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.

(2) Matter described in this paragraph is any matter that—

(A) constitutes a solicitation for the purchase of or payment for any product or service that—

(i) is provided by the Federal Government; and

(ii) may be obtained without cost from the Federal Government; and

(B) does not contain a clear and conspicuous statement giving notice of the information set forth in clauses (i) and (ii) of subparagraph (A).

(k) (1) In this subsection—

(A) the term "clearly and conspicuously displayed" means presented in a manner that is readily noticeable, readable, and understandable to the group to whom the applicable matter is disseminated;

- (B) the term "facsimile check" means any matter that—
 - (i) is designed to resemble a check or other negotiable instrument; but
 - (ii) is not negotiable;
 - (C) the term "skill contest" means a puzzle, game, competition, or other contest in which—
 - (i) a prize is awarded or offered;
 - (ii) the outcome depends predominately on the skill of the contestant; and
 - (iii) a purchase, payment, or donation is required or implied to be required to enter the contest; and
 - (D) the term "sweepstakes" means a game of chance for which no consideration is required to enter.
- (2) Except as provided in paragraph (4), any matter otherwise legally acceptable in the mails which is described in paragraph (3) is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postal Service directs.
- (3) Matter described in this paragraph is any matter that—
- (A) (i) includes entry materials for a sweepstakes or a promotion that purports to be a sweepstakes; and
 - (ii) (I) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that no purchase is necessary to enter such sweepstakes;
 - (II) does not contain a statement that discloses in the mailing, in the rules, and on the order or entry form, that a purchase will not improve an individual's chances of winning with such entry;
 - (III) does not state all terms and conditions of the sweepstakes promotion, including the rules and entry procedures for the sweepstakes;
 - (IV) does not disclose the sponsor or mailer of such matter and the principal place of business or an address at which the sponsor or mailer may be contacted;
 - (V) does not contain sweepstakes rules that state—
 - (aa) the estimated odds of winning each prize;
 - (bb) the quantity, estimated retail value, and nature of each prize; and
 - (cc) the schedule of any payments made over time;
 - (VI) represents that individuals not purchasing products or services may be disqualified from receiving future sweepstakes mailings;
 - (VII) requires that a sweepstakes entry be accompanied by an order or payment for a product or service previously ordered;
 - (VIII) represents that an individual is a winner of a prize unless that individual has won such prize; or
 - (IX) contains a representation that contradicts, or is inconsistent with sweepstakes rules or any other disclosure required to be made under this subsection, including any statement qualifying, limiting, or explaining the rules or disclosures in a manner inconsistent with such rules or disclosures;
 - (B) (i) includes entry materials for a skill contest or a promotion that purports to be a skill contest; and
 - (ii) (I) does not state all terms and conditions of the skill contest, including the rules and entry procedures for the skill contest;
 - (II) does not disclose the sponsor or mailer of the skill contest and the principal place of business or an address at which the sponsor or mailer may be contacted; or
 - (III) does not contain skill contest rules that state, as applicable—
 - (aa) the number of rounds or levels of the contest and the cost to enter each round or level;
 - (bb) that subsequent rounds or levels will be more difficult to solve;
 - (cc) the maximum cost to enter all rounds or levels;
 - (dd) the estimated number or percentage of entrants who may correctly solve the skill contest or the approximate number or percentage of entrants correctly solving the past 3 skill contests conducted by the sponsor;
 - (ee) the identity or description of the qualifications of the judges if the contest is judged by other than the sponsor;
 - (ff) the method used in judging;
 - (gg) the date by which the winner or winners will be determined and the date or process by which prizes will be awarded;
 - (hh) the quantity, estimated retail value, and nature of each prize; and
 - (ii) the schedule of any payments made over time; or
 - (C) includes any facsimile check that does not contain a statement on the check itself that such check is not a negotiable instrument and has no cash value.

(4) Matter that appears in a magazine, newspaper, or other periodical shall be exempt from paragraph (2) if such matter—

 - (A) is not directed to a named individual; or
 - (B) does not include an opportunity to make a payment or order a product or service.

(5) Any statement, notice, or disclaimer required under paragraph (3) shall be clearly and conspicuously displayed. Any statement, notice, or disclaimer required under subclause (I) or (II) of paragraph (3)(A)(ii) shall be displayed more conspicuously than would otherwise be required under the preceding sentence.

(6) In the enforcement of paragraph (3), the Postal Service shall consider all of the materials included in the mailing and the material and language on and visible through the envelope or outside cover or wrapper in which those materials are mailed.

(l) (1) Any person who uses the mails for any matter to which subsection (h), (i), (j), or (k) applies shall adopt reasonable practices and procedures to prevent the mailing of such matter to any person who, personally or through a conservator, guardian, or individual with power of attorney—

(A) submits to the mailer of such matter a written request that such matter should not be mailed to such person; or

(B) (i) submits such a written request to the attorney general of the appropriate State (or any State government officer who transmits the request to that attorney general); and

(ii) that attorney general transmits such request to the mailer.

(2) Any person who mails matter to which subsection (h), (i), (j), or (k) applies shall maintain or cause to be maintained a record of all requests made under paragraph (1). The records shall be maintained in a form to permit the suppression of an applicable name at the applicable address for a 5-year period beginning on the date the written request under paragraph (1) is submitted to the mailer.

(m) Except as otherwise provided by law, proceedings concerning the mailability of matter under this chapter [39 USCS §§ 3001 et seq.] and chapters 71 and 83 of title 18 [18 USCS §§ 1461 et seq. and 1691 et seq.] shall be conducted in accordance with chapters 5 and 7 of title 5 [5 USCS §§ 501 et seq. and 701 et seq.].

(n) (1) Except as otherwise authorized by law or regulations of the Postal Service, hazardous material is nonmailable.

(2) In this subsection, the term "hazardous material" means a substance or material designated by the Secretary of Transportation under section 5103(a) of title 49.

(o) The district courts, together with the District Court of the Virgin Islands and the District Court of Guam, shall have jurisdiction, upon cause shown, to enjoin violations of section 1716 of title 18.

[Code of Federal Regulations]
[Title 39, Volume 1]
[Revised as of July 1, 2006]
From the U.S. Government Printing Office
[CITE: 39CFR953]

[Page 265-268]

TITLE 39--POSTAL SERVICE

CHAPTER I—UNITED STATES POSTAL SERVICE

PART 953 RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO MAILABILITY

Sec.

- 953.1 Authority for rules.
- 953.2 Initiation.
- 953.3 Appeal.
- 953.4 Service of notice; Reply; Motion for summary judgment.
- 953.5 Hearings.
- 953.6 Compromise and informal dispositions.
- 953.7 Default; Appearances.
- 953.8 Location of hearing.
- 953.9 Change of place of hearing.
- 953.10 Presiding officers.
- 953.11 Proposed findings of fact and conclusions of law.
- 953.12 Initial decision.
- 953.13 Appeal from initial decision.
- 953.14 Final Agency decision.
- 953.15 Expedition.
- 953.16 Disposition.
- 953.17 Ex parte communications.

Authority: 39 U.S.C. 204, 401.

Source: 59 FR 31538, June 20, 1994, unless otherwise noted.

Sec. 953.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service pursuant to authority delegated by the Postmaster General.

Sec. 953.2 Initiation.

Mailability proceedings are initiated upon the filing of a written appeal with the Recorder, Judicial Officer Department, U.S. Postal Service, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.3 Appeal.

The appeal shall:

- (a) Identify the appellant;

ATTACHMENT THREE

- (b) Describe or be accompanied by a copy of the determination or ruling being appealed;
- (c) Describe the character or content of the matter the appellant wishes to have carried and delivered by the U.S. Postal Service;
- (d) Request review of the determination or rules specifying each and every reason why the appellant believes the determination or ruling should be reversed;
- (e) Indicate whether the appellant desires to have an oral hearing or, instead, to have the case decided solely on the basis of the written record (i.e., the appeal, the General Counsel's reply, and any documents submitted by the parties pursuant to an order of the presiding officer); and
- (f) Bear the signature, typed or printed name, title, business address, and telephone number of any attorney at law representing the appellant in bringing the appeal, and of each individual appellant or, if the appellant is a partnership, corporation, limited liability company, or unincorporated association, of the managing partner, chief executive officer, chief operating officer, or other officer authorized to bind the organization.

Sec. 953.4 Service of notice; Reply; Motion for summary judgment.

(a) Service of notice. (1) Upon receiving the appeal, the Recorder shall issue a notice specifying that the Postal Service General Counsel's reply shall be filed within 15 days of receipt of the notice; and the time and place of the hearing (if one was requested).

(2) The Recorder shall promptly serve this notice on the parties as follows:

(i) The notice, with a copy of the appeal, shall be sent to the General Counsel at Postal Service headquarters.

(ii) When the appellant's address is within the United States, the notice, with a copy of the appeal, shall be sent to the postmaster at the office that delivers mail to the appellant's address. The postmaster shall be instructed that, acting personally or through a supervisory employee or a postal inspector, he or she is to serve these documents on the appellant. If the appellant cannot be found within 3 days, the postmaster shall send these documents

[[Page 266]]

to the appellant by ordinary mail and forward a statement to the Recorder that is signed by the delivering employee and that specifies the time and place of delivery.

(iii) When the appellant's address is outside the United States, the notice, with a copy of the appeal, shall be sent to the appellant by registered airmail, return receipt requested. A written statement by the Recorder, noting the time and place of mailing, shall be accepted as proof of service in the event a signed and dated return receipt is not received.

(b) Reply. The General Counsel shall file a written reply, in triplicate, with the Recorder, within the aforementioned 15-day period or any extension granted by the presiding officer for good cause shown. If the General Counsel's reply fails to address any allegation in the appeal, that allegation shall be deemed admitted.

(c) Motion for summary judgment. Upon motion of either the General Counsel or the appellant, or on the presiding officer's own initiative, the presiding officer may find that the appeal and answer present no genuine and material issues of fact requiring an evidentiary hearing, and thereupon may render an initial decision upholding or reversing the determination or ruling. The initial decision shall become the final Agency decision if a timely appeal is not taken.

Sec. 953.5 Hearings.

(a) In general, admissibility of evidence at hearings conducted under this part hinges on relevancy and materiality. However, relevant evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, or by considerations of undue delay, or by needless presentation of cumulative evidence. Testimony shall be given under oath or affirmation, and witnesses are subject to cross-examination. Stipulations of fact are encouraged and may be received in evidence.

(b) Objections to the admission or exclusion of evidence shall be in short form, stating the grounds of objections relied upon. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. Rulings on such objections shall be a part of the transcript.

(c) Formal exceptions to the rulings of the presiding officer made during the course of the hearing are unnecessary. For all purposes for which an exception otherwise would be taken, it is sufficient that a party, when the ruling of the presiding officer is made or sought, makes known the action he desires the presiding officer to take or his objection to an action taken, and his grounds therefor.

Sec. 953.6 Compromise and informal dispositions.

Either party may request the other to consider informal disposition of any question of mailability, and the scheduled hearing date may be postponed by the presiding officer for such period of time as may be necessary to accommodate settlement discussions between the parties.

Sec. 953.7 Default; Appearances.

If a timely reply to the appeal is not filed, the presiding officer shall refer the appeal to the Judicial Officer, who may find that the General Counsel is in default. Whenever the General Counsel has been deemed to be in default, the Judicial Officer shall take whatever action on the appeal he deems appropriate. If an oral evidentiary hearing is to be held, the appellant may appear at the hearing in person or by counsel. If either party fails to appear at the hearing, the presiding officer shall receive the evidence of the party appearing and render a decision.

Sec. 953.8 Location of hearing.

Unless otherwise ordered by the presiding officer, the hearing shall be held at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, on the date set in the notice.

[63 FR 66050, Dec. 1, 1998]

Sec. 953.9 Change of place of hearing.

(a) Not later than the date fixed for the filing of the reply, a party may file a motion that the scheduled hearing be held at a place other than that designated in the notice. The motion shall include a supporting statement outlining:

[[Page 267]]

- (1) The evidence to be offered in such place;
- (2) The names and addresses of the witnesses who will testify; and
- (3) The reasons why such evidence cannot be presented in Arlington, VA.

(b) In ruling on the motion, the presiding officer shall consider the convenience and necessity of the parties and the relevancy of the evidence to be offered.

[59 FR 31538, June 20, 1994, as amended at 63 FR 66050, Dec. 1, 1998]

Sec. 953.10 Presiding officers.

The presiding officer at any hearing shall be an Administrative Law Judge qualified in accordance with law (5 U.S.C. 3105) and assigned by the Judicial Officer (39 U.S.C. 204), or the Judicial Officer, may at his discretion, elect to preside at the reception of evidence. The Judicial Officer shall assign cases to Administrative Law Judges upon rotation if practicable.

Sec. 953.11 Proposed findings of fact and conclusions of law.

Proposed findings of fact and conclusions of law shall be submitted orally or in writing at the conclusion of the hearing, or otherwise, as ordered by the presiding officer.

Sec. 953.12 Initial decision.

Unless given orally at the conclusion of the hearing, the Administrative Law Judge shall render an initial decision as expeditiously as practicable after the conclusion of the hearing and the receipt of the proposed findings and conclusions, if any. The initial decision shall become the decision of the Postal Service if an appeal is not perfected. When the Judicial Officer presides at the hearing, his powers shall include those of an Administrative Law Judge, but the Judicial Officer may render either an initial or final decision. Exceptions may be filed to an initial decision rendered by the Judicial Officer in accordance with Sec. 953.13.

Sec. 953.13 Appeal from initial decision.

Either party may file exceptions in a brief on appeal to the Judicial Officer within 5 days after receipt of the initial decision unless additional time is granted. A reply brief may be filed within 5 days after the receipt of the appeal brief by the opposing party.

Sec. 953.14 Final Agency decision.

The Judicial Officer shall render a final Agency decision. The decision shall be served upon the parties and the postal official having custody of any mail detained pursuant to the determination or ruling.

Sec. 953.15 Expedition.

For the purpose of further expedition, either party may move to have the hearing held at an earlier date than that specified in the notice. Either party may also move to have the initial decision (if an Administrative Law Judge or the Judicial Officer is presiding) or the final Agency decision (if the Judicial Officer is presiding) rendered orally at the conclusion of the hearing. The presiding officer may grant or deny any such motion. The parties may, with the concurrence of the Judicial Officer, agree to waive any of the procedures established in these rules.

Sec. 953.16 Disposition.

Mail matter found to be nonmailable shall be held at the post office where detained for a period of 15 days from the date of the Postal Service decision, unless that period is extended by the Judicial Officer. During this holding period, the appellant may apply for the withdrawal of the matter. If any such application is made, the General Counsel shall be given notice and the opportunity to oppose the application. Upon the expiration of the holding period with no application having been made, the Judicial Officer shall order that the matter be disposed of in accordance with 39 U.S.C. 3001(b). If a timely application is made, the Judicial Officer shall consider the application and any reasons advanced by the General Counsel for denying the application. The Judicial Officer shall thereafter order either that the matter be returned to the applicant or that it be disposed of in accordance with 39 U.S.C. 3001(b).

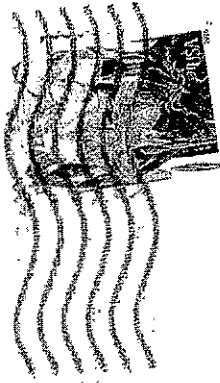
Sec. 953.17 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable

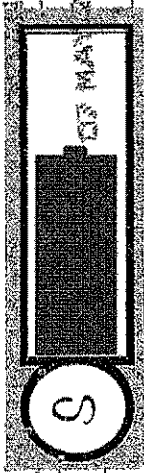
[[Page 268]]

to proceedings under these rules of practice.

**EXHIBIT I
TO COMPLAINT**



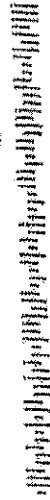
MIAMI FL 331
MAY 2016 PM 2 L



From:

8-RUZ

Processing Department
PO Box 203
3720 AE Bilthoven
The Netherlands



CONSOLIDATED REPORT REQUEST FORM

REPORT TOTAL: \$3,543,659.00	ENTITLEMENT NO. 29001127582	
DEADLINE: 05/23/2016	STATUS: APPROVED	[REDACTED]
FOR: [REDACTED]	<input checked="" type="checkbox"/> I am 18 years of age or older as of today's date <input checked="" type="checkbox"/> I have enclosed a one-time processing fee of only \$25.00 by cash, check or money order payable to A&A. <input checked="" type="checkbox"/> I am mailing this form prior to the 05/23/2016 deadline.	
SIGNATURE (In Ink) [REDACTED]	DATE 5/3/2016	

AAFR01-PT

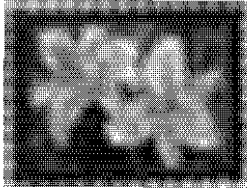
Processing Department
3940 AF Room
The Netherlands

To Whom This may
Concern, I have all
ready sent \$130.00 and
I can not send any
more, I'm a person
84 years old on a pension
If I have won please
send me the money. If
not please be kind and
let me know.

I Thank You

[REDACTED]

EXHIBIT J
TO COMPLAINT



5/5/16

Dear Laura,

I just received your letter regarding the Money Coin, which benefited some lucky person.

Along with your letter there was of a notice of a Misspatch of \$10,000 "Guaranteed." I am sure you can understand my doubts, because of several letters from you offering me money which I never received. Examples are as follows.

- 1) In your letter of 1/22/15, you offered me a Golden Key, which would bring me 5 consecutive checks. I had sent you a Money Order for \$45.00. I never received the Key nor any money.
- 2) Again in a letter I received from you on 1/22/15, with a notice that "The One and Only Prize to be paid to me by Bank Transfer was the sum of: \$6,500, guaranteed," which I never received. Also, with a notation "This is not a joke, you really have won this game." I never received the money. I had sent you a Money Order for \$45.

3) I received another letter from you on 3/26/15, in which you said you were sending me a check for \$14,300, which I never received. I had sent you cash of \$40.00.

4) On 11/2/15 I received the same letter as above advising me you were sending me the \$14,300 within 5 days in both letters. I received nothing from you, and I paid you another \$40.00 in cash.

5) I received a letter from you on 2/10/15, advising me that one of my ancestors had bequeathed me a "fantastic inheritance" and that you were the executor of this "huge fortune". You said you could show me proof of that. At that time you said the check would be ready to be sent in the amount of \$1,525.00. I had sent you cash for \$45.00, but never received it.

6) On 3/30/15 I received another letter from you regarding the Money Coin with a notice of a \$10,000 "Guaranteed". I sent you \$45.00 in cash on 4/3/15, but did not receive the Money Coin nor the money. (Over)

7) On 4/10/16, I received a letter from you regarding 10,000,000 on the Podium for the Money of the Miraculous Festival of Gifts, which I promised out on, because I could not reply within 5 days. But I did send you \$45.00 to receive it, which should have been returned to me, at my great disappointment, as I should have received all the money I had sent you previously, without anything in return that you had promised me.

The mail system is very poor here and I cannot respond in 5 days.

8) On 4/25/15, I received a letter from you with the Notice "you have been selected, from amongst our best customers, to receive the 'Masi-Bonus Gift' of the month in the sum of \$1,525.00. I never received it, even though I sent you \$45.00 in cash.

9) On 4/27/15 I received a letter from you ^{in which you} said you would be sending me 2 checks, and according to your vision 3 additional checks. I sent you a money order for \$45.00. (Over)

Also, I never received the "Lucky Key with the 3 Golden Seeds".

10) On 3/30/15, you had sent me the same exact letter I just received, regarding a dispatch of \$10,000 "Guaranteed" along with the money coin.

How can I now expect to receive the Dispatch of \$10,000, that you sent now, when I did not receive it, when I was first notified of it in your letter I received on 3/30/15, to which I responded on 4/3/15 with \$45.00 cash.

In all, I have sent you a total of \$399, and received nothing in return.

I respectfully ask that you apply \$45.00 of this money to the just received Dispatch of \$10,000 "Guaranteed" and refund the balance to me. I believe this is only fair, since I trusted you and did not receive what was promised me.

I regret having to write you this letter, but I had always trusted you and your desire to help me. I have not pressured you with all my best wishes,



SPECIAL CLAIM CERTIFICATE

VALID AS A DISTRICT PARTICIPATION FORM

MY REQUEST FOR RIGHT TO HAPPINESS AND WITH THE WEALTH.

RETURN URGENTLY TO: LAURA VIVIAN IN THE ENCLOSED ENVELOPE

Personal document to be completed and signed exclusively by [REDACTED]

YES, LAURA VIVIAN, as I read your letter, I realised that it is high time I achieved the happiness and wealth I deserve and I ask you to send me the powerful Money Coin which will literally transform my life as quickly as possible.

YES, LAURA VIVIAN, I am grateful to you for the trust you have put in me because I know that the powerful Money Coin you wish to give to me, will give me access to an absolutely wonderful destiny. Starting with the big win you saw for me (several thousands of dollars).

CERTIFIED ATTESTATION

YES, LAURA VIVIAN, I agree to write down my 3 wishes below, so that you may magnetise my Money Coin.

1st WISH: I am writing below my dearest wish:

To receive enough money to pay all of my debts and receive my future

2nd WISH: I am writing below the problem I want to go away:

The lack of money now and forever

3rd WISH: I want fortune to accompany me forever:

Signature: [REDACTED]

YES, LAURA VIVIAN, thank you for taking my modest means into account and I agree to only pay a part of your administration costs: I enclose my participation of \$45,00.

Made payable to Laura VIVIAN:

Money order Cash (possible)

Please do not send checks I can't accept them.

Please send me any correspondence to come to the address appearing below.

Last Name _____

First name _____

Address _____

Furthermore... When I explored your past, I discovered that you too were subjected to betrayal which strongly marked your life, without you even noticing it. I apologise for reminding you of this painful memory, but this ordeal has helped you grow and made you a trustworthy person, worthy of respect. For all these reasons, it is important for me to entrust you with:

THE POWERFUL MONEY COIN WHICH I KNOW YOU WILL MAKE GOOD USE OF, AS SOON AS IT IS IN YOUR POSSESSION.

Now, to send you your powerful Money Coin and continue the work I have begun for you, I need to know your 3 dearest wishes which I invite you to note down on your "right to happiness and wealth request form" overleaf.

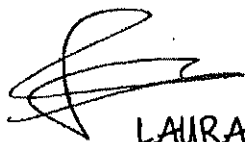
Upon your request, I have enclosed a certified attestation which commits you not to play for the lottery jackpot twice in a row (please don't take it the wrong way, but it is an extra guarantee which protects us both).

I want you to know that I am perfectly aware of the financial difficulties you are currently experiencing, this why I am only asking you for a modest sum which will cover all of my administration costs.

I am very eager to give you this Money Coin which is yours and which will be a wonderful opportunity for you to access a wonderful destiny, the destiny you have always dreamed of and which you deserve. So, as soon as I receive your letter, I will start work to magnetise the Coin which will change your life and send it to you as discreetly and quickly as possible!

We'll speak again soon,

Your devoted friend,

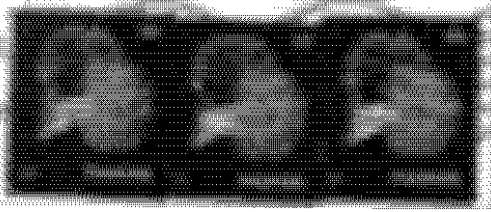


LAURA VIVIAN

PS: As you have seen, I have given proxy to a new team so that you win even more money with each of my messages... A sum of \$10,000 is up for grabs, so don't hesitate, return your "Special Claims Certificate"...

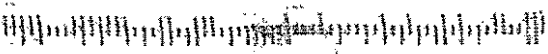
PPS: Attention: Too late is too late! Above all, do not hesitate in replying to me because I know that the big amount of money I saw for you; several thousands of dollars, is coming to you in the near future, it is on the horizon of your astral chart... Do not let this unique opportunity to make a dream life a reality, pass you by!

POSTAGE
05 MAY 2005

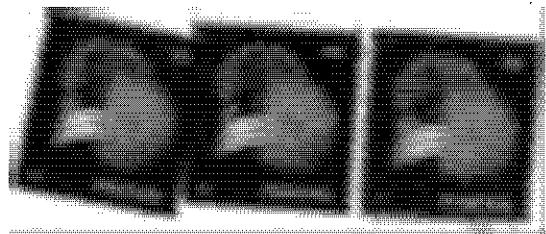


Laura VIVIAN
PO Box 1486
3600 BL Maarssen
The Netherlands

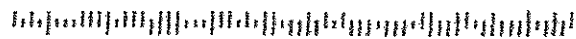
Personal



**EXHIBIT K
TO COMPLAINT**



Laura VIVIAN
PO Box 1486
3600 BL Maarssen
The Netherlands



ACCEPTANCE-COLLECTION OF THE GRAND OFFICIAL LEGACY OF JACQUES MARCHAND

Form to fill in and to send back without delay in the enclosed envelope.

YOU REPLY IS URGENTLY REQUIRED. THANK YOU.

YES, Laura Vivian, I thank you from the bottom of my heart to have made me the QUEEN of this amazing adventure. I would like to receive the Hundreds of Millions of Dollars as soon as possible and directly in my bank account. I thus hereby send you my Final Acceptance-Collection so that you may proceed with the Immediate Transfer of Jacques Marchand's Official Legacy in my favour.

YES, Laura Vivian, I have carefully filled in the Oath of Allegiance overleaf. I will thus become the sole beneficiary of this Fabulous Official Legacy, which will bring me wealth in my new Life. If I so wish, I could even stop working and I would not have to worry anymore about my income because I would be sheltered from need for the rest of my life.

YES, Laura Vivian, of course I am paying my tiny Stamp Duty which thus grants me complete Authority over this Official Legacy. I will thus be able to do what I like with all of my money without owing you anything and without having to refer to anyone at all.

I am hereby sending you this Stamp Duty of 25,00 Dollars and I will receive, as fast as possible, the Totality of Jacques Marchand's Official Legacy with no other formalities to complete I hereby pay by:

Made payable to Laura VIVIAN:

Money Order

Cash (possible)


Please do not send check I can't accept them.

Please send me any correspondence to come
to the address appearing below

Last Name

There is just one last thing I have to tell you before you urgently send me back your acceptance of the legacy. The fact of obtaining everything that you will receive obviously does not commit you to any subsequent obligation towards me, towards Jacques Marchand, or towards the Brotherhood of the Druids and not even towards the former businesses and factories of my now Druid friend. To make sure that this is clear, you need to confirm the **Total Transfer of Authority over the Official Legacy**, which will become your sole property. And to make this even clearer still to you, please note that this Transfer of Authority requires you to pay a small Stamp Duty. Even if the amount is very small, this is very important because it certifies your total independence and your complete power over the assets that you will very soon receive.

It is now time to freely commit yourself to this new existence, which is reaching out to you, to this life which is yours, your true life and the happiest one of all...


 LAURA VIVIAN

At the same time as your legacy, I will reveal to you this mysterious secret which I know about you and which Jacques Marchand really wants me to tell you about. You will be surprised to learn how this revelation can open up your eyes to something you have often suspected, but which you have never been able to establish was true.

MR. JACQUES MARCHAND'S OATH OF ALLEGIANCE

TRANSFER ZONE TO THE BENEFICIARY OF THE FORTUNE. BY THE WILL OF THE GRAND COUNCIL OF THE BROTHERHOOD OF THE DRUIDS AND UNDER THE AUTHORITY OF LAURA VIVIAN, THE CHIEF DRUID, IT HAS BEEN ESTABLISHED THAT THE BENEFICIARY OF JACQUES MARCHAND'S OFFICIAL LEGACY HAS CONFIRMED THE FOLLOWING DECLARATIONS AND DETAILS:

- | | | |
|---|---|--|
| THE BENEFICIARY IS CAPABLE OF MANAGING MONEY | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| THE BENEFICIARY IS GENEROUS AND GOOD | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| THE BENEFICIARY IS HONEST | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| THE BENEFICIARY NEEDS TO RECEIVE QUICKLY | <input checked="" type="checkbox"/> 10 MILLION | <input type="checkbox"/> 100 MILLION |
| THE BENEFICIARY LIKE TRAVELLING TO FAR OFF DESTINATIONS | <input checked="" type="checkbox"/> YES - <i>Beide ja</i> | <input type="checkbox"/> NO |
| THE BENEFICIARY HAS A FAMILY TO HELP | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| THE BENEFICIARY WANTS TO BECOME FAMOUS | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |

WESTERN UNION
WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Englewood, Colorado
Payable at Wells Fargo Bank Grand Junction - Dorestone, N.A., Grand Junction, Colorado

MONEY ORDER

[REDACTED]

\$ 25.00

PAY EXACTLY TWENTY-FIVE DOLLARS AND NO CENTS
PAY TO THE ORDER OF *Laura Rinis*

[REDACTED]

[REDACTED]

Dorian,

I am sorry I had to wait till first of the month, but I had to wait for some money to come in, my social security check, so I could send some on to you.

Had to wait for stamps, too, they cost money. Too dear mess.

Maybe now after I get this from dear Mr. Michael I won't have these problems anymore. That will be absolutely wonderful!!

I have been trying to get money enough together so I can get my dentures for past two years. This pay as you go takes forever. Now I can get my new teeth & not have to be embarrassed to go out in public with my missing teeth.

You just don't know how good this is all going to be.

It will be a total transformation
Now I can get myself all fixed
up & go out & meet that someone
to be with for rest of my life.
I'm going to keep how much
I actually get a secret & just
say I've inherited "some" money.
I will get all my bills paid
off & not owe anyone except
for the monthly bills. That
will be a FIRST TIME EVER —

I'm willing this ~~next~~ ^{next} week to
go by fast so you can get your
money, so I can get mine!
I go to bed now at night thinking all
good thoughts & not just worry-
worry worry.

Thank you again so very much.
You have really come through for me —


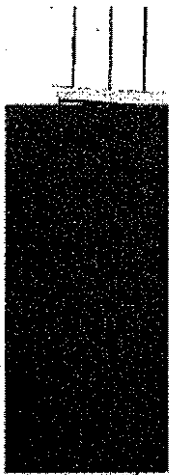
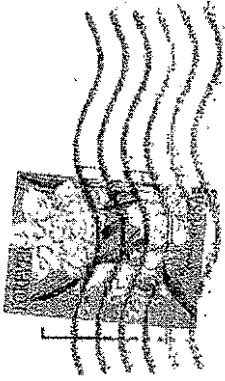
Sincerely


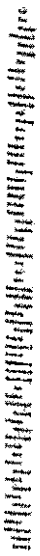
EXHIBIT L
TO COMPLAINT



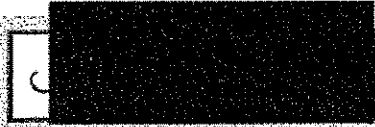
PROVIDENCE RI 0288
09 MAY 2016 PM 5 L



00107-0001



From:



8-RU2

Please
Apply
Postage

PO Box 40380
3504 AD Utrecht
The Netherlands

From:

CRE01N-PT

Please
Apply
Postage

Processing Department
PO BOX 231
3940 AE Doorn
The Netherlands

**CONFIRMATION
AND
ACCEPTANCE FORM**

PLEASE RETURN PROMPTLY
IN ENVELOPE PROVIDED

For the Exclusive
Use of:

Yes! I wish to take advantage of the Director's Cash/Prize Aggregate opportunity of \$3,148,843.00! I have read this notification carefully and hereby affirm under penalty of law that I am the named individual in these documents. I currently reside at the address shown above, I am a legal resident of the United States as of this date and I am at least 18 years of age. I am enclosing a \$25.00 Issuance Fee by cash, check, or money order made payable to DIO. I request immediate transfer to my address of my Issuance Document for full cash and prize opportunity documentation as described.

REF ID: A12345

[Redacted]

[Redacted]

Presidential Office, Use Only
Do Not Write In This Space

- Authorization
- Compliance

CURRENT TOTAL CASH/PRIZES AGGREGATE:

\$3,148,843.00

Signature:

[Redacted Signature]

5/8/16

DIOFR01-PT

2016 Diamond Jewelry Collection, PANASONIC Lumix TZ100GAPX1 Camera.

Department of Certified Asset Ownership

ASSET / VALUABLES INFORMATION
Year of Manufacture / Obtainment

CERTIFIED PREMIUM TITLED OWNERSHIP

No. [REDACTED]

TRANSIT CARRIAGE

RETURN BY
05/25/2016



2016 PORSCHE Macan S SUV --- BRAND NEW ITEM(S) --- BOXED/CRATED FOR SHIPMENT/DELIVERY ---
ID ASSIGNED: 04/27/2016 OWNER SHOWN RESIDENCE DELIVERING

Individuals Identification Number
15006480041 REGISTERED T.D. - CERTIFIED

Registration Premium Certification
INSPECTED ITEM(S) CONDITION DELIVERY BY CARRIER
ALL BRAND NEW -FACTORY- TAUNTON RESIDENCE



Delivery of all items is by assigned Transit Car carrier when scheduled.

RMO Number
[REDACTED]

Largest Item
2016
PORSCHE
Macan S
SUV

[REDACTED]

I AM RECEIVING MY SHIPMENT and am indicating accuracy of my delivery file. My address is correct yes no (correct on back)
I have drop-off area access near my residence: yes no
Enclosed is my single and only \$25.00 Processing and delivery request fee made-out to: 'RMO' by Check Cash Money Order /or/ charge credit card VISA MASTERCARD

Credit Card Number [REDACTED] Expiration Date [REDACTED]

RECEIVER
-SIGNED HERE-

REGISTRN. 2016
REGISTERED

SIGNED: Owner Signature appears below

USE INK

DATED
5/7/16
JUDY NITZ / OWNER

MAIL BACK THIS FORM BACK

SIGNED TO SHIP >>

23-GF1

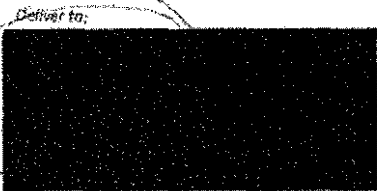
I rec'd the (copies) package and am a fool in my "Good Faith" in your sweepstakes as per below this pearl set was missing one pearl in the earring set and if all the money I sent over these past 6 six months can't obtain more than \$15.00 prize you should be ashamed!

CUSTOMS DECLARATION CH22
 May be opened officially

General	Commercial
Documents	<input checked="" type="checkbox"/> Merchandise
Tariff subcategory: HKD 50.50	

I certify that the particulars given in this declaration are correct and that the item does not contain any dangerous article prohibited by legislation or by postal or customs regulations.

Date and sender's signature
 12 Apr 2016 *[Signature]*



POSTAGE PAID HONG KONG POSTPAID	Permit No. 4191
---------------------------------------	-----------------------

AIRMAIL
 [Redacted] Hong Kong

135672	PEARL FLOWER SET	1	50.50
--------	------------------	---	-------

YBH2794422663



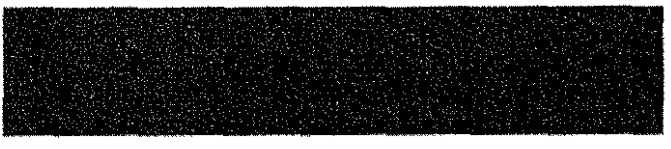
If undelivered, please return to:
 [Redacted] Hong Kong

WMP-1825

Customer Services
P.O. Box 396, 3940 AJ Doorn,
The Netherlands.

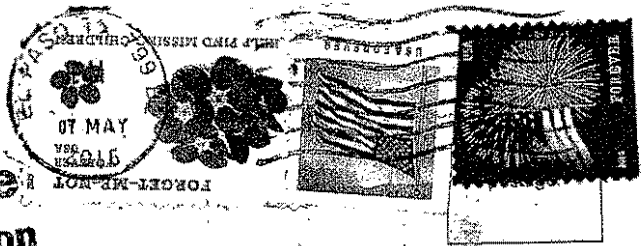
Thank you for your request. I am happy to send your prize. You are registered to participate in the selection for larger cash items as well.

You have got to be kidding. The necklace + earrings are worth no more than \$15.00 besides earrings had a pearl the other none - all the trust I had with you has made me sad



**EXHIBIT M
TO COMPLAINT**

Strictly confide
please pass on
immediately to
Sergej Grasnischenko.



Michael M.
P.O. Box 202
NL-3720 AE Bilthoven
The Netherlands

YZ-RS7JH-NR-ZN-HN-5U-1-B-11A

This little parcel will contain the secret of your fortune. You'll find **your numbers for the 12 coming draws as well as the secret instructions**, that you must follow. And when I say "secret", I mean that you must promise me not to violate these rules that I'll give you. Discretion is part of the rules. You must also promise me not to play in the same place twice and, especially, not to give interviews to curious journalists!

you don't know yet what it means to possess a lot, a real lot of money but, in a few days, you'll be able to live as you want and to do what you like.

The only thing I ask you is to never attract attention to you...

you surely know the saying: "To live happily, live hidden". It's really true. When you'll have won 36 million, I advise you to move as quickly as possible, because otherwise, you won't be able to get away from the vultures and the parasites that want to sell you all sorts of things and who will want their part of your fortune...

You must answer me now. You must answer me within 72 hours! I've given to my close friend and confidant, Michael M. a sealed parcel in which **you'll find your winning numbers for the 36 million and more. As soon as Michael receives your answer, he'll send you the parcel in a very discreet manner.**

it's up to you now to decide whether you want to win 36 million. Everything tells me so because I've seen you winning this money. All that's written in the stars comes true because it's your destiny to become rich. Accept this and answer me immediately.

Sergej Grasnischenko
Sergej Grasnischenko
Multimillionaire and Expert in visions concerning the future

PS: During my first vision, I observed you while you were sleeping. In another vision, I saw you in a beautiful house surrounded by incredible luxury. As everything I see comes true, I concluded that you will answer me immediately. And, as predicted, **on 6/7/2016, you'll win your first 36 million dollars.**

PPS: When you'll have won your first 36 million dollars, I can give you the right contacts (only if you want, of course!) for things that you would perhaps like to buy or to undertake: a yacht, a private jet, a luxury house... I could even get you special prices. But, as I said, it's only if you want. The most important is that you answer me now to win your first 36 million dollars. **You only need to send the form I've**

Dear Michael M

5-8-2016

I am very confused that you have not wrote me back a letter I know you have had a lot of trouble sending mail to my address. I do not know this guy who sent me a letter and it has your address. I am not going to ask why is that some body else is writing to me. Any way I asked you to send my mail certified mail to me and then I could go to the post office to pick up the mail sent to me I am not complaining but your photo was not on the letter. I hope you did not give up on sending me the checks. I lost \$120.00 in the grocery store and I had to call my son to pay for my food. I was so up set I could not sleep till 4:00 in the morning so I don't have the \$125.00 to send. Please forgive me ok.