

## Polacsek Class Action Update

We regret that you have not yet received your distribution of settlement proceeds. Under the settlement, Mr. Pukke obligated himself to deliver all of his monies and assets up to \$35 million in order to fund his settlements with the class representatives in this action and with the Federal Trade Commission in its action. Unfortunately, Andris Pukke, the defendant responsible for funding the settlements, has refused to cooperate with the Court's Receiver. (The Receiver is an officer appointed by the Court to gather Mr. Pukke's money and property so that it can be liquidated and sold to fund the settlements.) At this point, it remains unclear how much Mr. Pukke's total assets are worth, and doubtful that the Receiver will be able to recover up to \$35 million.

On November 17, 2006, the Receiver obtained an order requiring Mr. Pukke to explain why he should not be held in contempt for his failure to cooperate. The result of that order was a nine day trial on February 7, 8, 9, 13, 14, 15, and March 7, 8 and 14 before Judge Messitte. On April 2, 2007, the Court entered an order finding Mr. Pukke and his associate Peter Baker were in civil contempt of court for their violations of the Court's asset freeze and final judgment order entered in the FTC's case against Mr. Pukke. The Court allowed Mr. Pukke and Mr. Baker 30 days to cooperate with the Receiver to purge or clear his contempt of court. On May 2, 2007, another hearing was held on the Receiver's request for immediate incarceration. The court granted that motion, and Mr. Pukke and Mr. Baker were incarcerated to coerce their compliance with the Court's order to turn over their assets to the Receiver. To learn more, read these three documents. [Link to # 525 Receiver's Application for Order to Show Cause as to Why Andris Pukke and Peter Baker Should Not Be Held In Contempt of Court and For Related Relief;](#) [Link to # 571 Order Holding Anris Pukke and Peter Baker in Contempt of Court;](#) [Link to # 596 Receiver's Application for Supplemental Relief Under Order Holding Andris Pukke and Peter Baker in Contempt of Court; Request for Immediate Incarceration to Coerce Andris Pukke and Peter Baker to Coerce Compliance With Court Orders.](#)

The Receiver is working very diligently to force Mr. Pukke to turn over his ill-gotten gains. However, that process is taking longer than expected, and has resulted in the delay of your recovery. We ask for your continued patience.