

# **TRO Exhibit 17**

**DECLARATION OF RICHARD NEAL**  
Pursuant to 28 U.S.C. §1746

1. My name is Richard Neal and I reside in Chateauguay, Quebec, Canada. The following facts are known to me personally, and if called as a witness, I could and would competently testify thereto.
2. On October 24, 2008, I received a phone call from Mutual Consolidated Savings ("MCS"). The MCS representative identified himself as Walter, and asked me if I would like to lower the interest rate on my credit cards. I was curious so I asked a few questions.
3. He told me that MCS could lower the rates on my Visa card, and that I would save at least \$2,500 in the first year. He explained that as part of the process, there would be a conference call between an MCS representative, my credit card company, and me, to negotiate the lower rates. I was not told a specific interest rate MCS could obtain for me, just that I would get lower rates than I presently had. He did not explain that I would have to pay a fee for this service.
4. He asked for my date of birth, as well as the credit card names, numbers, expiration dates, and security numbers for the cards that I wanted lower interest rates on. I provided this information for my CIBC Visa and my MBNA Mastercard. After providing the information, the representative was able to tell me my credit card balance and credit limit on each card.
5. It was not until after I had agreed to the service and confirmed my account information that I was told that the service would cost approximately \$600. I was not told that this fee would be in American dollars. The MCS representative told me that my

credit card would be charged in this amount, but I do not recall being asked to authorize the charge. I was also told that if the guaranteed savings of \$2,500 was not achieved, I would get my money back.

6. On October 27, 2008, I called the RCMP, the Competition Bureau of Canada, and Phonebusters to try to learn more about MCS. The representatives at those agencies had all heard of the company but they could not confirm whether or not I'd been scammed. I then called CIBC Visa to check to see if the charge was posted. The bank representative told me that a charge from MCS in the amount of \$917.18 CAD had been authorized, but not yet posted to my account. The bank employee told me that there MCS had charged me for a service which it could not provide, which per their regulations constitutes fraud. He said there was no way that MCS could lower the interest rate on my credit card because Visa does not negotiate credit card account terms with third parties. At that point, I figured I had been scammed, so I cancelled my credit card with CIBC Visa and disputed the charge. I also called and cancelled my MNBA Mastercard.

7. After investigating the charge, CIBC Visa sent me a "Statement of Unauthorized Usage" form, dated November 3, 2008. I signed and dated the form, which declared the MCS charge fraudulent, and returned it within a few days. A true and correct copy of this signed statement is attached as Exhibit A.

8. Approximately 10 days after the initial phone call from MCS, I received a package from MCS, delivered by either UPS or DHL, with a return address listed as 1215 Earnest S. Brazill St., Suite #33. The listed web address was [www.mcsprograms.com](http://www.mcsprograms.com). The box contained a welcome package, forms, worksheets, a service agreement, and

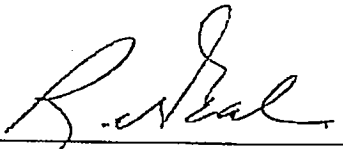
various CDs and informational guides. True and correct copies of the first two pages of the welcome package are attached to this declaration as Exhibit B.

9. Two weeks after the package was delivered, MCS called me to follow-up and to inquire why I had not returned the required forms from the MCS packet. I told the representative I had learned that my credit card companies did not deal with third parties and I informed him that I had cancelled my credit card. The representative asked me to return the package. Before I had a chance to return it Brian Uliana of the Competition Bureau requested if I would mind providing them the package to assist them in their investigation of MCS. I agreed and the Competition Bureau arranged to have it picked up by courier.

I swear or affirm under penalty of perjury that to the best of my knowledge and belief the foregoing is true and accurate.

Dated:

June 5, 2009

  
Richard Neal



November 03, 2008

CIBC Credit Card Services  
Services de Cartes de Crédit CIBC  
PO Box/CP 4058, STN/SUCC A  
Toronto, Ontario  
M5W 1L8

Credit Card Services  
Fraud Claims  
Toronto ON  
M5W 1L8

Attention: EUNICE T - EXT 6405

STATEMENT OF UNAUTHORIZED USAGE  
Re: ACCOUNT 4501- [REDACTED] -4461  
NAME: RICHARD NEAL

With reference to the described transaction(s) as follows:

Date	Merchant's Name	Amount	Location
	1025 Mutual Consolidated Savin	917.18	800-493-1304 WA

I certify that I was in possession of my credit card(s) bearing the above noted account number and I did not participate or authorize the transaction(s) listed above.

My signature and the Authorized User's signature, if applicable, as they appear on the signature panel of the credit card(s) are appended below.

Primary Cardholder Signature  
RICHARD NEAL

Authorized User Signature

023471449-ET104-LETTER04



CIBC Credit Card Services  
Services de Cartes de Crédit CIBC  
PO Box/CP 4058, STN/SUCC A  
Toronto, Ontario  
M5W 1L8

November 03, 2008

RICHARD NEAL

CHATEAUGUAY QC J6K 2R7

Dear RICHARD NEAL

RE: CREDIT CARD NUMBER 4501- [REDACTED] -4461

We are sorry to hear of any inconvenience you have experienced due to the fraudulent use of your credit card. To support our investigation and assist us in reversing the unauthorized transactions, it is important for you to complete the attached Statement of Unauthorized Usage and return it immediately in the postage paid envelope provided or fax to the number listed below. If necessary, please edit the list by deleting authorized transactions and adding any other unauthorized transactions. Please initial all changes.

Should we not receive your completed Statement of Unauthorized Usage by November 24, 2008, we will consider the transactions valid as outlined in the cardholder agreement contained in your credit card package. These transactions will be transferred to your replacement credit card account.

In the event that a replacement card has been issued to you, please advise any merchants with whom you have pre-authorized payment arrangements of your replacement credit card number to ensure the smooth processing of such transactions in the future.

We appreciate your prompt attention to this matter. If you have any questions please contact me at the number below.

Sincerely,

EUNICE T - EXT 6405  
Fraud Claims Specialist, Fraud Claims  
Credit Card Services  
Phone Number: 416-256-6871  
Local Fax Number: 416-784-6395  
Toll Free Phone Number: 1-866-385-1344  
Toll Free Fax Number: 1-888-554-9666

ENCL.

023471449-ET104-LETTER01

# Mutual Consolidated Savings

## Elite Membership

**Richard Neal**  
 [REDACTED]

Chateauguay, Quebec, J6K 2R7

(450) [REDACTED] 3690

Order Number: 89063

Rapid Debt Reduction is a powerful payment scheduling program. As long as you make the scheduled payments on time according to the schedule, you will achieve the level of savings calculated by this program. If for any reason, you do not keep up with the payment schedule, call MCS for a revised payment schedule at no additional cost to you. You may request a revised payment schedule as often as your situation changes. That is how much we believe in this program, and that is how much we want you to be satisfied with our service. So sign this page and send it back to use and get started with an EXCLUSIVE membership in the Rapid Debt Reduction Program! To start saving, complete the debt profile below, sign and date it, and return to MCS in the enclosed envelope.

### Debt Profile

**Credit Cards**

Credit Card Bank Name	Credit Card Number	Rate (%)	Credit Limit	Balance (\$)	Payment (\$)

**Loans**

Creditor	Balance (\$)	Rate (%)	Payments Left (#)	Payment \$

**Guarantee and Acknowledgement of Receipt**

Mutual Consolidated Savings guarantees to show you how to save a minimum of \$2,500.00 over the course of paying off your current recorded debt through the application of one or more MCS financial programs, including, but not limited to our Rapid Debt Reduction Program, Low Interest Rate Program, Savings Guides. Please see Mutual Service Agreement. Per your verbal request, recorded on voice imprint #48522, a processing fee of \$689 USD was applied to the bank card of your choice, in accordance with the terms of the card issuer agreement. Return Policy: Returns permitted only if MCS cannot meet the minimum savings guarantee of \$2,500.00. All materials and packaging must be returned via certified mail and be in their original condition. All refunds are subject to a 12.5% processing and restocking fee.

Signature Required

Richard Neal

Date

# Getting Started

**To: Richard Neal**  
**From: Mutual Consolidated Savings Customer Service Team**  
**Subject: Your First Steps Towards Financial Independence**

Dear Richard,

Congratulations for taking the first step toward becoming debt free. In this fast-paced and often chaotic day and age, taking the time to review our financial situations can seem like the impossible. Richard, you have made the decision to join thousands of our other customers in saving your hard-earned money (and time) through participation in Mutual Consolidated Savings (MCS) programs and services.

Please follow these simple instructions to get started saving money today:

1. **Complete the Elite Membership and Debt Profile.** Please use this form to record the creditor name, balance, interest rate, number of payment left (fixed-interest loans), and payment for each debt. The information you provide will determine your total savings. If you have any difficulty verifying your account balances and interest rates, you can always call the phone numbers on the back of your credit cards, or for your loans, call the number provided on your monthly statement. Please itemize your debts as thoroughly and accurately as possible. When deciding what your payment is you can use your check register to see what you paid toward the accounts last month. If you need additional space to record all of your debts, please use the additional page provided.
2. **Complete the Client Questionnaire.** This information is confidential, and will be shared only with members of your financial coaching team. The information you provide will be used to help your financial coach better understand your particular financial situation, your goals and your primary financial concerns.
3. **Return Completed Membership Form and Debt Profile.** Please be sure to sign your completed Membership Form and return it to MCS immediately in the enclosed envelope. The sooner we receive these documents, the sooner your savings will start.
4. **Review the enclosed Savings Guide for more valuable money saving ideas.**

MCS has paved the road to financial freedom. This packet includes two pouches to organize your statements, store important documents, and to house your notes, guide, and the personal debt elimination schedule you will be receiving from MCS.

Please complete and sign the Elite Membership Debt Profile and return them to MCS as soon as possible to expedite this process. We urge you to utilize these items to their full potential. You are not alone in this venture. MCS has professional financial coaches who will assist you in any way they can - to answer any and all of your financial questions and concerns, now and in the future. Please do not hesitate to call our customer service department using one of the toll-free listed numbers below.

Sincerely,  
The MCS Customer Service Team

U.S. and Canada: 1-800-943-3250  
United Kingdom: 0-808-101-2261  
Customer Service Hours 9:00AM to 4:00PM Pacific Time