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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	No. 03 C 3904
vs.)	Chicago, Illinois
)	February 11, 2010
KEVIN TRUDEAU,)	10:00 a.m.
)	
Defendant.)	

TRANSCRIPT OF PROCEEDINGS - MOTION
BEFORE THE HONORABLE ROBERT W. GETTLEMAN

APPEARANCES:

For the Plaintiff:	FEDERAL TRADE COMMISSION
	55 West Monroe Street
	Suite 1825
	Chicago, Illinois 60603
	BY: MR. DAVID O'TOOLE
For the Defendant:	WINSTON & STRAWN LLP
	35 West Wacker Drive
	Chicago, Illinois 60601
	BY: MR. KIMBALL R. ANDERSON
	MS. AESHA R. PALLESEN
Official Reporter:	JENNIFER S. COSTALES, CRR, RMR
	219 South Dearborn Street
	Room 1706
	Chicago, Illinois 60604
	(312) 427-5351

1 (Proceedings in open court.)

2 THE CLERK: 03 C 3904, FTC versus Kevin Trudeau.

3 MR. O'TOOLE: Good morning, Your Honor.

4 David O'Toole for the FTC.

5 MR. ANDERSON: And Kimball Anderson for Mr. Trudeau.

6 THE COURT: All right. Gentlemen, I asked you here
7 today, because a very serious matter has occurred. I have a
8 feeling, Mr. Anderson, you probably already know what it is. I
9 don't know if you do.

10 Beginning at 2:38 yesterday afternoon I began receiving
11 e-mails from people I didn't know about Mr. Trudeau,
12 testimonials, you may say, some angry, some not so angry, some
13 everything in between. I've literally gotten hundreds of them.

14 My computer, which is here in the courtroom, I can show
15 you the screen, it is literally clogged with these. I think I
16 just got another one. I did, from a vince M-i-k-u-s at 10:13,
17 which it is right at this moment. And I continue to get them.

18 It has totally shut down my in box. It has totally shut
19 down my Blackberry, so I cannot easily correspond with anybody
20 when I'm not in my office. It is a result, we found when we went
21 to Mr. Trudeau's website, of a solicitation he made yesterday
22 afternoon where he put on his website:

23 "Kevin needs your voice."

24 I don't know if you need copies or if you already have
25 them.

1 MR. ANDERSON: I don't know anything about it, so I'll
2 take a copy.

3 MR. O'TOOLE: Your Honor, we've gotten, Mickey Mora,
4 lead counsel, got the same e-mails. He had 200 about an hour
5 ago.

6 THE COURT: Mr. Mora's e-mail was also in this. Of
7 course, he's in Washington, and Washington is shut down.

8 MR. O'TOOLE: He didn't know about it until you called
9 for --

10 THE COURT: As everybody knows, Washington is shut down.
11 So sending something to somebody in Washington yesterday or today
12 doesn't make a lot of sense.

13 But anyway, giving my e-mail out is very serious. He
14 gives it out, and he says after that, "E-mail Judge Gettleman,"
15 with my address, "and Michael Mora at the Federal Trade
16 Commission," with his e-mail address, "and tell them how I have
17 changed your life for the better. Tell them that I have not
18 misled you in any way, and that the government is out of control
19 for trying to silence the truth."

20 So a lot of people have mimicked those words in their
21 e-mail addresses. Some people have said they are very angry.
22 Some people have said they are watching.

23 The marshal is here, Darryl McPherson, who is head of
24 our court security, as well as one of his deputies, because we
25 now have to do a threat assessment on all of these e-mails as we

1 get them.

2 Our IT people here at the court have been notified, and
3 they are going to try to divert these into some sort of folder
4 based on a word search or however they do it, I'm not an expert
5 on that, so that they can get it out of my computer, out of my
6 e-mail.

7 And I feel, frankly, that this is an attempt by
8 Mr. Trudeau -- oh, by the way, the radio broadcast that he does
9 in connection with his website, I don't know if it's actually
10 broadcast over the radio waves or just through the website, but
11 the radio broadcast repeats what he put into the print that I
12 read to you earlier or words to that effect, and also says that
13 he did some sort of blast e-mail to his e-mail list.

14 So there appears to be at least from what we've heard a
15 direct request to whoever is on his e-mail list, which knowing
16 Mr. Trudeau, probably numbers in the thousands or tens of
17 thousands for all I know.

18 So I don't know whether or not -- I don't know what the
19 content of that is, because I just haven't seen them, if there is
20 such a thing, if he did it. He said he did it.

21 It's very disturbing for a number of reasons. Obviously
22 he is encouraging ex parte communications in an attempt to
23 influence the Court. He's encouraging people to flood my e-mail
24 to harass the Court and to interfere with my processes.

25 He is doing this in the face of a ruling that I already

1 made at the last time I saw you, that I was not opening the
2 record for further discovery or evidence. So he is now trying to
3 do an end-run around that by having people send me hundreds, by
4 the time it's over perhaps thousands of ex parte communications
5 to show, I suppose, customer satisfaction, an issue that has been
6 discussed in the briefs that were filed, in contravention of a
7 ruling that I already made that I wasn't going to hear anymore
8 evidence, that I think the record is closed in this case because
9 of the trial we had and the other matters that you gentlemen have
10 addressed in your briefs.

11 I assume, Mr. Anderson, you didn't know anything about
12 this.

13 MR. ANDERSON: I had no prior knowledge of it.
14 Obviously, I did not counsel Mr. Trudeau and would not counsel
15 any client to communicate with the Court or any even attempt to
16 communicate with the Court in that fashion. So I had no prior
17 knowledge of it.

18 THE COURT: I believe you. Not only do I believe you, I
19 would honor your own ethical integrity not to do anything that
20 foolish.

21 However, I believe that this is a direct contempt of the
22 Court. It is an attempt to interfere with the processes of the
23 Court and has, in fact, interfered with the processes of the
24 Court. It's going to require, as I said, a threat assessment.
25 It is going to require adjusting my computer and trying to sift

1 out my own personal and official communications from the hundreds
2 of e-mails that I now have clogging my inbox.

3 And I am going to direct Mr. -- I believe Mr. Trudeau
4 from what he said in his radio broadcast is in the Chicago area.
5 I want -- I am going to direct that he be present today.

6 I know that this is interfering with your schedule, too.
7 But I assure you, Mr. Anderson, it has interfered with mine as
8 well.

9 I am directing him to be present in court at 1:00
10 o'clock this afternoon. And if you cannot assure me that he will
11 be present in court on his own at 1:00 o'clock, I am directing
12 the marshal to go out and apprehend him and bring him here.

13 MR. ANDERSON: well, I will contact him, attempt to
14 contact him immediately. I don't know where he is. I mean, I
15 don't even know whether he is in town. But I will attempt to
16 contact --

17 THE COURT: There is lots of numbers. All you've got to
18 do is look on the website. This is a very serious matter,
19 Mr. Anderson, as I'm sure you can appreciate.

20 MR. ANDERSON: well, I'm not undermining the
21 seriousness. I'm just telling you that I will contact him. I
22 will attempt to contact him immediately.

23 THE COURT: Okay. well, let's take a five-minute break.

24 MR. ANDERSON: Okay.

25 THE COURT: If you tell me that he is going to be here

1 at 1:00 o'clock, we can save the government some expense in going
2 out and getting him. If you cannot tell me that, I'm directing
3 the marshal, who is here, to go out and get him.

4 So let's take a five-minute break.

5 MR. ANDERSON: All right. I'll try to reach him.

6 THE COURT: Thank you.

7 MR. O'TOOLE: Thank you, Your Honor.

8 (Recess.)

9 THE CLERK: 03 C 3904, FTC versus Kevin Trudeau.

10 THE COURT: Just to bring you up to date, I have
11 received about three or four more e-mails, the latest being 10:27
12 from friends of Trudeau.

13 Before you respond to my question, Mr. Anderson, I just
14 wanted to say a couple of other things. In his broadcast that we
15 listened to -- and I'm going to ask my court reporter to actually
16 make a transcript of it from the website -- Mr. Trudeau just
17 before asking people to write to me, e-mail me, goes on what I
18 would call a tirade against government workers generally in very
19 negative terms. And when you put together everything that he's
20 said and done in this connection, the threat becomes even more
21 serious or the potential threat becomes even more serious.

22 We can no longer tolerate seemingly innocent
23 communications between the outside world and the Court. Every
24 time something like this happens after the tragedy with Judge
25 Lefkow and her family, we take these things more seriously than

1 perhaps we would have before. People's emotions sometimes run in
2 strange directions, and they're led to do things that none of us
3 here would ever contemplate doing. It makes the situation far
4 more serious than before that tragic event. And anybody with a
5 mind should know that.

6 So anyway I just wanted to put that on the record,
7 because I don't want you to think I'm going off on some sort of
8 needless tangent here. I'm not. I'm responding as we are
9 instructed to respond to any type of potential situation like
10 this. And it has severely impacted the processes of the Court.
11 It has totally ground my office to a halt while we have to go
12 through all of this here, fix the computer, get the marshal
13 involved and everything else.

14 So with that said, have you been able to speak to your
15 client?

16 MR. ANDERSON: Yes. I reached him by cellphone. I had
17 told him that the Court had directed him to appear at 1:00
18 o'clock. He said he would be here.

19 THE COURT: All right. I hope you are able to
20 communicate with him that should he not be here, he will be
21 spending some serious time in custody until I am able to deal
22 with this case.

23 MR. ANDERSON: Can I advise him about the nature of the
24 proceedings at 1:00 o'clock?

25 THE COURT: It's to show cause why he should not be held

1 in direct contempt of Court for the matters that I have already
2 raised, of which he is quite aware. But since you asked,
3 Mr. Anderson, there are certain things that I think Mr. Trudeau
4 must do as just a matter of decency. It is beyond purging
5 already, frankly. We're not talking about civil contempt here.

6 But he took off the message that I read to you earlier.

7 By the way, we have hard copies of all the e-mails that
8 I've gotten up to a particular time today. And I think we can
9 give them to you, so it would make it a little easier for you.
10 I'm not going to forward my e-mail to you, because it has other
11 communications embedded within it that I'm trying to extract.
12 But I can't do that en masse to you. It would be easier if I
13 could. But we made hard copies so you'll get an idea of them.

14 He should be posting a notice retracting what he did and
15 telling people to stop doing this and frankly apologizing for
16 what he did and saying that it was wrong.

17 I am going to require eventually a statement, or I don't
18 know what you'd call it, some information from him about whether
19 he sent direct e-mails to anybody and to whom and what the
20 content of that was, if he did some sort of blast e-mail as he
21 said he did in his radio broadcast, and what responses he got as
22 a result of that.

23 Again, if he's got any sense at all, he should send an
24 e-mail back to those people apologizing for doing that and
25 stating that it was wrong, and that they should not be acting

1 upon whatever message he sent to them. I don't know what it is
2 at this point.

3 MR. ANDERSON: Okay. Well, I understand all that. And
4 I can certainly counsel him to do that.

5 Your comment that this is beyond civil contempt causes
6 me a concern in that I am not a criminal defense lawyer. And if
7 this is not a civil contempt matter, I will not be Mr. Trudeau's
8 counsel. If this is going to have some non-civil proceeding at
9 1:00 o'clock, obviously, that's another issue.

10 THE COURT: I think you may want to bring somebody.
11 This is direct contempt under 42(b). That's how I view it. It
12 has interfered with the process of the Court. It has happened in
13 the presence of the Court as you saw. It happened in your
14 presence. It was accomplished in a way that was harassing,
15 threatening, potentially threatening, and interfering. It is
16 something that is happening as we sit here. So time is of the
17 essence. It fits the case law, and it fits the rule. And,
18 frankly, it fits any sense of this court's need to protect itself
19 against this kind of thing.

20 It goes beyond the matters that we've been debating now
21 for a long time. That type of contempt was civil. I've read
22 your briefs. In fact, I was working, ironically, I was working
23 on putting my thoughts down in writing at the time these e-mails
24 started coming to me. It was like psychic, because that's not
25 until March 9th is I think our date, right, March 8th or 9th?

1 So I was trying to actually get some thoughts down on
2 paper, because I had read everything you'd submitted to me. So
3 that was civil contempt with a potential of referring this for
4 criminal contempt. But that wouldn't be me. That would be
5 appointing a prosecutor to look into criminal contempt, which I
6 was thinking about doing. But I hadn't really finished that
7 thought process. That might happen in that case. But this is
8 something totally different, totally different. Don't confuse
9 the two.

10 You are more than capable of handling the other matter,
11 Mr. Anderson, as your briefs and arguments demonstrated. If you
12 think he needs a criminal lawyer, then you have a wonderful law
13 firm with lots of good criminal lawyers, some of whom I know.
14 And that's a decision you and Mr. Trudeau can make.

15 I'll see you at 1:00 o'clock.

16 MR. ANDERSON: Okay.

17 MR. O'TOOLE: Thank you, Your Honor.

18 THE COURT: Don't forget to get the hard copies.

19 (Recess at 10:40 a.m. until 1:00 p.m.)
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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	No. 03 C 3904
vs.)	Chicago, Illinois
)	February 11, 2010
KEVIN TRUDEAU,)	1:00 p.m.
)	
Defendant.)	

TRANSCRIPT OF PROCEEDINGS - MOTION

BEFORE THE HONORABLE ROBERT W. GETTLEMAN

APPEARANCES:

For the Plaintiff:	FEDERAL TRADE COMMISSION
	55 West Monroe Street
	Suite 1825
	Chicago, Illinois 60603
	BY: MR. DAVID O'TOOLE

For the Defendant:	WINSTON & STRAWN LLP
	35 West Wacker Drive
	Chicago, Illinois 60601
	BY: MR. KIMBALL R. ANDERSON
	MS. AESHA R. PALLESEN
	MR. THOMAS L. KIRSCH, II

Official Reporter:	JENNIFER S. COSTALES, CRR, RMR
	219 South Dearborn Street
	Room 1706
	Chicago, Illinois 60604
	(312) 427-5351

1 (Proceedings in open court.)

2 THE CLERK: 03 C 3904, FTC versus Kevin Trudeau.

3 MR. O'TOOLE: Good afternoon, Your Honor.

4 David O'Toole for the FTC.

5 MR. ANDERSON: And Kimball Anderson on behalf of
6 Mr. Trudeau.

7 Your Honor, if it please, may I introduce to you Tom
8 Kirsch. Tom is a partner with me at Winston & Strawn. And from
9 2001 through 2008, he was an Assistant United States Attorney for
10 the Northern District of Illinois.

11 I asked Mr. Kirsch to accompany me today to provide any
12 additional advice that may be necessary. Mr. Kirsch, like me,
13 has not had an opportunity to investigate the matter. We found
14 out about it basically at 10:00 o'clock this morning. But
15 Mr. Kirsch is here. And I would ask that Your Honor allow him to
16 enter an oral appearance --

17 THE COURT: Certainly.

18 MR. ANDERSON: -- with the appropriate paperwork to
19 follow up this afternoon.

20 THE COURT: Certainly. Not a problem.

21 All right. A few preliminary matters, and then I'll let
22 you say whatever you want to, counsel.

23 I did ask my secretary -- my court reporter, as I
24 mentioned, my staff identified the broadcast that Mr. Trudeau
25 made yesterday, and Ms. Costales has made a transcript of it at

1 my direction. I have three copies, one I'm giving to the
2 marshal, Mr. McPherson, and if you'd be so kind just to hand the
3 other two to counsel, please.

4 Just so we know what we're talking about, when we went
5 back on to the site later, this portion of yesterday's broadcast
6 had been removed.

7 There are some other matters that I want to address,
8 because even though you may have found out about this this
9 morning, Mr. Anderson, as maybe Mr. O'Toole did, too, I don't
10 know, there is really not a lot to find out about. What you know
11 now is what there is pretty much, with the addition of several
12 other things that I'd like to know about before this is
13 concluded.

14 First of all, I don't know how Mr. Trudeau got my e-mail
15 address. I thought maybe it was in *Sullivan's* or on the website,
16 the court's website. It isn't. I don't know how he would have
17 gotten my e-mail address. I'm curious, at least, and concerned
18 about how that happened. It is not a matter of public record.
19 No judge's e-mail address is a matter of public record. My phone
20 number is, my office phone number. My private number isn't. I
21 hope that that's not being bandied about as well. So I'd like to
22 know that.

23 In this transcript you will see that Mr. Trudeau
24 mentions on page 8 of the transcript -- I just got another
25 e-mail, by the way, even though this has been off the web now for

1 at least since I think late yesterday. I'm still getting
2 e-mails. It's in the hundreds by now. I have a separate, just
3 so you're aware, I have a separate folder that these are
4 automatically being sent to so they don't clog up my inbox
5 anymore. But that took some doing by our IT people.

6 And also in doing that, I'm not very technologically
7 savvy, but they did it by key word. So if some of those key
8 words were to be used in legitimate e-mails, they're going to go
9 into that folder, and I'm going to have to dig them out. So it
10 continues to be a problem even though I've tried to do my best to
11 divert these messages.

12 On page 8 of the transcript, line 13, "So I need your
13 help. We're going to send out an e-mail blast. It's going to be
14 on my blog. Send the judge a letter. Send the FTC a letter."

15 I took that as an e-mail blast, not a blog posting. If
16 there is an e-mail blast that has been sent, I want to know about
17 it. I want to know who it was sent to. I want to know any
18 responses. And I want to know what it said.

19 And I realize that Mr. Trudeau may exercise certain
20 rights not to respond. That's his privilege. But if that's the
21 case, we have people whose job it is to investigate these types
22 of things.

23 So just to sum up where we are today -- oh, there is one
24 other thing, too. In going back and reviewing the blog,
25 yesterday's blog message including the oral message,

1 Mr. Trudeau's broadcast, the way he, the way he put it to his
2 constituency, let's call it, really wasn't directed to the Weight
3 Loss book at all, which is what brings us to the proceedings that
4 he anticipated and that he apparently wanted testimonials at
5 least offered into the record, which I see as a perfectly
6 legitimate exercise if you wanted to do that as an offer of proof
7 or something like that to complete the record.

8 But the way he made it sound in his communication was as
9 if he was being held in contempt or being fined for all of the
10 things that he does, all of the books that he writes and opinions
11 that he publishes, which is just not true. We were about one
12 very discrete issue, and that is the contempt of court, the
13 second contempt of court that I found Mr. Trudeau guilty of and
14 which the Seventh Circuit affirmed involving misrepresentations
15 in the infomercials about the Weight Loss Cure book. That was
16 the only thing that he was being cited for, if you will. And he
17 wasn't being cited for any of the other books he had.

18 Most of these people are writing about the Natural Cures
19 book or that sort of thing. It has nothing to do with what we
20 were dealing with, Mr. Anderson, Mr. O'Toole, and your
21 colleagues. So I think once again Mr. Trudeau has engaged in a
22 deception to his own fans, if you will. I find that to be very
23 disturbing.

24 So a lot of these responses, all of these hundreds of
25 e-mails that I've been getting really are being done on a false

1 pretense, as if he were being silenced for saying anything at
2 all. We were dealing with a discrete issue. And the only thing
3 that I had before me that we were going to deal with in March --
4 there is another one, by the way. Every time you hear that
5 little bell, that's another e-mail from Mr. Trudeau's fans -- the
6 only thing we were dealing with in March was the issue of the
7 monetary award in that case and the issue of modifying the
8 injunction in that case as requested by the FTC. And it had to
9 do with the Weight Loss Cure book, nothing else.

10 I guess I say this all with a degree of sadness.
11 Anybody as talented as Mr. Trudeau obviously is, to waste that
12 talent on this sort of activity is just beyond me.

13 In any event, I am finding him in direct criminal
14 contempt of this court. As I said earlier today, his actions
15 have impeded the functioning of the Court, the processes of the
16 Court. They are in a sense attacking me as I sit here, as I sit
17 here -- there is another one -- due to Mr. Trudeau's actions.

18 They are ex parte, improper ex parte communication. I'm
19 in the process, I'm talking to the marshal's office about how to
20 respond to that. A threat analysis is being done as we sit here,
21 and other investigations are being done by law enforcement that I
22 have nothing to do with. But I believe that this fits the notion
23 of a direct contempt as much as anything else. It is very
24 serious.

25 However, unlike Mr. Trudeau, I do not wish to act

1 hastily or improvidently. I want to think about what an
2 appropriate sanction would be in this case, and I want to give
3 you an opportunity, Mr. Trudeau an opportunity to respond, as I
4 will the FTC. And I want this done quickly. So I want to act
5 deliberately on this thing.

6 Frankly, I was inclined to put Mr. Trudeau into custody
7 today. I believe that the penalty that I will impose will
8 probably include some time in custody as well as a fine. But I
9 want to give it a great deal of thought, and I want you to have
10 an opportunity to respond, even though under the law you don't
11 have a right to such an opportunity, and I want you to if you
12 wish to address it, if you don't, I will.

13 If I'm going to allow Mr. Trudeau to remain out of
14 custody until the next time I see you next week, I want to be
15 assured that a bond is in place that will require him to remain
16 in this district, to surrender his passport to the Court, and to
17 post a bond, a monetary bond to assure his appearance the next
18 time I see him, the next time I set this for hearing.

19 So those are my thoughts, Mr. Anderson. If you or your
20 colleague wish to respond?

21 MR. ANDERSON: well, we appreciate the opportunity to be
22 further heard on this subject. As I reported to you this
23 morning, we had no prior notice. When I was contacted first by
24 your chambers yesterday at 4:00 o'clock and summoned to appear
25 here, I inquired what this was all about and was told that I was

1 not going to be informed until 10:00 o'clock this morning. So I
2 have not had a chance to investigate or properly advise
3 Mr. Trudeau, and I appreciate Your Honor's moving ahead
4 deliberately in giving us an opportunity to respond to these
5 issues.

6 Secondly, at 10:00 o'clock this morning, you did, if not
7 request, strongly suggest certain remedial efforts. And I have
8 undertaken those. I've spent since 10:00 o'clock this morning
9 trying to effect those remedial efforts.

10 we did cause, I did not personally cause it, but an
11 e-mail has gone out to everyone on the e-mail list, and that
12 e-mail says, and I'll just read it into the record, it's short,
13 it says, "Yesterday" -- it says, "To all my listeners and e-mail
14 club subscribers. Yesterday, as you know, I asked you to
15 communicate with Judge Gettleman of the Northern District Court
16 of Illinois. That was a mistake. It was wrong to make that
17 request. Please do not under any circumstances communicate with
18 the Court or Judge Gettleman. I apologize for this mistake.
19 Yours, Kevin Trudeau."

20 So that has gone out to the best of my knowledge to all
21 recipients who received the e-mail. And I'm also informed that a
22 similar message, similar, if not identical message has been
23 posted on the website. And I know that I'm prepared to undertake
24 any other remedial measures that are within my power to do so.

25 You also asked me to have Mr. Trudeau here. I have done

1 that. And I have had a brief chance to talk to Mr. Trudeau. I
2 am confident that he understands the seriousness of the Court's
3 concerns. I have counseled him about appropriate and
4 inappropriate ways to communicate with the Court. And I am
5 confident that this incident will not occur again.

6 And I believe that he is sincerely sorry about the
7 inconvenience, the aggravation and concerns that the Court has
8 expressed this morning.

9 So that is what I have done in the last couple hours
10 since we saw you at 10:00 a.m. this morning.

11 THE COURT: I appreciate that, Mr. Anderson. It's what
12 I would have expected of you and your colleagues.

13 I don't have the confidence in your client that I have
14 in you. I do insist that if he is to avoid custody today he post
15 a bond, which I've gotten the form of an appearance bond that I
16 just pulled off of my clerk's little stash of forms, which it's
17 fairly generic.

18 It says that he will pay a certain amount. I was going
19 to pick a number out of the air that's something that he could
20 get a hold of I think. Knowing what I know about Mr. Trudeau, he
21 could post a bond of \$50,000; and that he will stay within the
22 district. I have to add that he'll surrender his passport by
23 tomorrow. I'm not even asking him to do this by today. It will
24 be tomorrow.

25 I will be out of town tomorrow. Judge Shadur will be

1 here. You can post a bond with Judge Shadur.

2 And then I want to set this down, I was going to give
3 you until, both sides until -- I don't know what the FTC --

4 MR. O'TOOLE: Your Honor, I don't think we have anything
5 to add to this. This is within your power, certainly. But
6 we're, you know, we're not an agency that has criminal authority.
7 I think the U.S. Attorney if there was a prosecution would have
8 to prosecute.

9 THE COURT: If this were an indirect contempt, I would
10 refer this, I would appoint a prosecutor and refer it. That may
11 happen in the other case, but this is a different matter
12 altogether. As I said, there really is a disconnect between that
13 dispute and what's happened here. But I'll give both of you an
14 opportunity to respond.

15 You know, as I said, I'm going to be out of town
16 tomorrow. The 15th, Monday, is a federal holiday. So I would
17 like you to submit something to me, I'm giving both of you the
18 opportunity to do that, by Tuesday. Okay. We'll make it 1:30 on
19 the 17th. I want Mr. Trudeau to be here. And then I will make a
20 decision or decide how to proceed. But I'd like to get this all
21 behind us.

22 I'm going to have my secretary prepare this bond and
23 bring it out to you in a few minutes. If there is any objection
24 to it, I'll come back out, and we can deal with it. But it's
25 fairly, as I say, it's a standard appearance bond. The only

1 thing that's different in it is that it doesn't mention surrender
2 passport, which I want in this case.

3 Is there anything else?

4 MR. ANDERSON: I just have a procedural question.

5 THE COURT: Yes, sir.

6 MR. ANDERSON: I understand that Mr. Trudeau will have
7 until tomorrow to get these affairs in order and that we will
8 present it to Judge Shadur. Should we communicate with Judge
9 Shadur's chambers, or will your --

10 THE COURT: I talked to Judge Shadur.

11 MR. ANDERSON: He's expecting us?

12 THE COURT: He will be here tomorrow, I know for sure,
13 and he will take the bond. I'm going to send him a copy of the
14 bond. There is really not much for him to do except approve it.
15 I think if you bring in the cash or, you know, some sort of
16 evidence of the cash bond as well as a signed copy, and you
17 present it, that's good enough for me.

18 MR. ANDERSON: Okay. There is no scheduled time with
19 Judge Shadur that he's expecting to see us?

20 THE COURT: No. But Judge Shadur gets here even earlier
21 than I do.

22 MR. ANDERSON: Yeah, okay.

23 THE COURT: He's here very early in the morning, and
24 he's usually here until about 4:00 or so in the afternoon. I
25 will tell him to expect a call from you, Mr. Anderson.

1 MR. ANDERSON: well, when we have the paperwork ready,
2 we will contact Judge Shadur's chambers.

3 THE COURT: Okay. I'll have that brought out
4 immediately at the time, I literally need a typewriter, which is
5 not easy to find these days.

6 I'll see you back here on the 17th at 1:30.

7 MR. ANDERSON: All right.

8 THE COURT: All right.

9 MR. O'TOOLE: All right.

10 THE COURT: If there is any problem with the bond, let
11 me know, I'm here.

12 MR. ANDERSON: Okay.

13 THE COURT: By the way, there is one other thing, the
14 marshals tell me, because there has been a finding of criminal
15 contempt, they have to process Mr. Trudeau, because there is
16 going to be a bond. So I think you should bring him up to --

17 MR. KIRSCH: We'll take care of that, Your Honor.

18 THE COURT: Very good. Thank you.

19 (Proceedings concluded.)

20 C E R T I F I C A T E

21 I, Jennifer S. Costales, do hereby certify that the
22 foregoing is a complete, true, and accurate transcript of the
23 proceedings had in the above-entitled case before the Honorable
24 ROBERT W. GETTLEMAN, one of the judges of said Court, at Chicago,
25 Illinois, on February 11, 2010.

/s/ Jennifer Costales, CRR, RMR
Official Court Reporter
United States District Court
Northern District of Illinois
Eastern Division