

ROBB EVANS & ASSOCIATES LLC

Receiver of

Assail, Inc.; Infinium, Inc.; Market-Rep.com, Inc.;
Summit Communications International, Inc.; d/b/a Advantage Capital;
Capital First Benefits, Inc.; Premier One Benefits, Inc., et al.
and Assets of Kyle Kimoto

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In the United States Court of Appeals for the Fifth Circuit
No. 04-50109

Federal Trade Commission Plaintiff-Appellee

v.

Assail, Inc., et al., Defendants,
Robb Evans & Associates LLC, Permanent Receiver of Assail, Inc., et al. Appellee

v.

James Fales, Appellant

Appeals from the United States District Court for the
Western District of Texas, Waco

Filed September 23, 2004

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-50109

FEDERAL TRADE COMMISSION

Plaintiff - Appellee

v.

ASSAIL, INC; ET AL

Defendants

ROBB EVANS & ASSOCIATES LLC, Permanent
Receiver of Assail Inc, et al

Appellee

v.

JAMES FALES

Appellant

U.S. COURT OF APPEALS
FILED
SEP 23 2004
CHARLES R. FULBRUGE III
CLERK

Appeals from the United States District Court for the
Western District of Texas, Waco

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:

IT IS ORDERED that Appellant's motion for a stay of
district court's January 6, 2004, order finding appellant in
contempt is **DENIED**,

IT IS FURTHER ORDERED that Appellant's motion for a stay
of district court's September 10, 2004, order revoking the
conditions of release imposed in the order of January 6, 2004 is
DENIED,

IT IS FURTHER ORDERED that Appellant's motion for a stay of the district court's September 10, 2004, order incarcerating appellant James Fales is *DENIED*.