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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SOFTWARE DEVELOPMENT AND
 INVESTMENT OF NEVADA, d/b/a TRAFFIC-
 POWER.COM., a Nevada corporation,

Plaintiff,

vs.

DAVID BAARDSEN, an individual; JAY
 CATENA, an individual; MARISAND
 INDUSTRIES d/b/a BATTERYFUEL.COM; and
 MARISAND INDUSTRIES

Defendants.

) **Case No: 2:05-cv-1094-RCJ-LRL**
)
)
) **MOTION TO DISMISS FOR**
) **FAILURE TO STATE A CLAIM**
) **UNDER RULE 12(b)(6) OR IN THE**
) **ALTERNATIVE MOTION FOR**
) **SUMMARY JUDGMENT UNDER**
) **RULE 56**

David Baardsen, Jay Catena and Marisand Industries d/b/a BatteryFuel.com respectfully
 move this Court to dismiss the Amended Complaint filed by Software Development and
 Investment of Nevada, d/b/a Traffic-Power.Com (“Traffic Power”) pursuant to Fed. R. Civ.
 12(b)(6) for failure to state a claim, or in the alternative, for summary judgment pursuant to Fed.
 R. Civ. P. 56. This motion is based on the following:

1. The allegations alleged in the amended complaint do not allege facts which would
 create a cognizable claim for relief.

a. The first claim for relief attempts to allege a claim for misappropriation of trade
 secrets but fails to allege any facts demonstrating that the defendants disclosed any trade secrets,

1 rather the complaint alleges that an unknown DOE defendant may have disclosed Traffic Power's
2 alleged trade secrets. Furthermore, the claim fails to allege that the purported misappropriation
3 was made in breach of an express or implied contract with the defendants or that the defendants
4 owed some duty to Traffic Power.

5 b. The second claim for relief attempts to allege a claim for defamation, but fails to
6 quote a single allegedly defamatory statement published by any of the defendants.

7 c. The third claim for relief attempts to allege civil conspiracy, but this claim for
8 relief is contingent on the first two claims and does not independently stand on its own.

9 3. In the alternative, summary judgment should be granted as there is no evidence that
10 any of the defendants misappropriated any of Traffic Power's trade secrets, defamed Traffic
11 Power, or took any actions amounting to a civil conspiracy against Traffic Power.

12 a. The first claim for relief, misappropriation of trade secrets, can be summarily
13 dismissed as the alleged trade secrets appear on a website *www.imageshack.us* which is not in any
14 way owned, controlled, or affiliated with the defendants.

15 b. The second claim for relief, defamation, can be summarily dismissed as the website
16 *www.trafficpowersucks.com* contains no false and defamatory statements.

17 c. The third claim for relief, civil conspiracy, can be summarily dismissed as there
18 exists no agreement between the defendants to do anything unlawful, defame Traffic Power, or
19 misappropriate Traffic Power's trade secrets.

20 4. Finally, sanctions are appropriate against Traffic Power for naming Jay Catena and
21 Marisand Industries in its Amended Complaint despite Traffic Power's actual knowledge that
22 David Baardsen is the sole owner and operator of the website *trafficpowersucks.com* and that
23 neither Jay Catena nor Marisand Industries have any ownership of nor authored any content for
24 *trafficpowersucks.com*.

This motion is supported by the following Memorandum of Points and Authorities, the accompanying declaration of Dave Baardsen and Exhibits A-Y, attached.

MEMORANDUM OF POINTS AND AUTHORITIES

I. TRAFFIC POWER HAS FAILED TO STATE A CLAIM FOR WHICH RELIEF CAN BE GRANTED

Fed. R. Civ. P. 12(b) states in pertinent part:

Every defense, in law or fact, to a claim for relief in any pleading, whether a claim, counterclaim, cross-claim, or third-party claim, shall be asserted in the responsive pleading thereto if one is required, except that the following defenses may at the option of the pleader be made by motion:

...

(6) failure to state a claim upon which relief can be granted¹

When a motion is filed pursuant to Fed. R. Civ. P. 12(b)(6), all allegations of material fact are taken as true by the court and construed in the light most favorable to the plaintiff.² The court, however, may dismiss a complaint as a matter of law for “(1) lack of a cognizable legal theory or (2) insufficient facts under a cognizable legal claim.”³ Here, the complaint filed by Traffic Power provides insufficient facts to create a cognizable legal claim. The complaint attempts, but fails, to allege three legal claims: misappropriation of trade secrets, defamation and civil conspiracy.

A. THE COMPLAINT FAILS TO ALLEGE ANY FACTS DEMONSTRATING THAT THE DEFENDANTS MISAPPROPRIATED ANY TRADE SECRETS

Under Nevada law, the elements required for a claim for misappropriation of trade secrets are:

(1) a valuable trade secret; (2) misappropriation of the trade secret through use, disclosure, or nondisclosure of use of the trade secret; and (3) the requirement that the misappropriation be wrongful because it was made in breach of an express or implied contract or by a party with a duty not to disclose.⁴

¹ Fed. R. Civ. P. 12.

² *Everest & Jennings v. American Motorists Ins. Co.*, 23 F.3d 226, 229 (9th Cir.1994).

³ *Robertson v. Dean Witter Reynolds, Inc.*, 749 F.2d 530, 534 (9th Cir.1984).

⁴ *Kaldi v. Farmer's Insurance Exchange*, 117 Nev. 273, 284, 21 P.3d 16, 21 (2001).

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The first claim for relief fails to allege any facts demonstrating that the defendants disclosed any trade secrets, rather the complaint alleges that an unknown DOE defendant may have disclosed Traffic Power's alleged trade secrets. Plaintiff's amended complaint states:

17. At a time currently unknown to Plaintiff, one or more DOE Defendants, acting alone or in concert with others misappropriate Plaintiff's trade secrets in the form of training materials and scripts used in conjunction with Plaintiff's marketing campaign. Said DOE Defendant(s), acting alone or in concert with others, caused photographic images of these documents to be made with the photographic images being stored by an image hosting service called Image Shack: <http://imageshack.us>.⁵

Furthermore the claim fails to alleged that the misappropriation was made in breach of an express or implied contract with the defendants or that the defendants owed some duty to Traffic Power.

Because Traffic Power's complaint states that an unknown third party rather than defendants misappropriate Traffic Power's alleged trade secret and because Traffic Power fails to allege any action by the defendants which was in breach of an express or implied contract or duty, Traffic Power fails to state a claim for misappropriation of trade secrets by defendants.

B. TRAFFIC POWER FAILS TO PLEAD ANY ALLEGEDLY DEFAMATORY STATEMENT TO SUPPORT THE ALLEGATIONS OF DEFAMATION

Traffic Power lists in paragraph 27 of its Amended Complaint a purported summary of defamatory information published by defendants. Traffic Power, however, fails to specifically state any allegedly defamatory statement published by any of the defendants. By failing to specifically quote any statements made by defendants, it is impossible for defendants to know which statements Traffic Power is claiming are defamatory. Under Nevada law,

To create liability for defamation there must be:

(a) a false and defamatory statement concerning another;

⁵ See plaintiff's complaint, paragraph 16.

(b) an unprivileged publication to a third party;

(c) fault amounting at least to negligence on the part of the publisher; and

(d) either actionability of the statement irrespective of special harm, or the existence of special harm caused by the publication.⁶

Here, Plaintiff attempts to summarize what it believes is contained on the website *trafficpowersucks.com*, but fails to state with particularity any allegedly defamatory statement by any of the defendants. Even in the light most favorable to the Plaintiff, the complaint fails to allege a specific false or defamatory statement by Defendants required to state a claim for defamation.

C. TRAFFIC POWER'S CLAIM FOR CIVIL CONSPIRACY IS CONTINGENT ON STATING A CLAIM FOR MISAPPROPRIATION OF TRADE SECRETS OR DEFAMATION

Under Nevada law,

an actionable civil conspiracy is a combination of two or more persons who, by some concerted action, intend to accomplish some unlawful objective for the purpose of harming another which results in damage.⁷

Here, Traffic Power merely references the preceding paragraphs of the complaint as evidence of some unlawful objective. As explained, above, however, the preceding paragraphs of the complaint fail to state any type of cognizable claim. Because Traffic Power's claim for civil conspiracy is built upon its failed claims for misappropriation of trade secrets and defamation no claim of civil conspiracy has been stated.

D. PLAINTIFF'S COMPLAINT SHOULD BE DISMISSED PURSUANT TO RULE 12(b)(6)

In evaluating a claim under Fed. R. Civ. P. 12(b)(6), the court presumes that all well plead

⁶ *Peta v. Berosini*, 111 Nev. 615, 619; 895 P.2d 1269, 1272 (1995) (*quoting* Restatement (Second) of Torts § 558 (1965)).

allegations are true and views the pleading in the light most favorable to the non-moving party. Despite this liberal construction, the pleader must still allege facts which satisfy each element required for a recovery. The Court is not required to, nor should it, accept Traffic Power's bald assertions and legal conclusions.⁸ Traffic Power has not alleged facts which satisfy each element required for recovery. This Court should dismiss plaintiff's complaint pursuant to Fed. R. Civ. P. 12(b)(6).

II. IN THE ALTERNATIVE, THIS COURT SHOULD GRANT SUMMARY JUDGMENT PURSUANT TO RULE 56

A. CONCISE STATEMENT OF FACTS SUPPORTING SUMMARY JUDGMENT

- David Baardsen is the sole owner, operator and author of *www.trafficpowersucks.com*.⁹
- Neither Jay Catena nor Marisand Industries have any ownership of or authored any content for *trafficpowersucks.com*.¹⁰
- The defendants have no association with or ownership of *imageshack.us*. The defendants have not been provided copies of the Traffic Power documents which appear on *imageshack.us* nor did the defendants place the Traffic Power documents on *imageshack.us*.¹¹
- A representative of Google has confirmed that Google has removed *traffic-power.com* and domains promoted by Traffic Power from Google's index due to Traffic Power's violation of Google's terms of service.¹² As of February 20, 2006, the website *www.traffic-power.com* currently does not appear in the Google index.¹³
- As part of their "services" for *battyerfuel.com*, Traffic Power plagiarized an article from

⁷ *Collins v. Union Federal Savings and Loan*, 99 Nev. 284, 662 P.2d 610, 622 (1983).

⁸ *See Associated Gen. Contractors of America v. Metropolitan Water Dist. of Southern California*, 159 F.3d 1178, (9th Cir. 1998).

⁹ *See* Exhibit A, affidavit of David Baardsen.

¹⁰ *Id.*

¹¹ *Id.*

¹² *See* Exhibit B.

the New York times, by coping it word for word and making it into a page for batteryfuel.com.¹⁴

- Traffic Power plagiarized pages from the U.S. Small Business Administration website and Epions.com while creating web pages for other customers.¹⁵

- Traffic Power, or its employees and owners have operated under various names including Internet Marking Services, 1P.com, adnetpros.com, consultsense.com, sigitaltransmit.com, and websitetranslations.com.¹⁶

- The Nevada Better Business Bureau, the State of Nevada Consumer Affairs Division and the state of Nevada Office of the Attorney General and have indicated they are investigating the links between Traffic Power and their d.b.a.'s or related entities.¹⁷

- Mr. Baardsen has received numerous emails from former and current Traffic Power customers with various complaints including that Traffic Power has tried to extort money.¹⁸

- Traffic Power has a poor reputation and complaints about Traffic Power are numerous and from many different sources including, but not limited to, the Better Business Bureau,¹⁹ The Wall Street Journal²⁰, Las Vegas Business Press,²¹ Web Pro News,²² Google,²³ HighRanking Advisor,²⁴ Internet Search Engine Database,²⁵ and SearchRank.²⁶

B. INTRODUCTION

1. The creation of www.trafficpowersucks.com.

¹³ See Exhibit E.

¹⁴ See Exhibits A, I and J.

¹⁵ See Exhibits A, K, L, M, N, O, P and Q.

¹⁶ See Exhibits S and T.

¹⁷ See Exhibit A, declaration of David Baardsen.

¹⁸ *Id.*

¹⁹ See Exhibit S.

²⁰ See Exhibit W.

²¹ See Exhibits R and V.

²² See Exhibit C.

²³ See Exhibits B and D.

²⁴ See Exhibit F.

²⁵ See Exhibit G.

1 Mr. Baardsen signed up with Traffic Power to promote batteryfuel.com and get
2 batteryfuel.com listed higher in Google's rankings. Traffic Power is an Search Engine
3 Optimization ("SEO") company. Every search engine uses different methods to list web pages in
4 its index. An SEO company's job is to make changes to a website so the pages on that site show
5 up higher in the search engines when someone does a search for a particular word or group of
6 words. Every search engine has a list of "Do's and Don'ts" or webmaster guidelines listed, to
7 show what should and should not be included on a web page to be compatible with the search
8 engine. Google's guidelines can be seen at *www.google.com/intl/en/webmasters/guidelines.html*.
9 As an SEO, Traffic Power knew or should have known of these guidelines, as making a web page
10 compatible with the search engines would have to be the primary focus of their business.

11 Traffic Power created several new web pages to promote batteryfuel.com as well as sent
12 Mr. Baardsen several web pages to add to the current batteryfuel.com site. After Traffic Power's
13 campaign launched, instead of batteryfuel.com moving up Google's rankings, it was banned from
14 Google and completely removed from the Google database. This devastated Mr. Baardsen's
15 business to a point which it has still not recovered even though it was subsequently re-listed in
16 Google's database.²⁷

17 Traffic Power knew or should have known changes made to their customer's websites
18 broke several of the guidelines listed on Google's "Webmaster Guidelines" page. As a result,
19 many of Traffic Power's customer's websites, not just batteryfuel.com, were completely removed
20 from Google's index. Traffic Power knew or should have know that their clients web pages were
21 being removed from the Google index, as a second focus of any SEO company is to monitor their
22 customer's websites to see where their web pages rank. As their customer's websites were banned
23 from Google, Traffic Power apparently continued to use the same techniques that got these pages
24
25
26
27

28 ²⁶ See Exhibit H.

1 banned, on new customer's websites, knowing that the result would be more banned web sites.

2 Mr. Baardsen created *www.trafficpowersucks.com* after having a very poor experience
3 with Traffic Power. After having such a bad experience with Traffic Power, he felt it was
4 important to express his views about their services, but has never published any false and
5 defamatory statements regarding Traffic Power or any of Traffic Powers trade secrets.
6 Trafficpowersucks.com only contains Mr. Baardsen's personal opinions and personal experiences
7 with Traffic Power, emails he has received from others regarding their personal opinions and
8 experiences, and links to other websites. Neither Jay Catena nor Marisand industries have
9 authored any of the content of *www.trafficpowersucks.com*.²⁸

11 2. Legal standard for Summary Judgment.

12 Pursuant to Fed. R. Civ. P. 56(c), the district court should grant summary judgment when
13 no genuine issue of fact remains for trial and one party is entitled to judgment as a matter of law.
14 The summary judgment procedure is to obviate trials when they would serve no useful purpose.
15 In fact, the trilogy of decisions from the United States Supreme Court have encouraged the use of
16 summary judgment to resolve litigation.²⁹

18 Even though the facts are to be construed in the light most favorable to the non-moving
19 party, the non-moving party is not entitled to build a case on the gossamer threads of whimsy,
20 speculation, and conjecture. Once the moving party has made a *prima facie* demonstration that no
21 issue of fact exist, the non-moving party bears the burden of coming forth with evidence in the
22 form of specific facts to show the existence of a genuine issue of material fact, or the court is
23

25 ²⁷ See Exhibit A, declaration of David Baardsen.

26 ²⁸ *Id.*

27 ²⁹ See *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 106 S. Ct. 2505, 91 L. Ed. 2d 202 (1986);
28 *Celotex Corp. v. Catrett*, 477 U.S. 317, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986); *Matsushita Electric Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574, 106 S. Ct. 1348, 89 L. Ed. 2d 538 (1986).

1 required to enter judgment according to the law.³⁰

2 **C. SUMMARY JUDGMENT SHOULD BE GRANTED IN FAVOR OF JAY**
 3 **CATENA AND MARISAND INDUSTRIES AS THESE DEFENDANTS**
 4 **HAVE NEVER PUBLISHED ANY STATEMENTS REGARDING TRAFFIC**
 5 **POWER. IN ADDITION, SANCTIONS ARE WARRANTED AGAINST**
 6 **TRAFFIC POWER.**

7 Jay Catena and Marisand Industries have never published any statements regarding Traffic
 8 Power and should be immediately dismissed from this lawsuit. In addition, sanctions are
 9 warranted against Traffic Power for naming these parties in its Amended Complaint. As clearly
 10 stated in the affidavit of David Baardsen attached to defendants' first motion to dismiss David
 11 Baardsen is the sole owner and operator of the website *trafficpowersucks.com* and neither Jay
 12 Catena nor Marisand Industries have any ownership of nor authored any content for
 13 *trafficpowersucks.com*.

14 Despite being in possession of this affidavit and being warned by the Court at the previous
 15 hearing that sanctions could issue for naming these parties without properly investigating the
 16 claims against them, Traffic Power once again has named Jay Catena and Marisand Industries in
 17 its Amended Complaint without justification. Traffic Power states in its complaint,

18 6. On information and belief, Defendants jointly own and
 19 operate at least two websites (www.trafficpowwersucks.com and
 20 www.batteryfuel.com) which are published to internet users from
 21 two domain servers owned by Marisand Industries: i.e.
 22 NS1.Marisand.com and NS2.Marisand.com.³¹

23 Where this information and belief comes from is unknown. At best, this information and
 24 belief is a result of a complete lack of understanding of how the Internet works which is
 25 inexcusable coming from Traffic Power, a company which holds itself out as an expert on the
 26 workings of the Internet. First, Traffic Power indicates that *trafficpowersucks.com* is published
 27 from "two domain servers." As Traffic Power should be aware, a domain name server ("DNS")

28 ³⁰ Fed R. Civ. P. 56(e).

1 primarily stores the true address, also called the IP Address, of a website.³² When a user types in a
 2 website such as *trafficpowersucks.com* in to the address bar of their web browser, the user's web
 3 browser uses the operating system's and/or their internet service provider's DNS revolver to
 4 perform one or more look ups to determine a web sites true address, or IP address.³³ For example,
 5 the IP address of *trafficpowersucks.com* is 69.41.242.110. The simple fact that two DNS servers
 6 named ns1.marisand.com and ns2.marisand.com store the IP address for *trafficpowersucks.com* is
 7 not evidence Jay Catena nor Marisand Industries have any ownership of or authored any content
 8 for *trafficpowersucks.com*.

10 David Baardsen has already stated in a sworn affidavit that he is the sole owner, author,
 11 and operator of *trafficpowersucks.com*. Although Traffic Power is in possession of this affidavit,
 12 Traffic Power chose to ignore it and the Court's warnings that sanctions could issue for alleging
 13 claims without a reasonable investigation. Not only did Traffic Power ignore Baardsen's
 14 affidavit, but Traffic Power has no evidence contrary to Baardsen's affidavit. In fact, Traffic
 15 Power has no evidence that either Jay Catena or Marisand Industries have ever published any
 16 statement about Traffic Power, let alone a defamatory statement or a statement which
 17 misappropriates its trade secrets.

19 Traffic Power has clearly brought claims against Jay Catena and Marisand Industries in its
 20 amended complaint in an effort to harass these defendants without any justification or any possible
 21 claim against them. This Court should issue sanctions in the amount of \$5,000 for Traffic Power's
 22 repeated filings of these claims against Jay Catena and Marisand Industries without a scintilla of
 23 evidence.

25 **D. SUMMARY JUDGMENT SHOULD BE GRANTED IN FAVOR OF ALL**
 26 **DEFENDANTS ON TRAFFIC POWER'S CLAIM OF**

27 ³¹ See Exhibit B, Plaintiff's Amended Complaint.

28 ³² See http://en.wikipedia.org/wiki/Domain_Name_System.

³³ *Id.*

MISAPPROPRIATION OF TRADE SECRETS

As stated above, under Nevada law, the elements required for a claim for misappropriation of trade secrets are:

(1) a valuable trade secret; (2) misappropriation of the trade secret through use, disclosure, or nondisclosure of use of the trade secret; and (3) the requirement that the misappropriation be wrongful because it was made in breach of an express or implied contract or by a party with a duty not to disclose.³⁴

The first claim for relief, misappropriation of trade secrets, can be summarily dismissed as there is no evidence (or even an allegation) that the defendants misappropriated Traffic Power's alleged trade secrets. Rather, the allegation is that an unknown DOE defendant misappropriated Traffic Power's alleged trade secret. In addition, there is no evidence (or even an allegation) that any of the defendants was under any duty not to disclose any of defendant's trade secrets.

Finally, the alleged trade secrets appear on the website *www.imageshack.us* which is not in any way owned, controlled, or affiliated with the defendants.³⁵ Defendants merely link to this web site and provide commentary regarding the documents which appear there.

Moreover, the website *imageshack.us* has a link at the bottom of almost every page where anyone can request the deletion of any images appearing on its website. The request for deletion page states,

ImageShack® strives to enforce its Terms of Service to the fullest extent possible, and will cooperate with law enforcement entities, third party companies, and victims of harassment in order to remove inappropriate materials from the ImageShack® site. Deletion requests are processed within 12-24 hours.³⁶

Despite Traffic Power's actual knowledge that its alleged valuable trade secrets appear on the website *imageshack.us* and despite *imageshack.us*'s simple procedure for having these images

³⁴ *Kaldi v. Farmer's Insurance Exchange*, 117 Nev. 273, 284, 21 P.3d 16, 21 (2001).

³⁵ See Exhibit A, declaration of Davit Baardsen.

³⁶ See Exhibit X.

1 removed within 24 hours, Traffic Power has taken no steps to have the images removed, instead
 2 preferring to use the existence of the images to file a baseless claim against the defendants.
 3 Because an unknown DOE defendant and not any of the named defendants allegedly
 4 misappropriated Traffic Power's trade secrets and because the allegedly misappropriated trade
 5 secrets do not appear on *trafficpowersucks.com* but rather on *imageshack.us*, Traffic Power's
 6 claim for misappropriation of trade secrets should be summarily dismissed.
 7

8 **E. SUMMARY JUDGMENT SHOULD BE GRANTED IN FAVOR OF ALL**
 9 **DEFENDANTS ON TRAFFIC POWER'S CLAIM OF DEFAMATION**

10 While Traffic Power fails to quote any statement in its complaint that is allegedly
 11 defamatory, Traffic Power does provide a purported summary of defamatory information
 12 contained on the website *www.trafficpowersucks.com*. As detailed below, this summary misstates
 13 the actual content of *www.trafficpower.com*, the content of which is not defamatory. Furthermore,
 14 most of this summary is easily provable as true.

15 Under Nevada law,

16 To create liability for defamation there must be:

- 17 (a) a false and defamatory statement concerning another;
- 18 (b) an unprivileged publication to a third party;
- 19 (c) fault amounting at least to negligence on the part of the
- 20 publisher; and
- 21 (d) either actionability of the statement irrespective of special harm,
- 22 or the existence of special harm caused by the publication.³⁷

23 Furthermore a statement is not defamatory if it is an exaggeration or generalization that
 24 could be interpreted by a reasonable person as "mere rhetorical hyperbole." Nor is a statement
 25

26
 27 ³⁷ *Peta v. Berosini*, 111 Nev. 615, 619; 895 P.2d 1269, 1272 (1995) (*quoting* Restatement
 28 (Second) of Torts § 558 (1965)).

defamatory if it is absolutely true, or substantially true.³⁸

In determining whether alleged defamatory statements include a factual assertion three factors are relevant: 1) whether the general tenor of the entire work negates the impression that the defendant was asserting an objective fact; 2) whether the defendant used figurative or hyperbolic language that negates that impression; and 3) whether the statement in question is susceptible of being proved true or false.³⁹

When separating factual statements from opinion the general test is, “whether a reasonable person would be likely to understand the remark as an expression of the source's opinion or as a statement of existing fact.”⁴⁰

1. Claims that search engine giant Google has banned and is banning from its search engine listings websites of Traffic-Power.com clients because of the search engine optimization strategies utilized by Plaintiff.

(a) *What www.trafficpower.com says*

Defendant Baardsen’s website actually states:

Google and Traffic Power:

Are Traffic Power customers being banned from Google because of Traffic Power's practices? A lot of people seem to think so, and judging by the emails I've been receiving, I think so too. I have been trying to set up an appointment with someone at Google to talk about this situation, their legal team has been notified of the upcoming Class Action lawsuit against Traffic Power. I currently have lists of tens of thousands of pages submitted by Traffic Power, I wonder what would happen if Google were to drop all of those pages? I also wonder if Google would be willing to join the lawsuit. Every page breaks at least one of Google's rules for listing. I will post as soon as I hear something.⁴¹

(b) *These statements are not defamatory.*

First, these statements do not rise to the level of defamation. The general tenor of the statement is one of opinion. Statements like, “A lot of people seem to think so and . . . I think so

³⁸ *Pegasus v. Reno*, 118 Nev. 706, 715; 57 P.3d 82, 88 (2002).

³⁹ *Flowers v. Carville*, 112 F. Supp. 2d 1202, 1211 (D. Nev. 2000).

⁴⁰ *Nevada Ind. Broadcasting*, 99 Nev. at 410, 664 P.2d at 342 (1983).

1 to” is one of opinion rather than fact.

2 Furthermore these statements, even if taken as factual assertions, have been confirmed by
3 Matt Cutts,⁴² a representative of Google. On February 11, 2006, Mr. Cutts specifically responded
4 to portions of the Plaintiff’s amended complaint (which had been posted by an individual in the
5 SEO community who has been reporting on this case). Mr Cutts stated:

7 Remember my disclaimer that this is my personal site and that the
8 views expressed here are not those of my employer? For this post, I
9 am speaking in my official capacity as head of the webspam group
10 at Google, and I’ve had this post reviewed by Google’s lawyers.
11 Usually, Google doesn’t confirm or deny whether a company has
12 been removed from our index. I started that precedent several years
13 ago when a reporter asked whether a particular company was
14 banned from Google for spamming, and I declined to confirm a
15 spam penalty. That precedent has worked well at times in the past,
16 but lately I’ve found that it can assist webmasters to give concrete
17 examples of violations of our quality guidelines.

18 . . .
19 According to this post, Traffic Power is suing someone and
20 asserting among other things

21 “The false and defamatory information includes
22 but is not limited to the following:

23 a. Claims that the search engine giant Google has
24 banned and is banning from its search engine listings
25 websites of Traffic-Power.com clients because of the
26 search engine optimization strategies used by
27 Plaintiff.

28 b. Claims that clients of Traffic-Power.com run the
risk of being banned from Google search engine
listings if they use Traffic-Power.com services;”

I’d like to address those two points. I can confirm that Google has
removed traffic-power.com and domains promoted by Traffic Power
from our index because of search engine optimization techniques
that violated our webmaster guidelines at
<http://www.google.com/webmasters/guidelines.html>. If you are a
client or former client of Traffic Power and your site is not in

⁴¹ See Exhibit Y, page TPS 0007.

⁴² Matt Cutts works for the quality group of Google. His official title is software engineer, but he specializes in search engine optimization issues. He is well known in the SEO community for enforcing the Google Webmaster Guidelines and cracking down on link spam. (See http://en.wikipedia.org/wiki/Matt_Cutts).

1 Google, please see my previous advice on requesting reinclusion
2 into Google's index to learn what steps to take if you would like to
3 be reincluded in Google's index.⁴³

4 Apparently some of the techniques used by Traffic Power to attempt to increase a web
5 site's rank were in violation of Google's terms of service and many of Traffic Power's customers
6 were being banned from Google. According to an article on HighRankings.com, most of the site
7 owners being banned had a story similar to Mr. Baardsen,

8 It seems that most of those who were banned have the same
9 story to tell. The code and pages that they were asked to upload to
10 their server (or that were uploaded for them) seemed kind of fishy,
11 but the SEO company said it was necessary. They said that this was
12 what you *had* to do to get high rankings, and that "everyone" did
13 it.

14 Apparently, they even have results from clients with which
15 to back up their sales talk.

16 What these site owners didn't know was that results obtained
17 through these methods are short-lived and dangerous to the long-
18 term success of a site. Basically, it only lasts until the next round of
19 bannings takes place. When one technique gets banned, they simply
20 find a new way to spam the engines on your behalf. This gives the
21 company a constant supply of short-lived High Rankings™ to show
22 potential clients in order to convince them to sign up to become their
23 next guinea pig.

24 So when I received Linda's email and looked at the HTML
25 code of her site, I wasn't surprised to see the telltale footprints of the
26 notorious spam company, "Traffic Power."⁴⁴

27 Other stories of other websites being banned by Google after signing up with Traffic
28 Power were popping up all over the internet. One company posed the following question to
Google's answer service:

⁴³ See Exhibit B.

Dear Sirs,

Our web site www.realmilkpaint.com was recently dropped off the google index ? We had been misled by a company called traffic power . They coded our web site and it disappeared off the Google search . We have discontinued our service with this company and will never employ them again. When www.realmilkpaint.com is typed into the search the result is ... no information available about this URL . Yet when "Real Milk Paint" is typed into the search all the links to our site show up but not our web site ?⁴⁵

The answer submitted to this question told a similar story of problems with Traffic Power:

It appears that you got caught in the recent spate of sites "optimized" by Traffic Power which were all banned from Google – and many of them were also banned from Yahoo, too. You are more fortunate than some sites, which also lost their links listings, too. Some of customers of Traffic Power reported they paid thousands of dollars; and for a while their "optimization" tactics worked – until the search engines started deleting them and their customers' sites from their index.⁴⁶

Story after story all tell the same tale as David Baardsen tells on Trafficpowersucks.com.

The removal of Traffic Power from the Google index and the removal of clients of Traffic Power from the Google index has been confirmed by Google. Any statement by the defendants regarding these facts can not possibly be defamatory, as they are true.

2. Claims that clients of Traffic-Power.com run the risk of being banned from Google search engine listings if they use Traffic-Power.com.

(a) *What www.trafficpower.com says*

Section II E 1 (a) (above) sets out the information on www.trafficpowersucks.com

(b) *These statements are not defamatory.*

As detailed in section II E 1 (b), these statements are not defamatory and, in fact, have been confirmed by Google.

3. Claims that Traffic-Power plagiarizes its web page optimization work.

⁴⁴ See Exhibit F, article from HighRanking.com.

⁴⁵ See Exhibit G, web page from answers.google.com, attached.

⁴⁶ *Id.*

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(a) What *www.trafficpower.com* says

Defendant Baardsen's website actually states:

Next up: Plagiarism. On the phone, the Traffic-Power salesman will tell you how the "experts" there will painstakingly build your company new web pages, designed to rank high on Google and other search engines. In my experience, this promise was complete bullshit. What I found was, most of the pages they "created" were stolen from other websites. And what is worse is that it was MY company's name at the top of the page! Here's how I found out about this problem: I had a bunch of pages that Traffic-Power had sent to me to put up on my own website, plus I knew the names of the other websites they had created. The pages contained a lot of technical information, which impressed me, I thought the Traffic-Power people really did a good job. I searched for these pages on Google, and when I found them, I copied a whole line of text, and searched for that text (in quotations) on Google. Two pages came up, the one from Traffic-Power, and one from a commercial website where Traffic-Power had taken the information. I did this with several other pages, and found that the content from many pages had been copied from one website or another. Traffic-Power even copied some of the copyrights and had them on the bottom of the page!

Now, you have to ask yourself, if these "experts" are creating brand new web pages for your site, why would they have to be protected from plagiarism? Here is the direct quote from their contract: "The client agrees to protect and indemnify Traffic-Power.com from any claims of libel, copyright violation, plagiarism, and other suits or claims based on the content or subject matter of the client's website. All claims are the responsibility of the client." So, they can put up plagiarized pages that you don't even know about, you can get in trouble, and they are perfectly safe. Doesn't seem fair to me.⁴⁷

(b) *These statements are not defamatory.*

In order to be actionable as defamation, a statement must be false. Once again, the facts of this case are that Traffic Power did plagiarize other web pages and provide them to their clients to use on their websites. This was not only the experience of Baardsen, it was also the experience of other Traffic Power Clients as well.

Traffic Power created several new web pages to promote batteryfuel.com as well as sent

⁴⁷ See Exhibit Y, page TPS 0002 - 0003.

1 Baardsen several web pages to add to the current batteryfuel.com site. Several months later,
 2 Baardsen received “updates” to these pages and was told to upload these new pages to his website.
 3 By this time, Baardsen had already been reading a lot of negative information about Traffic
 4 Power, and decided to look closer at these new pages. He took a line of text from several of these
 5 pages and did a search for the entire line of text. What he found was that the paragraphs on these
 6 pages were copied word for word from other websites. Attached as Exhibit I, is a true and correct
 7 copy of an article posted by the New York Times. Attached as Exhibit J is the web page given to
 8 Baardsen by Traffic Power to put on the batteryfuel.com website which copied the New York
 9 Times article word for word. Upon information and belief the New York Times is the true author
 10 of the article, not Traffic Power.⁴⁸

11 Additional plagiarism has been documented by Baardsen on other sites. Attached as
 12 Exhibits K and M are a true and correct copy of a snapshot of a page from Archive.org of a
 13 webpage from the United States Small Business Administration (www.sba.gov). Attached as
 14 Exhibit L & N are a true and correct copy of a snapshot of pages from Archive.org of a webpage
 15 from www.business-office-productivity.net showing the same articles. Attached as Exhibit O is a
 16 true and correct copy of the “Whois” registration for business-office-productivity.net showing that
 17 registration services for that website were provided by Traffic Power. Again, upon information
 18 and belief, the SBA is the true author of these articles, not Traffic Power.

19 Baardsen’s statements regarding Traffic Power’s plagiarism can not possibly be
 20 defamatory as they are true.

21 4. Claims that Plaintiff has started several new business under different names to hide
 22 its identity.

23 (a) *What www.trafficpower.com says*

24 Defendant Baardsen’s website actually states:

25
 26
 27
 28 ⁴⁸ See Exhibit A, declaration of David Baardsen.
 MRB-W-0209.doc

In other news:

Seems that Traffic Power may be up to their old tricks again. I've been hearing from several people, including a couple of ex-employees, that Traffic Power has started a couple of new businesses under new names, and this time they are based in different states. At least that's what it says on the web pages of these sites. Two sites have been found so far, they have been reported to the BBB, and several other agencies are investigating them right now. If they are proven to be Traffic Power, I'll post details here once the investigators let me know.⁴⁹

(b) These statements are not defamatory.

These statements do not rise to the level of defamation. Baardsen's tenor here was not one of asserting an objective fact. In fact the statement ends with "If they are proven to be Traffic Power, I'll post details here once the investigators let me know."

Furthermore the statement is true. 1P.com and First Place are registered d.b.a.'s for Internet Traffic Builder in Clark County⁵⁰ and the Nevada Secretary of State shows a former resident agent for Internet Traffic Builder is Tami J. Miller at Traffic Power's business address of 4850 W. Flamingo Road.⁵¹ In addition, the Better Business Bureau has posted on its website that, in fact, Internet Marking Services, 1P.com, adnetpros.com, consultsense.com, sigitaltransmit.com, and websitetranslations.com are d.b.a.'s of Traffic Power.⁵² The statement from Baardsen that he has *heard* reports of this information is not surprising as the reports themselves are true.

This fact has appeared in the Las Vegas Business Press⁵³ as well as in Startup Journal, a publication of The Wall Street Journal. In an article titled "Optimize Rankings at Your Own Risk" the article states that,

Not long after clients complained about getting dropped from Google - and Traffic Power's own corporate site disappeared from

⁴⁹ See Exhibit Y, page TPS 0004.

⁵⁰ See Exhibit T.

⁵¹ See Exhibit U.

⁵² See Exhibit S.

⁵³ See Exhibit R.

the search engine's results -- Traffic Power began using different names to promote the same business, said former employees. Other names the company has used include 1P.com, or First Place.

Mr. Kwasny, the former Traffic Power employee, said this strategy backfired with at least some potential clients. The company, he said, failed to change its name with its phone company, so when salespeople began calling potential clients and saying they were from 1P.com, the listing on the client's phone said the call was coming from Traffic Power.⁵⁴

The statement by Baardsen that he had heard this information cannot possibly be false as did hear this information. Moreover, the underlying information itself is true.

5. Claims that two new business started by Plaintiff are under investigation by several agencies.

(a) *What www.trafficpower.com says*

Defendant Baardsen's website actually states:

In other news:

Two sites have been found so far, they have been reported to the BBB, and several other agencies are investigating them right now. If they are proven to be Traffic Power, I'll post details here once the investigators let me know.⁵⁵

(b) *These statements are not defamatory.*

These statements do not rise to the level of defamation. Baardsen's tenor here was not one of asserting an objective fact. In fact the statement ends with "If they are proven to be Traffic Power, I'll post details here once the investigators let me know." Furthermore, Baardsen personally emailed two persons with the Nevada Better Business Bureau, he also called the State of Nevada Consumer Affairs Division and the state of Nevada Office of the Attorney General and talked to these agencies about these two companies.⁵⁶ None of these agencies had heard of either webadvertisingpromotion.com, or seosuccessfully.com, and all three agencies told Baardsen they

⁵⁴ See Exhibit W.

⁵⁵ See Exhibit Y, page TPS 0007.

they would look into whether or not anyone had complained about these two new companies and whether there was a connection between these companies and Traffic Power.⁵⁷

6. Claims and/or innuendo that Plaintiff is engaged in extortion of its clients because of the techniques utilized by Plaintiff in optimizing search engine listings.

(a) *What www.trafficpower.com says*

Defendant Baardsen's website actually states:

Extortion?

I've started to receive quite a few emails from people who have been receiving similar calls from Traffic Power (or 1P, or First Place, etc). These people are being told that if they do not renew their contract with Traffic Power, their businesses will "suffer". They are told that all Traffic Power has to do is "flip a switch" and they will stop receiving traffic. Or, they are told to renew, or Traffic Power will go to their competition and promote them instead. If this has happened to you, please email me at webmaster@trafficpowersucks.com.⁵⁸

(b) *These statements are not defamatory.*

A statement is not defamatory if it is an exaggeration or generalization that could be interpreted by a reasonable person as "mere rhetorical hyperbole." Here the word extortion is set out as a question and the detailed explanation below does not allege Traffic Power extorts people. The statements by Baardsen merely discusses e-mails he has received from others.

Furthermore, the statement that Baardsen has received e-mails claiming extortion is true. Baardsen has received numerous emails from former and current Traffic Power customers stating that Traffic Power has tried to extort money. The e-mails describe situations where people would receive phone calls and emails from Traffic Power, telling them essentially that if they did not renew their contract, Traffic Power would sell these websites to the customer's competitors. Some were even told that Traffic Power could hurt their web traffic with the "flip of a switch".

⁵⁶ See Exhibit A, declaration of David Baardsen.

⁵⁷ *Id.*

⁵⁸ See Exhibit Y, page TPS 0005.

Furthermore, the Las Vegas Business Press⁵⁹ and Startup Journal detail complaints of “leverage” used by Traffic Power on their customers. The Startup Journal states,

Traffic Power sometimes hosted the doorway pages on its own servers. Messrs. Kwasny and Hollister said they were aware of several instances where the company used that as leverage on clients, telling them Traffic Power would direct traffic to a site's competitor if the client refused to renew a contract.

The statement by Baardsen that he had heard this information cannot possibly be false as the underlying information itself is true.

7. Claims and/or innuendo that Plaintiff's business practices constitute a scam and that clients of Plaintiff are “victims”.

(a) *What www.trafficpower.com says*

Defendant Baardsen's website actually states:

A New Scam?

Note: The following is my opinion only, but it is based on research and personal experience.

OK, so Google bans Traffic Power customers, and the very next week Traffic Power sends all of their customers an email. Of course they do not say anything about the Google ban, they tell their customers that they are doing things a new way, and the customers have to take all of the Traffic Power code off of their web pages. Traffic Power claims that they are going to have all of the websites on their own server from now on, nothing on their customer's web sites.

Here's the problem: Say Joe starts a small online shoe store, and hires Traffic Power to create some websites for him. Traffic Power charges him (for the sake of argument, I'll say \$3000.00) and creates 3 new sites all about shoes. Joe has no access to these sites, they are all maintained by Traffic Power on their own server. A couple of months later, these new websites hit the search engines, and maybe Joe starts getting more hits. A year later, for whatever reason, Joe decides not to renew his contract with Traffic Power. End of story? Not quite.

The next day, Traffic Power starts cold calling online shoe stores,

⁵⁹ See Exhibit R.

1 and they sign up Mary, who also sells shoes online. They charge
2 Mary \$3000.00 for the creation of 3 sites they will keep on their
3 server. The thing is, they don't have to create 3 new sites... Joe
4 already paid for that last year. All they have to do is change the
URL's that these already listed pages point to, and Mary starts
getting hits the next day.

5 There are several problems here. Joe has paid \$3000.00 to ultimately
6 help his own competition. And Mary has paid \$3000.00 for work
7 that was already done for someone else. The next year, Mary will
8 have to stay with Traffic Power, or the pages will go to yet another
shoe site, one of her competitors. Who wins? Traffic Power.

9 Again, this is just my opinion, though I have seen other companies
10 do the exact same thing (Traffic Logic is one of them). It will be a
11 year from now before this starts happening to today's Traffic Power
customers, I'm guessing we will be hearing from a whole new set of
victims when it happens.⁶⁰

12 *(b) These statements are not defamatory.*

13 These statements do not rise to the level of defamation. Baardsen's tenor here was not one
14 of asserting an objective fact. It is doubtful that any reader of Baardsen's website would believe
15 the hypothetical was literally true., it merely explains a potential problem of having web pages
16 hosted by Traffic Power. Furthermore the statement ends with, "again this is just my opinion."
17 Once again, it is doubtful any reader would take this statement to mean something other than the
18 statement was merely Baardsen's opinion.

19
20 8. Claims that Plaintiff stole from defendants.

21 *(a) What www.trafficpower.com says*

22 Defendant Baardsen's website actually states:

23 **Yes!**

24 As of 2/1/05, I have hit my goal, and taken over 100 times what
25 Traffic Power stole from me, away from them. It took a while, but I
26 did it, just as I told them I would. What now? Well, I'm not taking
the site down, I'll keep trying to help Traffic Power victims.

27 *(b) These statements are not defamatory.*

Once again, a statement is not defamatory if it is an exaggeration or generalization that could be interpreted by a reasonable person as "mere rhetorical hyperbole." Here, Baardsen was told several fabrications over the phone when he was first contacted by Traffic Power, including a promise of a money back guarantee if batteryfuel.com was not listed on the first three pages of Google within 90 days. After 90 days, batteryfuel.com was not listed on the first three pages of Google. When Baardsen complained, he was immediately told that there were no money back guarantees, and that nothing told to him over the phone counted as it was not in writing.⁶¹

To Baardsen, this seemed like a scam, and he felt like a victim. In his opinion, the money he gave to Traffic Power was stolen from him. It is doubtful that any reader reading Baardsen's statement would believe that Traffic Power actually physically pick-pocketed Baardsen.

9. Claims the business practices of Plaintiff constituted some kind of actionable violation of the rights of its clients and that the filing of a class action lawsuit against Plaintiff by its clients was imminent.

(a) *What www.trafficpower.com says*

Defendant Baardsen's website actually states:

Update 11/17/05

I have just received an email from the lawyer who has been working on the class action suit against Traffic Power for 15 months. This lawyer, John Halebian from the law firm Lovell Stewart Halebian LLP contacted me on August 9th 2004, saying that his firm had done some research, and that they thought there was "a basis to bring litigation". I would like to stress again, he contacted me and offered to take the case. At the time, I had been working with a law firm in New Mexico, and although things were progressing, the law firm involved was not exactly excited about the whole thing, so when I received the email from Mr. Halebian, it looked like the gods were finally smiling on our cause. It appears that I couldn't have been more wrong. As the months went by, I furnished Mr. Halebian with every iota of information he requested.

...
5/12/05

⁶⁰ See Exhibit Y, page TPS 0019 -0020.

⁶¹ See Exhibit A, declaration of David Baardsen.

Finally an update!

Sorry it's been a while since I've updated the site. Once I hit the \$400,000.00 mark on my "Money Saved" page I kind of took a break from this for a while. I'm still getting emails from Traffic Power victims, every day. The big question most people want to know is: **Is there going to be a Class Action lawsuit against Traffic Power?** Well, the lawyers are still telling me that they are working on it. We were a month away from filing paperwork with the courts a couple of months ago, and then some new information came to light, and the lawyers suddenly had a ton of new stuff to include. Then, apparently there was some new law passed, so that the lawyers can take these guys to Federal court instead of regular court, but that meant everything had to be re-done in a different way. Yadda yadda yadda! Let's go already! I've been trying to get this lawsuit off the ground for a year and a half, I just want to get it done! Though I guess the longer it takes, the better prepared the lawyers will be. Each time I talk with the lawyers, they sound very upbeat, and say that everything is progressing and everything looks good, but come on! Let's get the lead out!

As usual, if I ever do get word from the lawyers that the lawsuit has been filed, I will have it posted at the top of every page on this site. Keep an eye out!⁶²

(b) These statements are not defamatory.

First, Plaintiff's summary of what supposedly appears on Baardsen's website is not even close to what actually appears on there. Second, a statement is not defamatory if it is absolutely true, or substantially true. As set out on the website, Baardsen has personally contacted multiple attorneys regarding the possibility of filing a class action lawsuit. While the timing and future success or failure of any lawsuit is unknown, at the very least Baardsen's statements are true or substantially true.

10. Claims that Plaintiff formed and operates fake internet forums on search engine optimization to promote its services.

(a) What www.trafficpower.com says

Defendant Baardsen's website actually states:

⁶² See Exhibit Y, page TPS 0021 -0022.
MRB-W-0209.doc

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Update # 2, 10/21:

OK, I've taken some time to do a little bit of research on this situation, and what I've found is that no one knows anything about anything when it comes to these fake forums. Here are the possibilities as I see them:

Scenario 1: Traffic Power created them - To me, this makes the most sense, though I have no way to prove it. The site was registered anonymously, I believe it would take a court order to find out who it belongs to. I'm involved with enough lawyers trying to get this class action suit off the ground, someone else can tackle this one. There are a lot of bad things being said about a lot of companies, I'm guessing someone could sue for slander or libel or something. But, who are they suing...

Scenario 2: A Traffic Power supporter created them - Also very possible, maybe even someone who works for Traffic Power is doing this on their own during their spare time. This could also be a scenario that Traffic Power could bring up when everyone finds out who is responsible, they could then claim ignorance and fire the patsy.

Scenario 3: A Traffic Power reseller created them - Another possibility, though doubtful. Someone who didn't know this was a scam would end up going to Traffic Power or IP, not to a reseller, at least from what I could find on the fake forums themselves.

Scenario 4: A Traffic Power hater created them - This is, for some reason, what I have been finding online in different forums. Personally, I can't follow the logic behind this, but a lot of people are saying it. Apparently it is believed that someone who has it in for Traffic Power created the forums, so that they could come in as a "white knight" (I've seen that term on several forums) and "save the day". Again, I don't see how someone could "save the day" if they were the ones who created the fake forums in the first place. And why would anyone who didn't like Traffic Power do anything that would mislead some poor fool into believing that Traffic Power was the best SEO out there?

My conclusion? It is my opinion that Scenario 1 or 2 makes the most sense. But, I could be wrong, and in the interest of protecting the innocent, I will remove all links to the fake forums, and discussions about the fake forums, until I get some answers. If anyone HAS some answers, please feel free to email me at webmaster@trafficpowersucks.com. I'm washing my hands of this one, for the time being.

Fake Forums

Update 10/21: Seems there are a lot of accusations as to who actually set up the fake forums. Possibly it was someone from Traffic Power, possibly a Traffic Power supporter, and possibly someone who doesn't like Traffic Power very much. I don't know why anyone in their right mind would support Traffic Power, and I don't understand why someone who is against Traffic Power would want to put something out there that would fool people into going TO Traffic Power for business. But, I don't have all the facts, I'm just posting what I've found, if anyone has any insight into this, email me at webmaster@trafficpowersucks.com.

UPDATE 10/5: Sorry I haven't updated in a while, I have an actual business to run and sometimes I get a bit busy. Just read something interesting at Site Removed, about yet another new scam Traffic Power is allegedly doing. Seems like they are setting up a bunch of fake forums, and then they post fake stuff about how great Traffic Power and 1P (their new business name) are. Do yourself a favor and read the whole page Removed. Thanks to whoever put the info together, it was most informative.⁶³

(b) These statements are not defamatory.

These statements do not rise to the level of defamation. Baardsen's tenor here was not one of asserting an objective fact. It is doubtful that any reader of Baardsen's website would believe that the statements were anything more than Baardsen's opinion. In fact the last paragraph starts with, "My conclusion? It is my opinion that Scenario 1 or 2 makes the most sense. But, I could be wrong. . ." Clearly these statements are Baardsen's opinion and not statements of fact.

F. SUMMARY JUDGMENT SHOULD BE GRANTED IN FAVOR OF ALL DEFENDANTS ON TRAFFIC POWER'S CLAIM OF CIVIL CONSPIRACY

Under Nevada law, "an actionable civil conspiracy is a combination of two or more persons who, by some concerted action, intend to accomplish some unlawful objective for the purpose of harming another which results in damage."⁶⁴ Proof of an agreement alone is not

⁶³ See Exhibit Y, page TPS 0023 - 0025.

⁶⁴ *Collins v. Union Federal Savings and Loan*, 99 Nev. 284, 662 P.2d 610, 622 (1983).

sufficient, however, because it is essential that the conduct of each tortfeasor be in itself tortious.⁶⁵

An actionable [civil] conspiracy consists of a combination of two or more persons who, by some concerted action, intend to accomplish an unlawful objective for the purpose of harming another, and damage results from the act or acts.⁶⁶

Here, since the defendants are two partners and a partnership, by definition there were agreements among the defendants. However, there is absolutely no evidence of any kind to suggest that any of the defendants had an agreement with another to either defame Traffic Power to distribute Traffic Power's alleged trade secrets. Since there is no evidence of any agreement for an unlawful purpose, summary judgment on this claim should be granted.

III. CONCLUSION

There is no evidence that Jay Catena or Marisand Industries published any statements regarding Traffic Power. There is no evidence that any statements regarding Traffic Power have ever appeared on batteryfuel.com, the website which Marisand Industries conducts business. There is no evidence that any statement made by David Baardsen or any statement which appears on his website trafficpowersucks.com is false and defamatory. There is no evidence that any statement made by David Baardsen or which appears on his website trafficpowersucks.com misappropriates a trade secret of plaintiff. There is absolutely no evidence of a civil conspiracy. This Court should grant summary judgment in the Defendant's favor and issue sanctions against Plaintiff for re-naming Jay Catena and Marisand Industries as defendants without any evidence against them.

Fed R. Civ. P. 56 provides in pertinent part:

(b) For Defending Party.

A party against whom a claim, counterclaim, or cross-claim is asserted or a declaratory judgment is sought may, at any time, move

⁶⁵ *Dow Chemical v. Charlotte Mahlum*, 114 Nev. 1468; 970 P.2d 98 (1998).

⁶⁶ *Sutherland v. Gross*, 105 Nev. 192, 196, 772 P.2d 1287, 1290 (1989).

1 with or without supporting affidavits for a summary judgment in the
 2 party's favor as to all or any part thereof.

3 ...
 4 (c) Motion and Proceedings Thereon.

5 ...
 6 The judgment sought shall be rendered forthwith if the pleadings,
 7 depositions, answers to interrogatories, and admissions on file,
 8 together with the affidavits, if any, show that there is no genuine
 9 issue as to any material fact and that the moving party is entitled to a
 10 judgment as a matter of law.

11 ...
 12 (e) Form of Affidavits; Further Testimony; Defense Required.

13 ...
 14 When a motion for summary judgment is made and supported as
 15 provided in this rule, an adverse party may not rest upon the mere
 16 allegations or denials of the adverse party's pleading, but the adverse
 17 party's response, by affidavits or as otherwise provided in this rule,
 18 must set forth specific facts showing that there is a genuine issue for
 19 trial. If the adverse party does not so respond, summary judgment, if
 20 appropriate, shall be entered against the adverse party.⁶⁷

21 Here the Defendants have supported a motion for summary judgment as required pursuant
 22 to Fed. R. Civ. P. 56. Unless Traffic Power comes forward with evidence supporting its claims,
 23 summary judgment should be entered on all claims for relief.

24 DATED this 27th day of February, 2006.

25 Respectfully Submitted,

26 **WEIDE & MILLER, LTD.**

27 

28 _____
 Mark Borghese, Esq.
 7251 W. Lake Mead Blvd., Suite 530
 Las Vegas, NV 89128
 Attorney for Defendants

⁶⁷ Fed. R. Civ. P. 56.

EXHIBIT A

EXHIBIT A

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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SOFTWARE DEVELOPMENT AND)	Case No: 2:05-cv-1094-RCJ-LRL
INVESTMENT OF NEVADA, d/b/a TRAFFIC-)	
POWER.COM., a Nevada corporation,)	
)	
Plaintiff,)	
)	<u>DECLARATION OF DAVID</u>
vs.)	<u>BAARDSEN</u>
)	
DAVID BAARDSEN, an individual; JAY)	
CATENA, an individual; MARISAND)	
INDUSTRIES d/b/a BATTERYFUEL.COM; and)	
MARISAND INDUSTRIES)	
)	
Defendants.)	

I, DAVID BAARDSEN, declare under penalty of perjury under the laws of the United States as follows:

1. I created *www.trafficpowersucks.com* after having a very poor experience with Traffic Power's service.
2. I signed up with Traffic Power to promote my partnership's business website batteryfuel.com and get batteryfuel.com listed higher in Google's rankings.
3. Traffic Power created new web pages on two new websites, as well as sent me several web pages to add to the current batteryfuel.com site. Several months later, I received "updates" to these pages and I was told to upload these new pages to my website, which I did. By

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1 this time, I had already been reading a lot of negative information about Traffic Power, and
2 decided to look closer at the new pages. I took a line of text from several of these pages and did a
3 search for the entire line of text, and found that the paragraphs on these pages were copied word
4 for word from other websites. I took these pages down immediately. Attached as Exhibit I, is a
5 true and correct copy of an article posted by the New York Times. Attached as Exhibit J is the
6 web page given to me by Traffic Power to put on the batteryfuel.com website which copied the
7 New York Times article word for word. Upon information and belief the New York Times is the
8 true author of the article, not Traffic Power.
9

10 4. After Traffic Power's campaign launched, instead of batteryfuel.com moving up
11 Google's rankings, it was banned from Google and completely removed from the Google
12 database. This was devastating to my partnership's business. Even now that batteryfuel.com has
13 been re-listed in Google's database its ranking has still not fully recovered to what it was prior to
14 signing up with Traffic Power.
15

16 5. The money paid to Traffic Power for the services they performed was put on
17 American Express and was paid for from my personal savings account. When it was evident that
18 Traffic Power did not perform as they had promised, I asked for my money back several times. I
19 also did a total of six (6) disputes with American Express trying to get my money back.
20

21 6. When these disputes failed, and Traffic Power still refused to refund my money, I
22 started the website *www.trafficpowersucks.com*, to warn other companies about Traffic Power,
23 and to tell the story about what happened to me.

24 7. I purchased the URL *www.trafficpowersucks.com* with my own money, and created
25 every web page myself.

26 8. My business and my business partner, Jay Catena and our partnership, Marisand
27 Industries had absolutely nothing to do with this website. Marisand Industries sells Laptop
28

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1 Batteries, AC Adapters, and Car Adapters through the website batteryfuel.com. There have never
2 been any statements of any kind on batteryfuel.com regarding Traffic Power.

3 9. Trafficpowersucks.com only contains my personal opinions and personal
4 experiences with Traffic Power, emails I have received from others regarding their personal
5 opinions and experiences, and links to other websites.

6 10. I was personally told many things over the phone when first contacted by Traffic
7 Power, things that I later found were complete lies. The main lie repeated to me several times was
8 a promise of a money back guarantee if batteryfuel.com was not listed on the first three pages of a
9 Google search for my chosen keywords within 90 days.

10 11. After 90 days, my website was not listed on the first three pages of Google for any
11 of the search terms as promised. When I complained about this, I was immediately told that there
12 were no money back guarantees, and that nothing told to me over the phone counted as it was not
13 in writing.

14 12. To me, this sounds like a scam, and I sure do feel like a victim. In my opinion, this
15 money was stolen from me just as if someone had taken it from my house, or picked my pocket. I
16 started with \$4001.00 in savings, and after dealing with Traffic Power, I did not receive what I
17 was promised and no longer had my \$4001.00.

18 13. When I originally signed up with Traffic Power, I did my homework and checked
19 the company out. The first thing I checked was the Better Business Bureau website, where at that
20 time Traffic Power had a "Satisfactory" write up, with no complaints. This was a selling point
21 made by the original salesman I talked to, he told me to check their rating. Soon after my
22 campaign started, the BBB started receiving complaints against Traffic Power, and their
23 Satisfactory rating was replaced with complaints. Every month, the number of complaints rose,
24 until it got to a total of 109, after which the BBB stopped updating.

1 14. I received several e-mails from business owners indicating that Traffic Power was
2 now operating as 1P.com a.k.a. "First Place" When the business owners checked their caller ID, it
3 said "Traffic Power" as apparently Traffic Power was using the same phones to call for both
4 companies.

5 15. Soon after, I received several phone calls and e-mails from business owners
6 indicating that several new companies had been started by the same people running Traffic Power.
7 These included Adnetpros, Tecpower.com, ConsultSense.com, DigitalTransmit.com, and
8 Websitetranslations.com.
9

10 16. I personally emailed two persons at the Nevada Better Business Bureau, Ray
11 (rasciomon@hotmail.com) and Sylvia (scampbell@vegasbbb.org) inquiring about
12 webadvertisingpromotion.com and seosuccessfully.com. I also called the State of Nevada
13 Consumer Affairs Division and talked to Kathleen about these two companies, and then I called
14 the state of Nevada Office of the Attorney General and talked to them about these two companies.
15

16 None of these agencies had heard of either webadvertisingpromotion.com, or
17 seosuccessfully.com, and I told them that I had just heard of them myself. All three agencies
18 knew of Traffic Power as they had several complaints (I believe at the time the BBB was up to
19 about 40 complaints against Traffic Power). All three agencies told me that they would look into
20 whether or not anyone had complained about these two new companies and whether there was a
21 connection between these companies and Traffic Power.
22

23 17. Attached as Exhibit S is a true and correct copy of print outs from the Better
24 Business Bureau showing Internet Marking Services, 1P.com, adnetpros.com, consultsense.com,
25 sigitaltransmit.com, and websitetranslations.com as d.b.a.'s of Traffic Power.

26 18. Attached as Exhibit T is a true and correct copy of a print out from the Clark
27 County Clerk showing 1P.com and First Place as d.b.a.'s for Internet Traffic Builder.
28

WEIDE & MILLER, LTD.
7251 WEST LAKE MEAD BLVD, SUITE 530
LAS VEGAS, NEVADA 89128

1 19. Attached as Exhibit U is a true and correct copy of a print out from the Nevada
2 Secretary of State showing Tami J. Miller at Traffic Power's business address of 4850 W.
3 Flamingo Road as the original resident agent of Internet Traffic Builder.

4 20. I have received thousands of emails from former and current Traffic Power
5 customers, including many emails stating that Traffic Power has tried to extort money. Some of
6 emails state that Traffic Power's customers began receiving phone calls and emails from Traffic
7 Power, telling them that if they did not renew their contract, Traffic Power would sell these
8 websites to the customer's competitors. Some were even told that Traffic Power could hurt their
9 web traffic with the "flip of a switch."

11 21. In October 2004 I learned of some odd message board forums that had appeared
12 online several months earlier. On every single Search Engine Optimization forum I had visited
13 prior to this, there were several posts (sometimes hundreds of posts) from people talking about
14 Traffic Power, always in a negative light. The new forums, however, had all negative posts for all
15 other SEO firms besides Traffic Power/1P/First Place, but had all positive things to say about
16 Traffic Power, First Place, and other SEO companies related to Traffic Power. These forums were
17 heavily moderated. In a normal forum, when a patron posts a query or a response to a query, the
18 post is visible on the forum immediately. With these new forums, negative posts about Traffic
19 Power, First Place, and other companies owned by Traffic Power were never posted. It was
20 obvious that all posts were being read and censored before being published on the forum. Several
21 people in other forums claimed they had signed on and posted negatively about Traffic Power, and
22 their posts never were published. Unlike other websites I link to, however, I do not state on my
23 website that Traffic Power is in fact the owner of the fake forums. I do state several possibilities
24 as to who might put up fake forums, but unlike other sites, I'm not saying that it is Traffic Power.

25 22. Regarding the class action lawsuit, as I am one of the people who has been working
26
27
28

1 on starting a class action lawsuit, I can absolutely verify that a class action lawsuit against Traffic
2 Power is being worked on at this time. I have been advised by my attorneys not to waive the
3 attorney client privilege regarding information related to the class action lawsuit.

4 23. Attached as Exhibit B is a true and correct copy of a web page from Google
5 software engineer, Matt Cutts verifying that Google has removed traffic-power.com and domains
6 promoted by Traffic Power from the Google search index.

7
8 24. Attached as Exhibit C is a true and correct copy of the article "Google Bans SEO
9 Firm and It's Clients" posted June 30, 2004 on webpronews.com.

10 25. Attached as Exhibit D is a true and correct copy of a web page from
11 answers.google.com with information regarding Traffic Power customers being banned from
12 Google.

13 26. Attached as Exhibit E is a true and correct copy of a web search on Google
14 searching for any page from the web site "traffic-power.com" in Google on February 20, 2006.
15 The search shows that that not a single page from traffic-power.com appears in the Google search
16 index.

17
18 27. Attached as Exhibit F is a true and correct copy of a web page from
19 highrankings.com detailing more business who had their web pages removed from the Google
20 index due to Traffic Power's tactics.

21 28. Attached as Exhibit G is a true and correct copy of the article "Traffic Power Class
22 Action – Spammed I am Man..." appearing on the Internet Search Engine Database website.

23 29. Attached as Exhibit H is a true and correct copy of an article posted on SearchRank
24 from July 2004 regarding problems clients of Traffic Power have had with their services.

25 30. Attached as Exhibits K and M are a true and correct copy of a snapshot of a page
26 from Archive.org of a webpage from the United States Small Business Administration
27
28

(www.sba.gov). Attached as Exhibit L & N are a true and correct copy of a snapshot of pages from Archive.org of a webpage from www.business-office-productivity.net showing the same articles. Attached as Exhibit O is a true and correct copy of the “Whois” registration for business-office-productivity.net showing that registration services for that website were provided by Traffic Power.

31. Attached as Exhibit P is a true and correct copy of a web page from the Epinions.com web site with an article titled “Get The Facts Jack, And Don’t Be Fooled By Hype!” Attached as Exhibit Q is a true and correct copy of a snapshot of a page from Archive.org for Computer-Hardware-Software-Electronics.net which based on “Whois” records was put together by Traffic Power.

32. Attached as Exhibits V and R, are a true and correct copy of an articles from the Las Vegas Business Press from September 9, 2004 and September 24, 2004 detailing problems customers of Traffic Power have had with the company and showing the denials by Traffic Power representatives.

33. Attached as Exhibit W is a true and correct copy of an article from the Wall Street Journal’s Startup.com detailing problems customers of Traffic Power have had with the company and explaining that Traffic Power has used other names including 1P.com or First Place.

34. Attached as Exhibit X is a true and correct copy of a web page from *imageshack.us* explaining its terms of service and offering a method to remove images from its site.

35. Attached as Exhibit Y is a true and correct copy of every web page of *www.trafficpowersucks.com*.

///

///

///

1 36. Neither Marisand Industries, Jay Catena or I have any association with or
2 ownership of *imageshack.us*. Neither Marisand Industries, Jay Catena or I have been provided
3 copies of the Traffic Power documents which appear on *imageshack.us*. Neither Marisand
4 Industries, Jay Catena or I placed the Traffic Power documents on *imageshack.us*.
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8 DAVID BAARDSEN
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EXHIBIT B

EXHIBIT B

Matt Cutts: Gadgets, Google, and SEO

Confirming a penalty

February 11, 2006 @ 11:42 am · Filed under [Google/SEO](#)

Note: Remember my [disclaimer](#) that this is my personal site and that the views expressed here are not those of my employer? For this post, I am speaking in my official capacity as head of the webspam group at Google, and I've had this post reviewed by Google's lawyers.

Usually, Google doesn't confirm or deny whether a company has been removed from our index. I started that precedent several years ago when a reporter asked whether a particular company was banned from Google for spamming, and I declined to confirm a spam penalty. That precedent has worked well at times in the past, but lately I've found that it can assist webmasters to give [concrete examples of violations](#) of our quality guidelines.

This site is also useful because it allows me to give webmasters and site owners more information. For example, it lets me remind site owners of our [search engine optimization \(SEO\) guidelines](#), which states that "you are responsible for the actions of any companies you hire." That means that if an SEO were to build doorway pages directly on your own domain, your site could be removed from Google as a result. For that reason, it's important to do your research and to understand what actions an SEO company will be performing for you.

I was recently reading about a lawsuit involving Traffic Power, an SEO company. If you'd like some background, the Wall Street Journal wrote [an article about Traffic Power](#) a few months ago. You can also read more from the Better Business Bureau, which has [received over 100 complaints about Traffic Power](#) in the last 36 months.

According to [this post](#), Traffic Power is suing someone and asserting among other things

"The false and defamatory information includes but is not limited to the following:

- a. Claims that the search engine giant Google has banned and is banning from its search engine listings websites of Traffic-Power.com clients because of the search engine optimization strategies used by Plaintiff.
- b. Claims that clients of Traffic-Power.com run the risk of being banned from Google search engine listings if they use Traffic-Power.com services;"

...

I'd like to address those two points. I can confirm that Google has removed traffic-power.com and domains promoted by Traffic Power from our index because of search engine optimization techniques that violated our webmaster guidelines at <http://www.google.com/webmasters/guidelines.html>. If you are a client or former client of Traffic Power and your site is not in Google, please see my [previous advice on requesting reinclusion into Google's index](#) to learn what steps to take if you would like to be reincluded in Google's index.

Note: I'm turning off comments for this post. There are other places that are [more appropriate](#) places for discussing this issue.

EXHIBIT C

EXHIBIT C



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Google Bans SEO Firm And It's Clients



Mark Carey
Expert Author
Published: 2004-06-30

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GoogleGuy recently broke his silence to confirm that Google has taken action against an SEO firm and it's clients for spammy techniques. The SEO company convinced some its clients to use javascript redirects and place hidden links to doorway pages created by the firm. GoogleGuy explains:

"I believe that one SEO had convinced clients either to put spammy Javascript mouseover redirects, doorway pages that link to other sites, or both on their clients' sites. That can lead to clients' sites being flagged as spam in addition to the doorway domains that the SEO set up."

GoogleGuy later reassured webmasters that those who use javascript mouseover to place text in the status bar do not need to worry about being banned.

While the SEO company was not named in the thread, discussions in other forums reveal that the company in question was Traffic Power. I think it is important to mention the company name, so that others can learn to stay away from them. There have been numerous reports of people losing their job for hiring this firm to do their SEO, and rumors are brewing about a lawsuit in the works.

This unfortunate event is unique in that many of the victims are innocent, the clients who paid money for help with the search engine optimization of their sites. Of course, for some of those clients, the argument that "they should have known better" is valid one. But there are certainly others that simply didn't know better. There are many web business owners that simply don't know much about SEO and search engine spamming. That's why they hired an expert for help. Hopefully the word will spread to those businesses and they become educated about the changes they need to make to get their sites back into the Google index.

GoogleGuy described the steps that need to be taken for sites to get back into the Google index:

"First, you need to make sure that you've **removed** any redirecting/spammy pages that were on your site. Make sure that every junky page like that is **completely** gone before you write, then you can send an email to webmaster[at]google.com with the subject line "reinculusion request" as give us as much detail as possible about the situation."

This case highlights the importance of getting a second opinion when implementing changes to your web suite at the request of an SEO or other hired professional. Before making any such changes, it doesn't hurt ask others about the techniques being proposed. Posting a message in an SEO forum can be a very effective of getting multiple opinions quickly. While not every experienced SEO professional will agree on the legitimacy of every technique, if a number of people believe that the technique is spammy, that may be a good indication of risk involved. After all, you are responsible for any content on your web site, so it is always a good idea to know what you are getting into.

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About the Author:

Mark Carey is a blogger, web site developer, and search engine optimizer. Through his company, [Mark Carey Consulting](#), Mark provides SEO, blog design, and other web presence management services. Mark's [GoogleGuy Says](#) web site is a popular webmaster resource for Google information.

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EXHIBIT D

EXHIBIT D


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Q: My site has disappeared from Google - I need guidance. ([Answered ★★★★★](#), [1 Comment](#))

Sponsored Links:

Question

Subject: **My site has disappeared from Google - I need guidance.**

Category: [Computers > Internet](#)

Asked by: [d_springer-ga](#)

List Price: \$25.00

Posted: 23 Jun 2004 12:08 PDT

Expires: 23 Jul 2004 12:08 PDT

Question ID: 365207

SITE

www.SovereignFunding.com

PROBLEM

I noticed a DRAMATIC drop in my Google rankings within the last day or two. I had many top 30 placements and they all vanished. My PageRank of 5 which I have worked incredibly hard at obtaining is now 0. Also when I do a search for my website it doesn't even show up in a Google search whatsoever. Clearly I have been penalized by Google for something reason or another.

HISTORY

I am not very web savvy so I had someone build my site about 2.5 years ago. My website really wasn't showing up much on the search engines so about 1.5 years ago I hired www.sagerock.com to do some SEO work for me (They were ranked very highly in a Sherpa SEO Buyers Guide <http://www.sherpastore.com/store/page.cfm/1759>). I definitely noticed some improvements in my Google ranking after their work was completed.

About 6 months ago I got a call from www.traffic-power.com. They guaranteed me on paper a lot of top 10 Google positions. I was skeptical but I looked them up on the Better Business Bureau and they had a satisfactory record as you can see here: <http://www.vegasbbb.org/commonreport.html?compid=58697>

I always made sure to ask the SEO consultants if their work is search engine friendly and not considered some sort of Search engine spam. Both SEO consultants said that their work was COMPLETELY search engine friendly.

RESEARCH

Now that I have been penalized I have spent the last day researching exactly what is considered SPAM by Search engines. I have come across web pages like <http://www.google.com/webmasters/seo.html> and I am worried that Traffic-Power's pages (which are like doorway pages that automatically redirect to my site) are what might of got me into trouble.

When I emailed Traffic-Power today about my concerns this was their reply:

From: Violet Olson
Sent: Wednesday, June 23, 2004 12:40 PM
To: 'Sovereign Funding Group'
Subject: RE:SOVEREIGNFUNDING.COM URGENT

We are currently looking into the Google situation because we have noticed a great many people disappearing from them. This is something that happened in March and April as well but it was a bug in Google that was causing the problems, not our code. Nothing we do would get you removed from any search engine. Here is the link that explains part of the situation with Google, <http://searchenginewatch.com/searchday/article.php/3354441> we thought they had it fixed but maybe not. We are looking into it. As soon as we find something out, we will let you know.

Thanks,
Violet Olson
Lead Customer Support Specialist
Traffic-Power.com
www.traffic-power.com

CHANGES

I will gladly have my Webmaster remove any Google-offensive pages and I will file a complaint as Google recommends with the Federal Trade Commission against Traffic-Power.com if they have caused the problem especially since they specifically told me that their work was completely search engine friendly.

QUESTION

The majority of my business comes from Google searches and my family and I are going to be in deep financial trouble unless I can fix this problem. Yesterday I emailed help@google.com & webmaster@google.com but they have not replied back. My question is how can I find out why I was removed from Google and other than removing any Google-offensive pages what else can I do and/or who do I need to contact at Google to get the ban on my sight lifted?

Final Thought - This is the first time I have ever used Google Ask. I wasn't sure how much to offer so I thought \$25.00 was reasonable just

to ask a question. If someone could guide me through the process of fixing this I would be happy to offer substantially more or to provide some sort of tip at the end of the process. I have always run a good and honest website and I am really out of my element right now and I could really use someone's help fixing this.

Request for Question Clarification by [larre-ga](#) on 23 Jun 2004 14:45 PDT

I'm looking over your website right now. I'll do my best to help figure out what is happening to your Google listings, and if needed, come up with a plan to set things back to normal for you.

To beginning interactive troubleshooting, I'd like you to read over the first posting in this WebmasterWorld Forum thread, and see if any the situations posed are applicable, beginning with "Start with the basics: Was your server down recently?"

You will (likely) need to register at WebmasterWorld in order to access this checklist. Basic registration is free, and will allow direct access.

I am particularly concerned about cloaking, rather than, technically, spam, since you mention Traffic-Power. For many, many moons, certain types of cloaking have been undetectable to search engine spiders. This is apparently changing, as sites are spidered more often. What pages are being spidered, and are those same pages the ones that are first reached by those clicking the link from Google Search Engine Result Pages (SERPs)? Is there a hidden redirect in place?

---larre

Request for Question Clarification by [larre-ga](#) on 23 Jun 2004 14:46 PDT

I suppose it would help to post the url. :)

Webmaster World | A Dropped Site Checklist
<http://www.webmasterworld.com/forum5/4584.htm>

---l

Clarification of Question by [d_springer-ga](#) on 23 Jun 2004 21:27 PDT

Laree,

Traffic-Power (as you can see in their email) is swearing up and down that nothing they do would get me banned but it looks like my hidden links are "cloaking" as you put it (<http://www.google.com/webmasters/faq.html#cloaking>).

TP is telling me that this is a Google update similar to the now infamous Florida Update and to wait a week or two for things to normalize.

The work they did on my homepage is all hidden from view. You can see it if you view the source code.

The changes that they made are as follows:

```
<br>
<p class="klose">
<a class="klose" href="http://www.sovereignfunding.com/sovereignfunding.com_sitemap.html">Site
Map</a> -
<a class="klose" href="http://www.sovereignfunding.com/sovereignfunding.com_friends.html">Our
Friends</a><br>
<a class="klose" href="http://www.sovereignfunding.com/viaticals_t.html">Viaticals</a>
<a class="klose" href="http://www.sovereignfunding.com/buyer_of_structured_settlement_t.html">Buyer
of structured settlement</a>
<a class="klose" href="http://www.sovereignfunding.com/business_notes_t.html">Business
notes</a>
<a class="klose" href="http://www.sovereignfunding.com/accounts_receivable_factoring_t.html">Accounts
receivable factoring</a>
<a class="klose" href="http://www.sovereignfunding.com/cash_flow_notes_t.html">Cash
flow notes</a>
<a class="klose" href="http://www.sovereignfunding.com/accounts_receivable_financing_t.html">Accounts
receivable financing</a>
<a class="klose" href="http://www.sovereignfunding.com/accounts_receivable_management_t.html">Accounts
receivable management</a>
<a class="klose" href="http://www.sovereignfunding.com/factoring_company_t.html">Factoring
company</a>
<a class="klose" href="http://www.sovereignfunding.com/invoice_factoring_t.html">Invoice
factoring</a>
<a class="klose" href="http://www.sovereignfunding.com/angel_investor_t.html">Angel
investor</a>
<a class="klose" href="http://www.sovereignfunding.com/structured_settlement_t.html">Structured
settlement</a>
<a class="klose" href="http://www.sovereignfunding.com/angel_investors_t.html">Angel
investors</a>
<a class="klose" href="http://www.sovereignfunding.com/viatical_t.html">Viatical</a>
<a class="klose" href="http://www.sovereignfunding.com/business_note_t.html">Business
note</a>
<a class="klose" href="http://www.sovereignfunding.com/real_estate_notes_t.html">Real
estate notes</a>
<a class="klose" href="http://www.sovereignfunding.com/cash_for_structured_settlement_t.html">Cash
for structured settlement</a>
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http://www.sovereignfunding.com/factoring_companies_t.html>Factoring companies
http://www.sovereignfunding.com/personal_injury_settlements_t.html>Personal injury settlements
http://www.sovereignfunding.com/structured_settlements_t.html>Structured settlements
http://www.sovereignfunding.com/sell_structured_settlement_t.html>Sell structured settlement
<http://www.bestbidloans.net>>www.bestbidloans.net
<http://www.banking-insurance-credit-investment.net>>www.banking-insurance-credit-investment.net
<http://www.pearlpoltocreditrepair.net>>www.pearlpoltocreditrepair.net
<http://www.bankjet.net>>www.bankjet.net
<http://www.bestbidloans.net/index2.htm>>www.bestbidloans.net
<http://www.pearlpoltocreditrepair.net/index3.htm>>www.pearlpoltocreditrepair.net
 </p>

Do you think that there is any chance that they are telling the truth and I should simply sit back and wait a couple of weeks? What are your recommendations?

I am going to need heavy doses of Xanax to get through this one.

Clarification of Question by d_springer-ga on 23 Jun 2004 21:33 PDT

Larre

Sorry for spelling your name incorrectly in my post to you above.

I should point out that I read the article on Webmaster World and the only thing in question are the TP links above and whether or not they got me banned or if this is just an normal Google update as TP insists.

Looking forward to hearing from you.

David

Clarification of Question by d_springer-ga on 23 Jun 2004 21:37 PDT

Larre,

I changed web hosts about two weeks ago but the transfer went smoothly. Other than that my site hasn't been down to my knowledge.

David

Request for Question Clarification by larre-ga on 23 Jun 2004 22:37 PDT

Just to let you know, I've received your responses--what you've posted is helpful, and I want to compare it carefully to an earlier copy I saved. I'm not seeing a Florida class update, nor is that sort of 'buzz' out there at the moment.

The spelling of my name is of consequence. I misspelled (mistyped it) when registering for Google Answers, so I'm in no position to be offended. I settle for anything that starts with "L".

Request for Question Clarification by larre-ga on 23 Jun 2004 22:38 PDT

--NO-- consequence. *laughing* I'm mistyping tonight, as well.

---l

Request for Question Clarification by larre-ga on 24 Jun 2004 00:13 PDT

Hi David,

Take that Xanax. I don't like what I'm finding as I page through the site. I believe that the redirects and the link farms and link networks are "killin' ya" at this point.

I don't think we're seeing a Florida type update. Based on what I'm hearing from others around the 'Net, it appears that new filters are being applied. Filters that are able to detect page redirects that have previously passed muster. I'd love to see daily versions of your .htaccess file.

Believe me, I don't think you're one of the bad guys, nor do I think you've been duped by your SEO partners. It's my opinion that the standards are tightening daily. Google's algorithms and filters are catching up with some of the more sophisticated SEO techniques. SEOs are always looking for the edge of the envelope and trying to ride safely just inside of it.

I know it's difficult to just wait it out, even overnight. I understand your situation very well. But -- before I advise you to make changes, I'm looking for confirmation that this isn't just a glitch.

Another reason -not- to quickly change? Think about the cat and mouse tactics between the search engines and SEO industry. If you wanted to

flush the game, you might filter out a particular profile, then watch to see what happened to those sites that were penalized. Action might provide confirmation. I'm not sure this is a valid scenario, but I have heard it told too many times from experienced sources to completely discount it.

Tinker a bit with your AdWords campaign, maybe up the bids a tad for this interim, see if you can find additional keyword phrases to target. When the free SERPS are in trouble, it's time to hit the PPC harder, fine tune with landing pages that convert the sale. Think of as a hedge against dependency on search ranking.

Google isn't out to punish anyone. Their business plan calls for the best possible search results for their users. Their goal is not precisely compatible with your own at this stage. When you bank on a search engine, long term it becomes more important to make sure that you're heading in the same direction, rather than fighting the current. I will go into greater detail on how to achieve that compatibility as I study your site.

Hang in there, overnight at least. I'm very glad you've chosen Google Answers. I'll do my best to assure that you're absolutely thrilled with us.

---larre

Clarification of Question by d_springer-ga on 24 Jun 2004 08:16 PDT

Larre,

With the help of my web host I have zipped copies of the .htaccess file and my website log files. You can download them here.

<http://www.dropload.com/redeem.php?t=76f0144ea19c954378f752ba13cf690d>

My web host asked us the following: "There are no daily versions of the .htaccess file. This file is created by FrontPage and it is updated when you change some of its settings only. Please, tell us of the goal you are after, so we can advise."

Thanks for your help. I'll work on my ppc campaigns as you recommend and continue popping Xanax in the meantime.

Sincerely,

David

Request for Question Clarification by larre-ga on 24 Jun 2004 09:30 PDT

Thank you. I've accessed the file.

In checking the .htaccess file, I was looking at possible methods behind the redirects, to (hopefully) verify that what's in place -is- the type of redirect considered benign by Google and other search engines. Unfortunately, this is not the case. It might also be helpful to examine your robots.txt file in order to determine if some of the difficulties originate there, as well.

I'm preparing an analysis, and a list of steps that need to be taken. I will post this as an Answer this morning (my morning Pacific time). That won't signify the end of the Q/A process. It only means that I feel I have enough information/research available to provide substantial guidance. We can continue the dialog though Answer Clarifications, similar to the Question Clarifications we've been using so far.

You asked originally about the Question bid/payment amounts. I can understand the difficulty in deciding what to bid. There's a process available to raise the question price, before it is answered, and the ability to tip up to \$100 when the question is closed (rated). I anticipate that the value of my work product will exceed the original value of the question. I'm also confident we'll be able to agree on compensation. Not to worry for the moment. I'm more concerned with getting your site back in Google.

---larre

---1

Clarification of Question by d_springer-ga on 24 Jun 2004 10:19 PDT

Larre,

I checked and I don't have a robot.txt file.

Regarding a tip I agree that one will be in order. I don't believe we will have any problem coming to a mutually agreeable figure. Just the savings in Xanax will make it worth it :)

Sincerely,

David

Sponsored Links:

Answer

Subject: **Re: My site has disappeared from Google - I need guidance.**

Answered By: [larre-ga](#) on 24 Jun 2004 12:12 PDT

Rated: ★★★★★

Thanks for asking!

As we have discussed, there are some questionable SEO tactics being employed on your website, Sovereign Funding. While Google doesn't specifically name or provide exact details of techniques that cross the line, use of the same and similar techniques have been cited by a number of webmasters of sites dropped out of the Google index. From that evidence, logic says that these particular practices are now off limits, and sites using them are subject to removal from the index.

I have no doubt that many single techniques slip past the algorithms and filters undetected, but there now appears to be a "threshold" upper limit. No one questionable item, but the sum of all are evaluated against a profile of what constitutes "Over-SEO'd". The filters are constantly under revision as techniques are reviewed and added to the lists of disallowed actions.

There is still speculation that this most recent crop of "drop outs" is due to a glitch, and the sites will be returned to the index when fixed. You can cross fingers and wait. Or you may elect to proactively bring the site into compliance with Google's stated best practices, and apply for readmission to the index.

I found the following on www.sovereignfunding.com:

INTERSTITIAL PAGES designed for search engine spiders, rather than human consumption. These are the "added" pages you listed above. They need to be removed. This sort of redirection fell out of favor with the search engines some time ago. You're lucky the site lasted in the index so long. These particular pages are relatively sophisticated, keyword densities carefully calculated, and human language word frequencies taken into account, but I'm sure you realize that they aren't terribly effective sales tools. Human customers reading the information are unlikely to be enticed by the content. They were created specifically to manipulate the search engines.

LINKS TO LINK FARMS designed to artificially inflate the number of links to your site by unrelated websites or those established solely for the purpose of linkage. These links need to be removed.

bestbidloans.net
banking-insurance-credit-investment.net
pearlpoltocreditrepair.net
bankjet.net
bestbidloans.net
pearlpoltocreditrepair.net

These domains are listed by WHOIS as owned by a single entity, and the Domain Servers shown as EASYHOSTINGNOW.COM, which is identified as a blacklisted spam domain.

HIDDEN LINKS are found on nearly every site page. This practice has been banned for years, regardless of method used. Remove these links.

Your own RECIPROCAL LINKING PROGRAM also contributes to the impression of over-optimization. The fact that Page Rank of 4 or greater is a condition for linkage would be a red flag. It could easily engender spam reporting by those eliminated from applying. If reported, then checked by a Google minion, it's likely to count as a black mark. A directory of sites is perfectly allowable, but references to Page Rank requirements and trading linkage is considered to be another method of artificially inflating page rank.

Evaluate all pages of your site in comparison to the Guidelines. When you feel confident that the site meets Google's criteria, write to help@google.com to apply for readmission to the index. Professionalism and repentance are key elements.

Sample letter:

Dear Google,

I am the owner of <http://www.sovereignfunding.com> .

I did not realize that participation in Link Exchanges and Traffic-Power programs could cause problems for my website. I was assured that these techniques were Google-friendly by BBB listed providers of Search Optimization Services.

I now understand that the practices used are not acceptable. I apologize for having allowed them to be placed on my website. I've

removed the questionable pages and links from the site. I promise not to repeat such mistakes.

I am asking you to please consider reinstating my website, <http://www.sovereignfunding.com> into the Google Index.

Sincerely,

[Your Name]

There's no guarantee that you will be reinstated, or any indication of how long the process might take, but I would estimate the chances as favorable.

This pared-down website will need further work to get it back to its former level in the SERPS. I will gladly provide references for do-it-yourself guidance, plus referrals to reputable advisors, if you'd like.

This is a good point to pause for questions. Is there anything I haven't covered that you're curious about? I'll be happy to clarify as needed.

---larre

Answer Strategy

The information provided is based upon personal and professional experience as a web designer, working in tandem with search engine optimization specialists.

Request for Answer Clarification by d_springer-ga on 24 Jun 2004 13:28 PDT

Larre,

Thank you for the detailed information!!!

One last question - what email address do you recommend I send the Google letter to?

Sincerely,

David

Clarification of Answer by larre-ga on 24 Jun 2004 13:37 PDT

Write to:

help@google.com

---1

Clarification of Answer by larre-ga on 24 Jun 2004 13:55 PDT

I also have two recommendations for you. One an excellent newsletter, the other, a step-by-step program to grow your site into a very profitable one, without the need for any questionable tactics.

High Rankings Advisor | Jill Whalen
<http://www.highrankings.com/advisor.htm>

Webmaster World | Successful Site in 12 Months with Google Alone
<http://www.webmasterworld.com/forum10003/2010.htm>

---1

Request for Answer Clarification by d_springer-ga on 24 Jun 2004 14:08 PDT

Thanks Larre! I truly appreciate all of your advice!!!

What kind of tip did you have in mind taking for granted that I have a non-income producing Internet business at the moment & a requirement for large quantities of medication. => Pity factor :)

Clarification of Answer by larre-ga on 24 Jun 2004 14:32 PDT

Putting me on the spot. :)

I have no requirements, David. I provided an Answer for the face value of the question. You're welcome to tip or not -- either way, it's pleasure to provide useful information to a new GA customer!

---larre

d_springer-ga rated this answer:★★★★ and gave an additional tip of: \$25.00

EXHIBIT E

EXHIBIT E

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site:traffic-power.com

Search

[Advanced Search](#)
[Preferences](#)

Web

Your search - **site:traffic-power.com** - did not match any documents.

Suggestions:

- Make sure all words are spelled correctly.
- Try different keywords.
- Try more general keywords.

[Google Home](#) - [Advertising Programs](#) - [Business Solutions](#) - [About Google](#)

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EXHIBIT F

EXHIBIT F

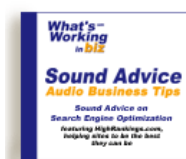
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High Rankings® Advisor Issue 103 Keyword Density Formula

From: High Rankings® Advisor [advisor@highrankings.com]
Sent: Wednesday, June 30, 2004 7:40 PM
To: Advisor
Subject: High Rankings® Advisor: Keyword Density Formula - Issue No. 103

~~~High Rankings® Advisor - Issue No. 103~~~

Your Moderator: [Jill Whalen](#)

~~~~IN TODAY'S ADVISOR~~~~

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----> [Gotta Do What You Gotta do](#)

*Search Engine Marketing:

----> [Getting Banned Due to Spam](#)

*This Week's Sponsors:

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----> [Host Web Hosting](#)

*Guest Article:

----> [The Magical Keyword Density Formula](#)

*High Rankings® Forum Thread of the Week:

----> [Forum First Anniversary Guessing Game](#)

*This Week's Sound Advice:

----> [Using Title Tags to Your Advantage](#)

*Advisor Wrap-Up:

----> [Enjoy My Fireworks!](#)

~~~Introductory Comments~~~

Hey everyone! I've got a great article today written by my friend Karon Thackston regarding the ever-elusive keyword density formula. Unfortunately, my own article wasn't really a fun one to write. It's something I was hoping not to ever have to write about, but I felt that I really didn't have any choice. The more people that are aware of what goes on in the SEO world, the better.

Read on to see what I mean...Jill

~~~Search Engine Marketing Issues~~~

++Getting Banned Due to Spam++

Hi Jill,

I spent this weekend trying to find out why my website is no longer showing up on Google or Yahoo. Through an article from WebPro News I was lucky enough to find your email sign up. I sure hope you can give me some info to help me get my site back to where it was, and tell me why we are no longer even listed?

Looking forward to reading your newsletter.

Kind regards,

Linda K.

++Jill's Response++

Most weeks I would have assumed that Linda's site was probably just temporarily down when the search engines came a-crawlin'. But this was not a normal week.

I knew from recent forum posts and email that a new round of search engine spam had recently been caught and banned. Tons of unsuspecting site owners who had put their faith and trust in one particular SEO company had woken up one morning to find that their sites had

This Week's Feedback

Dear Jill, Thank you for having the courage to say what had to be said. May your honesty and integrity be returned a thousand-fold! - BJ, Advisor Subscriber

Jill, Just wanted to say that you were right as always. We didn't change anything with Google ... two months ago just like you told us not to and we watched out searchers move over to Yahoo and MSN instead, when they couldn't find us on Google. Today, everything is back to normal. Thanks. - James, Advisor Subscriber

Here's a Happy Birthday greeting for you EARLY. May you receive plenty of Choccie goodies on your special day! - Ros, Advisor Subscriber

I enjoy your newsletter and wanted to say happy birthday! My son turns 18 on Tues...so it's a celebrating time here too. - Debi, Advisor Subscriber

Thank you -- THANK YOU! For the last 2 days, I've been speaking to Traffic-Power. Too good to be true . . . AND they even tried to "close" me by offering me a 25% discount IF I would sign with them in less than 24 hours. And of course, I did NOT agree to anything, especially, with that kind of pushy tactic. And now THIS handy bit of info appears via your email effort! Thank you VERY much --again, for all your information! - Scott, Advisor Subscriber

It's so funny that you mention Traffic Power. just a week ago one of our clients was approached by them for SEO work. They forwarded all the info on to me because it sounded too good to be true. And I must say, I took one look at

completely vanished from Google, and in some cases, Yahoo. On SEO forums throughout the Internet, you could almost hear their anguished cries of "What have I done?"

What they had done was believe the sales pitches of slick-talking SEO telemarketers.

Instead of listening to their gut (which was telling them that if something sounds too good to be true, then it probably is), they put their sites -- and in many cases their livelihood -- on the line for the chance of quick-fix high rankings.

It seems that most of those who were banned have the same story to tell. The code and pages that they were asked to upload to their server (or that were uploaded for them) seemed kind of fishy, but the SEO company said it was necessary. They said that this was what you *"had"* to do to get high rankings, and that "everyone" did it. Apparently, they even have results from clients with which to back up their sales talk.

What these site owners didn't know was that results obtained through these methods are short-lived and dangerous to the long-term success of a site. Basically, it only lasts until the next round of bannings takes place. When one technique gets banned, they simply find a new way to spam the engines on your behalf. This gives the company a constant supply of short-lived High Rankings® to show potential clients in order to convince them to sign up to become their next guinea pig.

So when I received Linda's email and looked at the HTML code of her site, I wasn't surprised to see the telltale footprints of the notorious spam company, "Traffic Power."

I wrote the following to Linda:

"Looks like Traffic Power strikes again?"

"You have all sorts of search engine spam that was finally banned by the search engines. You'll have to remove it all and then request reinclusion. At the bottom of your home page are hidden links to all the spammy doorway pages that redirect to your site."

"You may want to think about some sort of lawsuit against the company who spammed the engines on your behalf, or at least try to get your money back."

Linda was stunned that I knew right away which company was responsible for her banning. The ironic thing is that in the past I've had people ask me about Traffic Power, and since to a certain extent they are a competitor of mine, I haven't felt it was my place to speak out against them.

But not any longer.

I'm tired of sitting on the sidelines while good people who have a lapse of judgment (or just can't resist a good sales pitch) get taken to the cleaners.

If Traffic Power ever contacts you -- hang up immediately! They are like those evil Sirens in the Odyssey. If you listen to them, you'll be sucked in by their spell. Don't give them that chance.

If you have a site that has been "optimized" by them (and I use the term loosely), then check to see if your site is banned already. There's a chance you escaped this round of bannings, but that doesn't mean you're safe. You need to remove every trace of spam from your site as soon as possible. That means you need to take all the doorway pages down, remove the invisible links to them and any mouseover JavaScript spam that they may have put into your code. Even if you're still getting High Rankings® from their spam, you NEED to get rid of it. Yes, you will take a hit in your rankings, but you were enjoying ill-gotten gains anyway.

Take this opportunity to fix your site up the right way. Make it the best it can be for the search engines as well as your users. Read my articles and the past issues of this newsletter, and participate in my forum. There is never a good reason to hide pages of your site. If pages have info that is good for the search engines, it should also be good for your users.

Here are some additional resources for those of you who were burned by this horrible, horrible company that gives SEOs everywhere a bad name:

A thread on my forum from [one man who fell prey to Traffic Power](#) and is now paying for it in Google.

the "we create 100 unique HTML pages for your home page" sentence and knew these guys were up to no good! I'll be forwarding on your newsletter to them for interest - thanks for highlighting the spammers out there! - Catherine, Advisor Subscriber

Wow! Traffic Power got body slammed by Google and other SE's. I was elated to see your story on this dubious company. What makes me so happy was that a few weeks ago, I literally got into an arguing match with one of their salespeople regarding their illegal spamming practices. They tried to dupe me into signing a Traffic Power SEO contract, but by listening to YOU, my gut instinct told me to run -- run as fast as I can away from this company. I told the salesperson and the sales manager at Traffic Power that the company's days were numbered. I'd like to think that my reporting Traffic Power to Google soon after that call, which included listing example sites, has helped place the strangle hold on Traffic Power. Even though Google is a behemoth of a company, they do listen!!! Thanks Jill. - John T., Advisor Subscriber

I couldn't believe I saw your article about Traffic Power this week. They happened to call me last week and I thought for fun I would listen to this guy's sales pitch....so I saw some of their results and did some searches and noticed immediately they were using redirects/doorway pages. So I said something to the salesman and he of course is a smoothtalker. Fortunately I didn't fall for it since I have been reading your newsletters for a while, but I can see how some people might get sucked in. The guy

[A WebmasterWorld Forum thread where a representative from Google explains what to do in order to get your site reinstated.](#)

An area of SEOconsultants.com dedicated to providing advice for [site owners who were burned by Traffic Power.](#)

A law firm that is gathering facts in order to possibly start a [class-action suit against Traffic Power.](#)

The sad thing is that for many years there has been a ton of information written on the Web regarding the bad practices of this company. Had any of the site owners who've been banned done the slightest bit of homework, they would have known that paying this company to spam the search engines on their behalf was absolutely not a good idea! In fact, some of them did know this, but the lure of easy High Rankings® was too strong to just say no.

I hope that the information I'm providing here can at least keep a few people from falling victim to this scam. Please feel free to forward this to others or point people to it once it's up in the [archives](#) on my site.

Good luck!

Jill

actually was rude to me when I told him I didn't have much time....guess they have to be desperate and forceful to get sales in. - *Melissa B., Advisor Subscriber*

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~~~Guest Article~~~

++The Magical Keyword Density Formula++

Looking for some magic keyword density numbers? See what SEO copywriting pro Karon Thackston has to say! - Jill

The Magical Keyword Density Formula By Karon Thackston

Keyword Density

When it comes to SEO copywriting, this has to be one of the most talked-about subjects. Why? Because keywords are the very foundation of search engine copywriting. Without keywords we wouldn't even have SEO copywriting. Since keywords (or more accurately, keyphrases) play such an important role in search engine copywriting, it would make sense to have certain rules and regulations or formulas that should be followed.

It might make sense, but I'm sorry to say the mystery... the magic... is more like a myth.

I have a guess as to where these magic formulas come from. Someone brags to their friend that they got a #1 ranking for a particular keyphrase. The friend studiously looks over the site and starts taking notes. "He used this phrase 8 times in a 500-word piece of copy. He put the keywords here and there and over here, too. That means you have to put keyphrases in these places and reach a keyword density of 1.6% in order to get a #1 ranking." Not so! Let me explain why keyword density formulas don't fly.

Copywriting Is One Piece of the Search Engine Optimization Formula

Copywriting, in my opinion and the opinions of respected search engine optimizers, is 1/3 of the puzzle; but there are other pieces to the puzzle, too. What about coding and linking? Those are two extremely important factors that also come into play.

If copywriting were the sole factor, then maybe -- just maybe -- keyword density formulas might be a reality instead of a fable. But alas... they aren't.

EXHIBIT G

EXHIBIT G



Traffic Power Class Action - Spammed I am man...

By Jim Hedger

Published on 07/1/2004

Traffic Power Class Action

For years we have been warning that unethical SEO techniques that violate [Google's SEO guidelines](#) could result in a site being banned from the Google index. In the past week, Google made a fairly major ranking update that appears to have wiped clients of Traffic Power, from the Search Engine Results Pages (SERPs).

A growing class action lawsuit is targeting what are being called unethical SEO practices used by Traffic Power. Many webmasters are familiar with a regular barrage of unsolicited Emails and phone calls from this firm and most wisely choose to ignore them. Some webmasters, unfortunately, did not ignore Traffic Power and contracted them to perform services on their websites. In the past weeks, clients of Traffic Power were almost universally banned from Google. While there is no way these businesses will make it back into the Google index without a significant amount of work on their websites, they may find some sense of solace in a growing class action lawsuit currently being developed by the San Francisco IT law firm, [Girard Gibbs & De Bartolomeo, LLP](#).

Traffic Power (TP) is a fairly large company based in Las Vegas with a very bad reputation. Since the latest Google update, many of their former clients have posted information in a variety of search engine related forums detailing the techniques TP used to achieve placements for their sites. The postings read like a list of what NOT to do when considering SEO techniques. In the words of StepForth PPC and Link Building expert [Scott Van Achte](#), "They (TP techniques) are so 90's". Getting a huge portion of your client list banned from Google takes a great deal of dedication to poor practices. Based on information provided by their former clients, here are a few of the methods used by TP and how to spot if these techniques are used on your website.

Doorway Pages

While Traffic Power uses the phrase "Attraction Pages", the design of numerous pages on the same topic designed specifically to game search engines is a technique that was banned years ago. As recently as November, Traffic Power told clients they would, *"...build 280 individual HTML attraction pages that attract the search engines for your targeted keywords. The attraction pages are designed using a computer-generated analysis to conform to the ranking criteria of the top search engines. These pages provide spider food for the search engine spiders that includes significant unique content relating to your site."* This technique directly violates Google's SEO guidelines. Here is [Google's take](#) on Doorway Pages: *"Another illicit practice is to place "doorway" pages loaded with keywords on the client's site somewhere. The SEO promises this will make the page more relevant for more queries. This is inherently false since individual pages are rarely relevant for a wide range of keywords. More insidious however, is that these doorway pages often contain hidden links to the SEO's other clients as well. Such doorway pages drain away the link popularity of a site and route it to the SEO and its other clients, which may include sites with unsavory or illegal content."*

As of today, Traffic Power's website refers to Search Engine Entrance Pages (SEE Pages). Here is a quote

snipped from their FAQ page:

"A search engine entrance (SEE) page is a one page version of content taken from your site that is housed at a new Web site address. To create a SEE page site we register a new domain based on your keywords and upload the SEE page, the Traffic-Power.com code, and over 100 unique Advertising Pages. If someone finds the SEE page directly or through an Advertising Page they will be automatically sent to your original site once they click on any link on the SEE page." This is a spammy technique that violates Google's SEO guidelines.

Automated Link Building - Link Farming

Link building is an important factor in Google ranking. Link Farming is an unethical means of providing links to your clients. Traffic Power does not refer to their technique as Link Farming but instead told clients they would be added to specifically themed "link pools". Google's [SEO Guidelines](#) and [Webmaster Guidelines](#) have at least two warnings about this sort of practice.

Mouse-Over Redirects

This technique is truly creative spam. Traffic Power designs a page that redirects to the client's website when a mouse is drawn over any portion of that page. What this does is a cheap but relatively simple cousin to cloaking in that Google is fed one set of information but the live-site viewer is offered a different set of information when they move their mouse over the page that ranked well in Google's SERP. From what I gather in the various forums, this is the trick that got a wide array of Traffic Power's client base banned.

I am, or someone I know is, a Traffic Power Client - NOW WHAT?

First of all, take a deep breath. The sky may have fallen for a short period but your website is not necessarily damned to eternal Google purgatory. There are a number of resources you can turn to, depending on your web design skills, the amount of free time you have, and your confidence in your own abilities. The [SEO Consultants Directory](#) has taken a lead role in helping former Traffic Power clients cope with the situation they find themselves in. SEO Consultants has been retained by a consortium of business owners who are concerned about this issue. While remaining anonymous, [the Consortium](#) is obviously actively pursuing information about Traffic Power and has asked SEO Consultants to gather and publish information about this issue. They have [published a series of pages](#) with detailed suggestions on what former Traffic Power clients should do. I strongly suggest anyone who has had an association with Traffic Power to visit this series of pages.

What Does this Mean for Ethical SEO's?

As with our cousins in other service based industries, the Search Engine Marketing sector has had to deal with cheats for years. The fact is, the services we sell can not be touched, smelt, eaten or easily understood by our clients. As a sector, we rely on a trusting relationship with our clients. Without the trust of webmasters and business owners, none of us would work in this fascinating business environment. An SEO who cheats or uses illegal practices as a common rule makes all of our lives more difficult. From a business perspective, cheaters place us all in perceptual peril. From a human perspective, no one with any sense of kindness likes to see other businesses suffer because they got scammed. There are REAL PEOPLE behind the website with REAL JOBS and REAL LIVES, many of whom have never read source-code. These real people have mortgages or rent to pay. They need to feed their children and pay for their educations. A business that has been banned by Google after previously enjoying strong placements will almost certainly suffer for the sudden lack of inclusion. Will any of those real people get laid off from their real jobs due to the techniques used on their sites by Traffic Power? This is a REAL ISSUE for the SEO and SEM communities.

We are in the unique position of seeing commonly used practices suddenly banned by the mediums we work with, however, a good SEO or SEM firm learns to adapt their techniques to meet the ever changing best practice guidelines. As a matter of fact, there is a specific search engine marketing forum dedicated to

discussing and promoting best practices in our industry. Run by South Carolina based SEO Doug Heil, the [Best Practices Search Engine Forums](#) are among the most widely referred to sources of information and discussion in the ethical SEO sector. As with many other Search Engine related forums, there has been quite a bit of discussion about the Traffic Power issue. Here is a link to the liveliest discussion at the [Best Practices Forum](#). I wrote to Doug Heil asking him his opinion on this issue. Here is what he had to say about "outing" SEO and SEM firms using unethical practices on client sites, *"Naming spammers does two things; It 'informs' the general public as to 'who' might risk your website, and it informs the spamming SEO that they have a problem. 'Many' times SEO's have contacted me saying they made changes to their business model because of what was discussed in my forums, and have become a true 'Best Practice SEO' who follows the guidelines of the search engines."* Doug is absolutely correct on this issue.

Here are links to other forums and discussions about this issue.

[JimWorld](#) | [High Rankings Forums](#) | [SEO Chat](#) | [WebProWorld](#) | [Affiliate Gurus](#) | [WebMaster World](#) | [Traffic Power Sucks](#)

SEOs

This issue is going to spill over into the mainstream media sooner than later. When it does, it is likely our industry will be placed under an electronic microscope. There will be a number of stories about ethical and unethical SEO techniques and there will be a number of SEO and SEM firms who will likely feel the heat. At this time, it is probably a good idea for all of us to review our techniques and be ready to explain them (without giving away the farm of course) whenever clients or the media come calling.

Webmasters and Business Owners

The only real advice I can offer is to ask difficult questions before hiring an SEO firm. Take a few minutes to learn about the industry so you will be able to make an informed decision regarding the company you are going to bet your placements on. If you feel uncomfortable with the answers you are receiving from an SEO, be sure to copy everything down and check your notes with another SEO firm. Look to see if the SEO firm you are thinking about hiring has posted a statement of ethics on their website. Check with past clients to be sure that the company does stick to its ethics. Most importantly, shop around. The highest price does not necessarily guarantee the highest level of service. Similarly, the lowest fees don't necessarily mean you'll get scammed. In Latin the phrase is CAVEAT EMPTOR or "Let the Buyer Beware". Don't get caught unaware like clients of Traffic Power have.

Jim Hedger is a senior editor for ISEDB.com. Also he is a writer, speaker and search engine marketing expert working for [StepForth Search Engine Placement](#) in Victoria BC. He has worked as an SEO for over 5 years and welcomes the opportunity to share his experience through interviews, articles and speaking engagements. Hedger can be reached at jimhedger@stepforth.com

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Issue # 3 - July 2004

I hope you had a fantastic Independence Day. I feel very thankful to live in a free country such as the United States. Sure it has its problems, but in my opinion it is still the best place to live in the world. While 4th of July is usually associated with fireworks, family get-togethers, barbeques and the like, it is also good time to reflect upon the 56 men who signed the Declaration of Independence, 228 years ago. Most of those men sacrificed home, business, family and even their lives as a result of signing that document. We all owe a debt of gratitude to these as well as the men and women today who live and die to protect the freedoms we so often take for granted.

Well I've got a great issue for you today. It has been pretty interesting the last two weeks as Google and Yahoo have cracked down on a major search engine spamming company. Also in the feature article today, I will discuss the fundamental elements of a web site that can be optimized for better placement in the search engines. So on to the good stuff!

In this issue...

- SEARCH ENGINE SPAMMER IS BUSTED!
- FEATURE ARTICLE - FUNDAMENTAL ELEMENTS OF SEO
- SEARCH ENGINE HEADLINES
- AskJeeves Drops Remaining Paid Inclusion Program
- New Google WebSearch Program Pays Publishers For Searches
- Google, Yahoo Face Off in Suit
- CLOSING COMMENTS

SEARCH ENGINE SPAMMER IS BUSTED!

In March of this year, I wrote an article entitled "[Doorway Pages or Advertising Pages, What Is The Difference?](#)" which exploited the spammy tactics that a company called Traffic Power uses and how it is not a good long term marketing solution. I received a lot of praise for that article but at the same time upset the company I was referring to (even though I didn't mention them by name in the article). Too bad I say.

Well, an interesting development has taken place over the last couple of weeks. Google removed a large number of this so-called SEO's clients' web sites from their index because of the spammy techniques that they employed. In fact, a Google employee who goes by the name of "GoogleGuy" at Webmaster World posted the following:

I know that we pulled the plug on some specific spam pages recently. If you paid an SEO and they somehow convinced you to put spam like sneaky redirects using an obfuscated JavaScript onMouseOver on the body tag on your pages, or other stuff like links to their doorway domains or their other clients, please make sure that you read the Google Guidelines before contacting Google.

This is proof in the pudding that Google has finally made a stand against this company and their unethical spamming practices. I praise the actions of Google because there is so much spam that is abounding in the search engines. Unfortunately, thousands of their clients have suffered a serious blow as a result of this. This is a good warning to anyone that decides to spam the search engines - it may work for awhile but when you get caught, the penalty can be devastating.

Therefore if you receive a call from Traffic Power or any other company that employs the same unethical tactics, hang up the phone! If Traffic Power's customers would have done any research on them before hiring them, they would have discovered a ton of bad press about them and possibly avoided hiring them in the first place. Now these web site owners

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face a long and gruesome road of removing the spam and trying to get re-inclusion in the Google index, a process that can take up to a year!

If you would like to read more, check out [this thread](#) at High Rankings Forum. Make sure you have a fresh cup of coffee and about an hour though as it is a pretty long thread. :)

FEATURE ARTICLE - FUNDAMENTAL ELEMENTS OF SEO

What is this SEO, short for 'search engine optimization' anyway? It almost sounds like we are optimizing search engines doesn't it? What it really involves is optimizing web sites for prime search engine positioning. It involves optimizing various elements that search engines look at in the pages they index. We will take a look at what those elements are and how we can 'better' them so that our sites can be found in the search engines.

First let's start with the definition of 'optimize':

optimize v., mized, mizing. -v.t. 1. to make as effective, perfect, or useful as possible. 2. to make the best of. 3. to write or rewrite (the instructions in a computer program) for maximum efficiency and speed in retrieval, storage, or execution.

So we understand that to 'optimize' a web site is to make it the best it can be in hopes that by doing so, it will not only be found in search engines for phrases that are related to it, but that the site will provide an overall better user experience for visitors as well. These two items really go hand in hand because you can have a great web site but if no one is able to find it, what use is it? On the other hand you could have great search engine positioning but if your web site is not user friendly and informative, how will you convert visitors to customers?

So what are the elements of a web page that can be optimized? The first and most important is the title tag. The title tag is what determines the title of your listing in the SERPs (search engine results pages). In the html of a web page, it is represented between an opening and closing tag like this: <title>Title Tag Here</title>. It is what you see at the top of your browser when viewing a page or the default title you see when bookmarking a page. The amount of characters of a title tag that search engines will index varies but most stay right around 64 characters. Therefore you have limited space to incorporate keywords you want to target as well as your company name. Add to that challenge the fact that you want your title to grab someone's attention so they will click on your listing.

Therefore I always recommend that you only target one to two phrases as well as your company name per page. For example, lets say you want to target 'landscaping maintenance and design' and you are in Arizona. Your title tag might look like this:

<title>Arizona Landscaping Design and Maintenance | Company Name</title>

Because the title tag is the most important element you can optimize and you are limited to 64 characters, it is wise then to optimize the title tag of each page of your site and to make them unique to the topic or subject of that page.

The second most important element you can optimize is your body copy. Your copy should be html text as search engines cannot read graphics or Flash movies. It should include the keywords you want to target. Avoid repeating your keywords in a way that would look foolish to your visitors but rather use them sensibly. It is amazing how many times I come across pages in which the keywords a person wants to target are not even represented in the copy.

Then there is the meta description tag. This is a meta tag that lies between the opening and closing head tags in your html and that contains a short description of what the page is about. You can usually write an informative description up to about 200 - 250 characters. Now currently, the major search engines are not using the meta description tag as the description you will see when one of your pages shows up in the results of a search query but sometimes they will. Therefore you should still optimize this element of your pages anyway in case they ever decide to go back to showing the meta description tag as the description in the SERPs.

Another element that can be optimized is alt attribute text that lies behind hyperlinked images. Alt attributes are those little boxes of text you sometimes see when mousing over

an image or the text you see in image boxes if you have graphics turned off in your browser. Be sure not to 'stuff' alt attributes with repetitive lists of keywords but rather use them naturally to describe the image while making sure they keywords you want to target are represented. Keep in mind that currently the major search engines do not pay any attention to alt attributes behind images that are not hyperlinked anywhere, only those that are. That doesn't mean you shouldn't add alt attributes to non-linked images but just something to keep in mind.

Internal linking structure should also be optimized. This essentially involves making sure a search engine can find and index all of the pages of your site. If you have a small site, many times you can make sure every page is accessible from the home page either in your top, left or right side navigational structure and/or in a set of footer links. For larger sites with many pages and sub-sections, use a site map. Search engines will follow graphical links but I believe they prefer text links. Google even places importance on the text that is used in and around a text link which is referred to anchor text.

These are some of the most important elements you can optimize on your web pages. The crucial thing is to not just stop at the home page but look for ways to optimize each and every one of your pages so they are unique and yet specific to the topic of that page. This will help improve your possibilities of showing up well in the search engines as well as expanding your visibility to be found for a variety of keywords and phrases. The [Arizona Builders' Zone](#) site, which we own and operate, is a very good example of a site in which nearly every single page has been optimized for prime search engine visibility.

Written by David Wallace of [SearchRank](#)

SEARCH ENGINE HEADLINES

Here are some of the latest headlines related to the search engine industry.

[AskJeeves Drops Remaining Paid Inclusion Program](#)

AskJeeves is retiring its Site Submit paid inclusion program. The move, coming several months after the company dropped its Index Express XML-based inclusion offering, marks a complete withdrawal from the practice of allowing companies to pay for guaranteed indexing.

[New Google WebSearch Program Pays Publishers For Searches](#)

Google has released two new services allowing site owners to install web search capabilities on their own sites, including one that pays.

[Google, Yahoo Face Off in Suit](#)

Google is the darling of the Internet and seemingly at the top of its game as it charges toward a public stock offering sometime this summer. But the Mountain View company could be paying hundreds of millions of dollars to its Sunnyvale archrival, Yahoo, if it loses a little-noticed patent lawsuit unfolding in a San Jose courtroom.

[Click here](#) to find more search engine news articles

CLOSING COMMENTS

Well that's all for today. I will be pushing the next issue of this monthly newsletter a week back due to the [Search Engine Strategies Conference in San Jose](#) that I will be attending on August 2 - 5. Therefore it will be released on the second Tuesday of August instead of the first. I should have some exciting things to report from the conference which is usually the biggest one of its kind held each year. I am looking forward to seeing the faces of many people I know online but have never met in the 'real world'. If you are attending, be sure to look me up and say hi.

Happy Independence and have a great month of July!

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WHAT'S NEXT; Fuel Cell May Be the Future 'Battery'

By ANNE EISENBERG

Published: October 21, 1999

THE next time the batteries in your laptop or cell phone conk out at the most inconvenient moment, take heart.

Scientists are fine-tuning an invention that may eventually replace not only those fallible batteries but even the recharger.

The invention is the fuel cell, a device that may one day sit neatly inside your mobile phone or laptop. It uses the reaction of hydrogen and oxygen to generate a continuous stream of electricity for days on end with no help whatsoever from a battery.

Fuel cells were once seen as future power sources for cars, buses and power stations, but inventors are now proposing them for the subkilowatt world of portable electronics. They may soon come to the aid of soldiers, police officers and even everyday commuters who are weary of the inconvenience of their battery packs, rechargers and spare AA's.

Some experts say the latest fuel cells may provide a power source that weighs far less, and lasts far longer, than any battery on the market, in part because of their efficient use of hydrogen.

"Fuel cells have a simply amazing ability to extract energy from the hydrogen atom," said Christopher Dyer, a senior member of the technical staff at Motorola Labs in Tempe, Ariz., who is the inventor of a fuel cell designed for use in portable electronic devices.

The principle of every hydrogen-based fuel cell is that when hydrogen is joined to oxygen, forming water, energy is produced. The energy takes the form of electricity and some waste heat.

The byproducts, depending on the source of the hydrogen, are a bit of water vapor and, often, carbon dioxide, which is vented from the fuel cell.

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Give the fuel cells enough hydrogen, plus the oxygen that is provided free in the atmosphere, Dr. Dyer said, and they could power devices like cell phones for days, weeks or even months. The hydrogen that drives these small marvels will probably be provided by methanol, a compound commonly known as wood alcohol that contains hydrogen, Dr. Dyer said.

"A liter of methanol should provide enough electricity to run a laptop for more than a week," Dr. Dyer said. "A lithium ion battery of comparable volume has a tenth of that energy."

Lithium ion batteries, commonly used in laptops, each provide about three hours of energy.

Fuel cells have another advantage besides a high energy output, Dr. Dyer said. They can be replenished quickly, unlike batteries, which require a slow recharging. Dr. Dyer imagines that owners of cell phones, laptops and pagers will someday refuel their devices by occasionally slipping in a new ampul of methanol.

"Methanol is inexpensive," Dr. Dyer said. "Ampuls of it could be bought from a supermarket."

Fuel cells are not new devices, although the intense recent interest in them is. They were demonstrated in the 19th century and deployed more than a century later to provide electric power for NASA's space vehicles. But the internal processing required to produce that continuous stream of electricity high in the sky proved too expensive for daily applications.

That is changing now, as engineering advances have gradually lowered costs. At the Defense Advanced Research Projects Agency in Arlington, Va., Robert Nowak, a program manager, said research sponsored by the agency would aid the overlaid American soldiers who routinely carry 20 to 30 pounds of batteries on their missions.

"Fuel cells begin to look very attractive when you consider what you need in the equivalent battery power to run a computer, radio and other gear soldiers must often take with them," he said.

But Dr. Nowak has not entirely banished batteries from the fuel cells his agency has helped to develop. Like many people in the field, he supports a hybrid, or dual, system that uses both a battery and a small fuel cell. The battery provides peaks of power when needed, and the fuel cell keeps the battery recharged.

"In principle this means you will only add fuel to the cell from time to time," Dr. Nowak said. "The battery will supply any transient power that exceeds a baseline level."

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While most small fuel cells are more common in research laboratories than in factories, the H Power Corporation in Belleville, N.J., is a commercial producer of subkilowatt fuel cells.

One type it makes provides backup power for road signs with changing messages like "Congestion Ahead" or "Parking Lot A Is Full."

"The fuel cell is the backup for the solar panel," said Rene DuBois, director of sales and marketing at H Power.

Variable road signs with solar panels can go dead when, for instance, snow covers the power source, and a fuel cell can keep the system operating and fully charged.

Many experts in the field predict that fuel cells will be widely accepted in part because battery development will be unable to keep up with consumers' demand for lightweight electronic products.

"The small-electronics-equipment market is quietly demanding more and more energy," Dr. Dyer said. "The rate of progress in battery development is probably too slow to meet this demand."

The bright screens, souped-up processors and whiz-bang features of the latest laptops, cell phones and other portable devices are insatiable users of batteries. Consumers may not be carrying 20- to 30-pound packs, as the soldiers do, but many of them are routinely hefting 12 to 14 pounds apiece once the weight of the power cord, recharger and spare battery is calculated along with the weight of the laptop.

But fuel cells are not going to supplant batteries just yet. "Not a single one is fully functional in a piece of portable equipment," Dr. Dyer said. "It's early days for the fuel cell. I think it will be coming soon, but it isn't quite here yet."

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Scientists are fine-tuning an invention that may eventually replace not only those fallible rechargeable batteries but even the recharger. The invention is the fuel cell, a device that may one day sit neatly inside your mobile phone or laptop. It uses the reaction of hydrogen and oxygen to generate a continuous stream of electricity for days on end with no help whatsoever from a battery.

Fuel cells were once seen as future power sources for cars, buses and power stations, but inventors are now proposing them for the subkilowatt world of portable electronics. They may soon come to the aid of soldiers, police officers and even everyday commuters who are weary of the inconvenience of their battery packs, rechargers and spare AA's.

Fuel Cell Battery Technology

Some experts say the latest fuel cells may provide a power source that weighs far less and lasts far longer than any battery on the market, in part because of their efficient use of hydrogen. Of course, the industry will determine if subkilowatt fuel cells will ever make it to the marketplace. Typically, when a new technology comes in an established, well entrenched, heavily invested and profitable marketplace, the chances of it seeing the light of day are slim.

Fuel cells have a simply amazing ability to extract energy from the hydrogen atom. The principle of every hydrogen-based fuel cell is that when hydrogen is joined to oxygen, forming water, energy is produced. The energy takes the form of electricity and some waste heat. The byproducts, depending on the source of the hydrogen, are a bit of water vapor and, often, carbon dioxide, which is vented from the fuel cell.

Give the fuel cells enough hydrogen, plus the oxygen that is provided free in the atmosphere, Dr. Dyer said, and they could power devices like cell phones for days, weeks or even months. The hydrogen that drives these small marvels will probably be provided by methanol, a compound commonly known as wood alcohol that contains hydrogen. A liter of methanol should provide enough electricity to run a laptop for more than a week. A lithium ion battery of comparable volume has a tenth of that energy.

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United States Small Business Administration

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Change Management -- It Starts at the Top

Change is a common occurrence in business today. Because of this, it is important that you possess strong change management skills if you want your business to be a success. Change management skills include leadership development (to get people to believe in you), marketing and sales abilities (to promote your case for change), and communication skills (to help build support for the decision to change). It will also help if you know a little about the stages people go through psychologically when they are dealing with change so that you are able to tell if you have managed a successful transition or if there are additional problems that you need to address.

The first thing you will want to focus on is your leadership ability. Companies continue to make the mistake of focusing too much on business processes and not enough on good, strong examples of leadership. To be an effective leader in the change management process, it helps if you:

- **Set an example.** As the top person in your business, others look to you for direction, not only in terms of business needs, but also related to behavior, ethics, and standards. If you want others in your business to change, you must set an example for them to follow.
- **Eliminate perks.** Perks suggest division and hierarchical thought processes. By eliminating or reducing your own perks, you show your desire to level the playing field.
- **Walk around and talk to people.** The old school of business management promoted the idea that the top person was off limits, enclosed in his or her own glass tower. Leaders of today interact more with their employees. They manage by walking around and getting to know their employees and learning about the problems they are facing on a day-to-day basis.
- **Be genuine.** As a leader of change, it is important to be as real and honest as possible in your interactions with others. Let others get to know you. Being a leader doesn't mean hiding your emotions. By interacting with employees on a one-to-one basis, you will build rapport and trust.
- **Have passion.** To be a strong leader, you must have passion around your vision. Without it, you will soon find yourself facing burnout. Leadership is tiring and saps energy at a very high rate so make sure you are passionate about what you do.

Building your ability as a leader is the first step in the change management process. Once employees believe in you and trust what you're doing, you can then begin your campaign for change. Your campaign for change should target the different "groups" within your business and outline for each the reasons why a change is necessary. For instance, the board of directors will want to know what the long-term effects of the change will be. Similarly, your employees will want to know how they will be personally effected by the changes you are proposing.

Once a change occurs, it is very important to communicate on a regular basis with all effected. Let your employees know what is happening. If your communication skills are weak or you don't have a formal way of letting your employees know what is happening, set one up before you hit this stage of the change process. By keeping everyone informed, you reduce the chances of low productivity and low morale that often accompany unaccepted change.

It is important to realize that although you can use techniques to smooth the change transition process, you will never be able to completely jump from one way of doing something to another without experiencing at least some resistance. Why is this? Well, people adjust to change at different rates. It's just part of human nature. To reduce your frustration with this process, it helps to know the six phases people go through whenever they are experiencing any type of change, be it personal or professional.

- **Anticipation.** People in Phase 1 are in the waiting stage. They really don't know what to expect so they wait, anticipating what the future holds.
- **Confrontation.** At some point, people reach Phase 2 and begin to confront reality. At this stage, they are beginning to realize that the change is really going to happen or is happening.
- **Realization.** Once the change has happened, people will usually reach Phase 3 - the stage where they realize that nothing is ever going to be as it once was. Often times, this realization will plunge them into Phase 4.
- **Depression.** Phase 4 is a necessary step in the change process. This is the stage where a person mourns the past. Not only have they realized the change intellectually, but now they are beginning to comprehend it emotionally as well.

- **Acceptance.** Phase 5 marks the point where the person begins to accept the change emotionally. Although they may still have reservations, they are not fighting the change at this stage. Usually, they are beginning to see some of the benefits even if they are not completely convinced.
- **Enlightenment.** In Phase 6, people completely accept the new change. In fact, many wonder how they ever managed the "old" way. Overall, they feel good about the change and accept it as the status quo from here forward.

It is important to note that people in your organizations will proceed through the different phases at different rates of speed. One person may require two months to reach Phase 6 while another may require twelve. To make things even more complex, the cycle of change is not linear. In other words, a person does not necessarily complete Phase 1 through 6 in order. It is much more common for people to jump around. One person may go from Phase 4 to Phase 5 and then back to Phase 2 again. That is why there is no easy way to determine how long a change will take to implement. However, by using the skills we've outlined above, you increase your chances of managing the change as effectively as possible.

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President's Small Business Agenda

EXHIBIT L

EXHIBIT L

The Online Business Guide

Business Tips For The Everyday Business Owner



Business ownership can be incredibly rewarding. You can make your own hours, make your own decisions, and work at your own speed.

When you work for yourself, your hard work benefits you, instead of watching your boss get rich.

On the other hand, running

your own business can be the most stressful and challenging experience of your life. The Small Business Association estimates that 33% of small businesses fail. Yes, over a third. One out of every Three. You may have to work 80 hours or more a week, your decisions are your own, with no one to blame and you'll have to work harder than ever before

To help you be one of the two thirds that succeeds, we've put together this online business guide to help you get started, and help you along the way. You'll find tips to maximize your productivity, find and keep the best employees, and manage your finances. Check back often as the articles on this site will change daily.



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level the playing field.

Walk around and talk to people. The old school of business management promoted the idea that the top person was off limits, enclosed in his or her own glass tower. Leaders of today interact more with their employees. They manage by walking around and getting to know their employees and learning about the problems they are facing on a day-to-day basis.

Be genuine. As a leader of change, it is important to be as real and honest as possible in your interactions with others. Let others get to know you. Being a leader doesn't mean hiding your emotions. By interacting with employees on a one-to-one basis, you will build rapport and trust.

Have passion. To be a strong leader, you must have passion around your vision. Without it, you will soon find yourself facing burnout. Leadership is tiring and saps energy at a very high rate so make sure you are passionate about what you do.

Building your ability as a leader is the first step in the change management process. Once employees believe in you and trust what you're doing, you can then begin your campaign for change. Your campaign for change should target the different "groups" within your business and outline for each the reasons why a change is necessary. For instance, the board of directors will want to know what the long-term effects of the change will be. Similarly, your employees will want to know how they will be personally effected by the changes you are proposing.

Once a change occurs, it is very important to communicate on a regular basis with all effected. Let your employees know what is happening. If your communication skills are weak or you don't have a formal way of letting your employees know what is happening, set one up before you hit this stage of the change process. By keeping everyone informed, you reduce the chances of low productivity and low morale that often accompany unaccepted change.

It is important to realize that although you can use techniques to smooth the change transition process, you will never be able to completely jump from one

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way of doing something to another without experiencing at least some resistance. Why is this? Well, people adjust to change at different rates. It's just part of human nature. To reduce your frustration with this process, it helps to know the six phases people go through whenever they are experiencing any type of change, be it personal or professional.

Anticipation. People in Phase 1 are in the waiting stage. They really don't know what to expect so they wait, anticipating what the future holds.

Confrontation. At some point, people reach Phase 2 and begin to confront reality. At this stage, they are beginning to realize that the change is really going to happen or is happening.

Realization. Once the change has happened, people will usually reach Phase 3 - the stage where they realize that nothing is ever going to be as it once was. Often times, this realization will plunge them into Phase 4.

Depression. Phase 4 is a necessary step in the change process. This is the stage where a person mourns the past. Not only have they realized the change intellectually, but now they are beginning to comprehend it emotionally as well.

Acceptance. Phase 5 marks the point where the person begins to accept the change emotionally. Although they may still have reservations, they are not fighting the change at this stage. Usually, they are beginning to see some of the benefits even if they are not completely convinced.

Enlightenment. In Phase 6, people completely accept the new change. In fact, many wonder how they ever managed the "old" way. Overall, they feel good about the change and accept it as the status quo from here forward.

It is important to note that people in your organizations will proceed through the different phases at different rates of speed. One person may require two months to reach Phase 6 while another may require twelve. To make things even more complex, the cycle of change is not linear. In other words, a person does not necessarily complete Phase 1 through 6 in order. It is much more

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common for people to jump around. One person may go from Phase 4 to Phase 5 and then back to Phase 2 again. That is why there is no easy way to determine how long a change will take to implement. However, by using the skills we've outlined above, you increase your chances of managing the change as effectively as possible.

EXHIBIT M

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Leading vs. Managing -- They're Two Different Animals

Are you a manager or a leader? Although you may hear these two terms thrown out interchangeably, they are in fact two very different animals complete with different personalities and world views. By learning whether you are more of a leader or more of a manager, you will gain the insight and self-confidence that comes with knowing more about yourself. The result is greater impact and effectiveness when dealing with others and running your business.

We are going to take a look at the different personality styles of managers versus leaders, the attitudes each have toward goals, their basic conceptions of what work entails, their relationships with others, and their sense of self (or self-identity) and how it develops. Last of all, we will examine leadership development and discover what criteria is necessary for leaders to reach their full potential.

First of all, let's take a look at the difference in **personality styles** between a manager and a leader.

Managers - emphasize rationality and control; are problem-solvers (focusing on goals, resources, organization structures, or people); often ask question, "What problems have to be solved, and what are the best ways to achieve results so that people will continue to contribute to this organization?"; are persistent, tough-minded, hard working, intelligent, analytical, tolerant and have goodwill toward others.

Leaders - are perceived as brilliant, but sometimes lonely; achieve control of themselves before they try to control others; can visualize a purpose and generate value in work; are imaginative, passionate, non-conforming risk-takers.

Managers and leaders have very different **attitudes toward goals**.

Managers - adopt impersonal, almost passive, attitudes toward goals; decide upon goals based on necessity instead of desire and are therefore deeply tied to their organization's culture; tend to be reactive since they focus on current information.

Leaders - tend to be active since they envision and promote their ideas instead of reacting to current situations; shape ideas instead of responding to them; have a personal orientation toward goals; provide a vision that alters the way people think about what is desirable, possible, and necessary.

Now let's look at managers' and leaders' **conceptions of work**.

Managers - view work as an enabling process; establish strategies and makes decisions by combining people and ideas; continually coordinate and balance opposing views; are good at reaching compromises and mediating conflicts between opposing values and perspectives; act to limit choice; tolerate practical, mundane work because of strong survival instinct which makes them risk-averse.

Leaders - develop new approaches to long-standing problems and open issues to new options; first, use their vision to excite people and only then develop choices which give those images substance; focus people on shared ideals and raise their expectations; work from high-risk positions because of strong dislike of mundane work.

Managers and leaders have very different **relations with others**.

Managers - prefer working with others; report that solitary activity makes them anxious; are collaborative; maintain a low level of emotional involvement in relationships; attempt to reconcile differences, seek compromises, and establish a balance of power; relate to people according to the role they play in a sequence of events or in a decision-making process; focus on how things get done; maintain controlled, rational, and equitable structures; may be viewed by others as inscrutable, detached, and manipulative.

Leaders - maintain inner perceptiveness that they can use in their relationships with others; relate to people in intuitive, empathetic way; focus on what events and decisions mean to participants; attract strong feelings of identity and difference or of love and hate; create systems where human relations may be turbulent, intense, and at times even disorganized.

The **Self-Identity** of managers versus leaders is strongly influenced by their past.

Managers - report that their adjustments to life have been straightforward and that their lives have been more or less peaceful since birth; have a sense of self as a guide to conduct and attitude which is derived from a feeling of being at home and in harmony with their environment; see themselves as conservators and regulators of an existing order of affairs with which they personally identify and from which they gain rewards; report that their role harmonizes with their ideals of responsibility and duty;

perpetuate and strengthen existing institutions; display a life development process which focuses on socialization...this socialization process prepares them to guide institutions and to maintain the existing balance of social relations.

Leaders - reportedly have not had an easy time of it; lives are marked by a continual struggle to find some sense of order; do not take things for granted and are not satisfied with the status quo; report that their "sense of self" is derived from a feeling of profound separateness; may work in organizations, but they never belong to them; report that their sense of self is independent of work roles, memberships, or other social indicators of social identity; seek opportunities for change (i.e. technological, political, or ideological); support change; find their purpose is to profoundly alter human, economic, and political relationships; display a life development process which focuses on personal mastery...this process impels them to struggle for psychological and social change.

Development of Leadership

As you can see, managers and leaders are very different animals. It is important to remember that there are definite strengths and weaknesses of both types of individuals. Managers are very good at maintaining the status quo and adding stability and order to our culture. However, they may not be as good at instigating change and envisioning the future. On the other hand, leaders are very good at stirring people's emotions, raising their expectations, and taking them in new directions (both good and bad). However, like artists and other gifted people, leaders often suffer from neuroses and have a tendency toward self-absorption and preoccupation.

If you are planning on owning your own business, you must develop management skills, whether they come naturally or not. However, what do you do if you believe you are, in fact, a leader - a diamond in the rough? What can you do to develop as a leader? Throughout history, it has been shown again and again that leaders have needed strong one-to-one relationships with teachers whose strengths lie in cultivating talent in order to reach their full potential. If you think you are a leader at heart, find a teacher that you admire - someone who you can connect with and who can help you develop your natural talents and interests. Whether you reach "glory" status or not, you will grow in ways you never even imagined. And isn't that what life is about anyway?

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President's Small Business Agenda

EXHIBIT N

EXHIBIT N

The Online Business Guide

Business Tips For The Everyday Business Owner



Business ownership can be incredibly rewarding. You can make your own hours, make your own decisions, and work at your own speed. When you work for yourself, your hard work benefits you, instead of watching your boss get rich.

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To help you be one of the two thirds that succeeds, we've put together this online business guide to help you get started, and help you along the way. You'll find tips to maximize your productivity, find and keep the best employees, and manage your finances. Check back often as the articles on this site will change daily.

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Leading vs. Managing -- They're Two Different

Animals

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So consider many things when deciding on your new platform and please don't get caught up in myths, stereotypes and outright lies. Do your homework, decide what you need, make a well informed decision and keep an open mind and I'm sure you'll find a computer that will suit your needs. As for mine, they are met in many ways by the company known as Apple.

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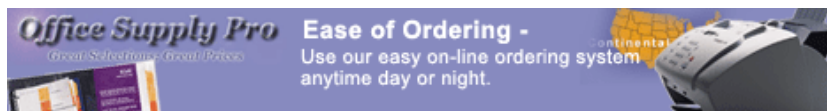
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COMPUTERS 101

Computer Tips For Newbies And Experts



Computers are arguably the most important invention of modern times. Anyone who uses a computer regularly knows how valuable these 20th century machines can be. And anyone who has ever waited for their on-line service to respond, received a "mailbox full" message, had their hard disk crash, been flamed on the Internet, upgraded to Win95, or tried to set up their own home-based computer network knows that there is also a dark side to this modern wonder of technology. Yes, working with computers can sometimes be stressful. And dealing with computer stress is really no different than dealing with any other type of stress in life. The longer you work with computers and different software, the less stressful your experience will be. Keep checking back for more tips and tricks to make your online and off-line time more productive and enjoyable.

Get The Facts Jack, And Don't Be Fooled By Hype!

Nov 19 '00

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Traffic Power goes first

SEO puts up new front

BY KEVIN CAPP

BUSINESS PRESS Traffic Power, a Vegas-based Search Engine Optimizer company, has been making some changes, lately -- and raising some eyebrows in the process. Usually, when a company shifts strategies it's a sign they're adjusting to a shift in consumer demand, or a shift in the market. But critics suspect that Traffic Power has been adjusting because of something else: a bad reputation.

The company belongs to an industry that specializes in creating maximum exposure for Web-based businesses on search engines such as Google. But the techniques Traffic Power employs have allegedly violated Google's bylaws, resulting in many of their clients' sites being banned by the largest search engine in the country.

These practices have spawned a host of Web sites, most notably Trafficpowersucks.com, dedicated to exposing the company. In addition, a number of online publications and forums have posted less-than-favorable commentary and analysis of Traffic Power on the Web.

One of these forums is hosted by SEO Consultants, an SEO directory. Spokesman Edward Lewis says Traffic Power takes advantage of mom-and-pop operations that don't have much technical knowledge. He said 95 percent of Traffic Power's clients have problems ranking on Google, and, in some cases, are being banned outright.

Company spokesman Steve Pellegrino dismisses this claim. He says that Traffic Power's critics have a financial incentive to employ such "guerrilla marketing" to undermine and "defame their competitors." Besides, Pellegrino says Google regularly drops sites on a temporary basis for a variety of reasons, including one index update to the next, or that other sites were found and assigned a higher rank.

"Blaming drops in Google ranking on Traffic Power is not supported by the facts," he says.

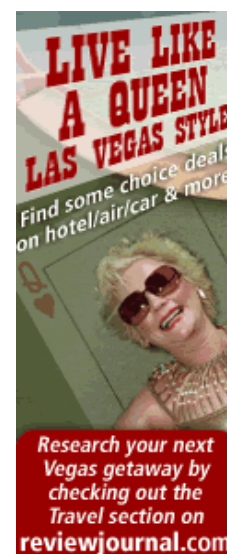
Lewis denies SEO Consultants is biased in any way. Indeed, he maintains that his organization is the only on-line resource that's remained unbiased. Also, Lewis says that his organization invited Traffic Power six times over a 30-day period to comment on the charges being levelled at them, but Traffic Power refused to join the discussion.



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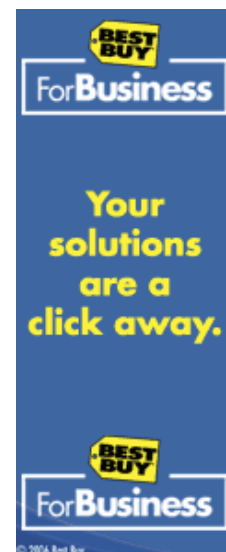
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In addition, Lewis refutes the idea that Google regularly drops customers as part of any process. "Google doesn't just take you out of the index," he says.

Regardless of why the clients have been dropped, the Southern Nevada Better Business Bureau has stripped Traffic Power of its "satisfactory" rating. The company had a total of 27 complaints earlier this month -- a number that's since jumped to 35.

Pellegrino says that Traffic Power is currently investigating all of the complaints. "I do know that all of the complaints have been responded to in a timely manner, and that a great many have received full refunds," he says.

At least two former clients, however, have yet to receive refunds including Jason Ohrum in Vermont and Christopher May in Arizona. This is why many of the complainants and others have attempted, or at least considered, filing a lawsuit.

Sources familiar with the Traffic Power situation say a number of law firms have looked at launching a class-action lawsuit, but ultimately abandoned the case.

One reason cited by disgruntled former clients is that they can't spare the time or money to pursue legal action against Traffic Power. Another is that many attorneys, upon further investigation, think the company has few assets to pay any judgment. Despite the fact that Traffic Power has earned \$7 million, its assets are limited. As such, the potential for a class action lawsuit to yield financial compensation is slim.

Traffic Power continues to grow and expand into other markets -- or, according to Lewis, simply set-up shop under a different name. "First Place" is an SEO that, for a time, shared the same address and phone number as Traffic Power. Lewis says, it was a designer's mistake and was changed as soon as he posted the company's identity on the Internet.

First Place's address is now listed as a P.O. box. Lewis says the company has had to develop new brands in order to keep operating because Traffic Power's name and image have been so badly damaged.

"This recent name change is a clear indication that they're trying to get away from the Traffic Power brand image," he says.

Pellegrino says that's simply not true. He says First Place offers a variety of Internet advertising services, and that SEO services are only a small part of its focus.

Another change has occurred on Traffic Power's home page. In the past, individuals could click on the "leadership" banner and view information on the company's principals. This information is now unavailable. Pellegrino says Traffic Power is simply updating its site because of management changes as part of a broader effort to keep the site current.

One customer who isn't bothered by the negative publicity that Traffic Power has received is Gary Smythe. An attorney in Los Angeles, Smythe is pleased with Traffic Power's services. He's in his second year with them, and says his practice has grown as a result. Though he can't say for sure how much his business has benefited, he has seen an increase in clients.

"The quality of (Web) traffic is incredible. The quantity is very good," he says. "I've been extremely happy with them."

But Lewis says Traffic Power has thousands of clients, the vast majority of whom are not as happy as Smythe.

"There's going to be a few in their (Traffic Power's) nine thousand-plus clients that are going to see some return," he says.

Ian Mylchreest contributed to this story.

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The Better Business Bureau Serving The Mountain States

8020 South County Road 5, Suite 100
Fort Collins, CO 80528

Internet Traffic Solutions

1740 Dell Range Blvd
Cheyenne, WY 82009
Telephone: (866) 424-8535

*The BBB reports on members and non-members. If a company is a member of the BBB, it is stated in this **report**.*

| | | | |
|--------------------------------------|--|------------------------|-------------|
| Original Business Start Date: | January 2003 | Entity: | Corporation |
| Local Start Date: | January 2005 | Incorporated: | WY |
| Principal: | Mr. Richard Reed ,
President | Employees: | 3 |
| Email Address: | liz@allinternetadvertising.com | File Open Date: | April 2005 |
| TOB Classification: | Internet Consultants, Internet Marketing Services | | |
| BBB Membership: | This company is not a member. | | |

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Additional DBA Names

Tecpower.com
Traffic-power.com

Customer Experience

The Bureau processed a total of 0 complaints about this company in the last 36 months, our standard reporting period.

Company Management

Additional company management personnel include:

Ms. Elizabeth Ritter - Assistant

Additional File Information

For additional information on Traffic-power.com and TecPower.com contact the Las Vegas BBB at www.vegasbbb.org or call 702-320-4500.

Additional DBAs, Addresses and Telephone Numbers

Additional Email Addresses

rick@allinternetadvertising.com

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Report as of February 19, 2006

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Better Business Bureau Serving Southern Nevada

2301 Palomino Lane
Las Vegas, NV 89107
(702) 320-4500
Fax: (702) 320-4560
info@vegasbbb.org

BBB Reliability Report

Traffic-power.com
4850 W. Flamingo Rd. #25
Las Vegas, NV 89103

General Information

Original Business Start Date: September 2000
Local Business Start Date: February 2003
Type of Entity: Corporation
Principal : Judah May President
Customer Contact: Owner/Manager
Phone Number: (702) 821-0888
BBB Membership: This company is not a member
Type-of-Business Classification: Internet Products & Services

Nature of Business

This business specialties include Search Engine Optimization.

Customer Experience

This company has failed to eliminate the underlying cause of consumer dissatisfaction.

<http://www.google.com/webmasters/seo.html> offers general information on "Search Engine Optimizers" and how they [SEOs] relate specifically to <http://www.google.com>, however the information can be generalized for a common understanding on the subject.

The following information has been acquired from Google: Source:
<http://www.google.com/webmasters/seo.html> "Beware of SEO's (SEO is an abbreviation for "search engine optimizer") that claim to guarantee rankings, or that claim a "special relationship" with Google, or that claim to have a "priority submit" to Google. There is no priority submit for Google. In fact, the only way to submit a site to Google directly is by

using the page at <http://www.google.com/addurl.html>. You can do this yourself at no cost whatsoever."

When considering complaint information, please take into account the company's size and volume of transactions, and understand that the nature of complaints and a firm's responses to them are often more important than the number of complaints.

The Bureau processed a total of 109 complaints about this company in the last 36 months, our standard reporting period. Of the total of 109 complaints closed in 36 months, 35 were closed in the last year.

These complaints concerned:

- 26 Service Issues
- 6 Sales Practice Issues
- 35 Contract Issues
- 34 Refund or Exchange Issues
- 3 Guarantee or Warranty Issues
- 2 Product Issues
- 2 Billing or Collection Issues
- 1 Advertising Issues

They were closed as:

- 10 Administratively Closed
- 38 Unresolved
- 60 Resolved
- 1 No Response

Additional Information

Additional Doing-Business-As Names: 1P.com

Additional Phone Numbers: 866-424-8535

Additional File Information

2005 ♦ The Bureau has been unable to ascertain that the firm has a valid business license. Consumers who do business with an unlicensed firm do so at their own risk.

The company previously had a license, which was issued on February 19, 2003. The license became inactive as of April 30, 2004. The license number was 2000142-558. In April 2003, the company ♦s corporation papers showed Judah P. May as President of Traffic-power.com and Matthew Marlon as Secretary. The corporation papers now list Matthew Marlon as President, Secretary and Treasurer.

Judah P. May is now President of a company named Worldwide Internet Advertising located at 3850 S. Jones Blvd. #39, Las Vegas, NV 89103. The company was established locally on December 21, 2004.

[Choosing the Right Internet Service Provider](#)



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BBB Reliability Report

First Place

800 N. Rainbow Blvd. #208
Las Vegas, NV 89107

General Information

Original Business Start Date: June 2003
Local Business Start Date: January 2005
Type of Entity: Corporation
Principal : Mr. James Dennis President
Phone Number: (702) 365-9389
BBB Membership: This company is not a member
Type-of-Business Classification: Internet Marketing

Customer Experience

Based on BBB files, this company has an unsatisfactory record with the Bureau due to two or more unresolved complaints.

When considering complaint information, please take into account the company's size and volume of transactions, and understand that the nature of complaints and a firm's responses to them are often more important than the number of complaints.

The Bureau processed a total of 17 complaints about this company in the last 36 months, our standard reporting period. Of the total of 17 complaints closed in 36 months, 17 were closed in the last year.

These complaints concerned:

- 5 Contract Issues
- 9 Service Issues
- 3 Refund or Exchange Issues

They were closed as:

- 4 Unresolved
- 10 Resolved
- 3 Administratively Closed

Additional Information

Additional Doing-Business-As Names: adnetpros.com

consultsense.com

digitaltransmit.com

websitetranslations.com

Additional File Information

On November 17, 2004, the company's membership in the Better Business Bureau of Southern Nevada, Inc. was declared null and void due to the determination that the firm violated one or more of the "Requirement and Standards of BBB Membership" specifically as follows:

"The applicant must provide specific information on the nature of its business, the background of the applicant's principals and other information deemed necessary by the Bureau in order that it may conduct a background investigation to develop a factual public report pertaining to the applicant's reliability. If the information given is inaccurate or there is an omission of germane facts, the pending application or membership may be declared null and void."

On November 17, 2004, the Board of Directors voted unanimously to declare the membership application null and void.

According to information on the Nevada Secretary of State website, the corporation "Internet Traffic Builder" has an additional address of 800 N. Rainbow Blvd. #208, Las Vegas, NV listed for the President James Dennis.

FIRST PLACE d/b/a 1P.COM IS SENDING POTENTIAL CUSTOMERS WHAT SEEMS TO BE A RELIABILITY REPORT ISSUED BY THE BETTER BUSINESS BUREAU OF SOUTHERN NEVADA, INC. STATING THAT THE COMPANY IS A MEMBER OF THE BUREAU AND HAS A SATISFACTORY RATING WITH THE BUREAU. THIS COMPANY IS NOT A MEMBER OF THE BUREAU. THIS REPORT IS FALSE.

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["BBB Publishes New Consumer Info Brochure](#)

[Purchasing a Car Online](#)

EXHIBIT T

EXHIBIT T



Search Results

[Click Here...For an Explanation of Status Codes](#)

| FILE # | BUSINESS NAME | CURRENT BUSINESS STATUS | EXPIRE/TERMINATE DATE | BUSINESS ADDRESS | INDIVIDUAL / CORP NAME | CURRENT OWNER STATUS |
|---------|---------------|-------------------------|-----------------------|---|-----------------------------|----------------------|
| 0331911 | 1P.COM | ACTIVE | 09-30-2009 | 3655 S DECATUR BLVD
STE 14-74
LAS VEGAS NV 89103 | INTERNET TRAFFIC
BUILDER | ACTIVE |
| 0332348 | FIRST PLACE | ACTIVE | 09-30-2009 | 3655 S DECATUR BLVD
STE 14-174
LAS VEGAS NV 89103 | INTERNET TRAFFIC
BUILDER | ACTIVE |

**If there are more than 200 records for this search,
please narrow your search or
visit our office at
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Las Vegas, Nevada**

Explanation of Business Status Codes...

| | |
|-------------------|---|
| ACTIVE | Business name currently in use. |
| TERMINATED | Business name was terminated upon request of owner. |
| EXPIRE | Business name was not renewed 60 months after filing. NRS 602 code 7.24 |

Explanation of Owner Status Codes...

| | |
|-------------------|---|
| ACTIVE | Owner currently active on certificate for business name. |
| INACTIVE | Owner has been inactivated due to termination of Business Name. |
| TERMINATED | Owner has been terminated (per owners request) from business certificate. |

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[CLERK'S HOMEPAGE](#)

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EXHIBIT U

EXHIBIT U



Online Services

| Fee Schedule

| Login

Corporation Actions for "INTERNET TRAFFIC BUILDER"

 Sort by File Date ☒ descending ☐ ascending **order** Re-Sort

1 - 8 of 8 actions

| | | | |
|--|-------------------------------------|------------------------|---|
| Actions\Amendments | | | |
| Action Type: | Annual List | | |
| Document Number: | 20050297200-17 | # of Pages: | 1 |
| File Date: | 08/01/2005 | Effective Date: | |
| (No Notes for this action) | | | |
| Action Type: | Acceptance of Resident Agent | | |
| Document Number: | 20050297202-39 | # of Pages: | 1 |
| File Date: | 08/01/2005 | Effective Date: | |
| (No Notes for this action) | | | |
| Action Type: | Amended List | | |
| Document Number: | 20050057209-20 | # of Pages: | 1 |
| File Date: | 03/10/2005 | Effective Date: | |
| (No Notes for this action) | | | |
| Action Type: | Resident Agent Resignation | | |
| Document Number: | 20050073653-41 | # of Pages: | 2 |
| File Date: | 02/28/2005 | Effective Date: | |
| (No Notes for this action) | | | |
| Action Type: | Amended List | | |
| Document Number: | C14123-2003-003 | # of Pages: | 1 |
| File Date: | 11/18/2004 | Effective Date: | |
| (No Notes for this action) | | | |
| Action Type: | Resident Agent Change | | |
| Document Number: | C14123-2003-004 | # of Pages: | 1 |
| File Date: | 08/18/2004 | Effective Date: | |
| TAMI J MILLER SUITE 25 | | | |
| 4850 W FLAMINGO RD LAS VEGAS NV 89103 RAA | | | |
| Action Type: | Annual List | | |
| Document Number: | C14123-2003-002 | # of Pages: | 1 |
| File Date: | 08/18/2004 | Effective Date: | |
| List of Officers for 2004 to 2005 | | | |

| | | | |
|-----------------------------------|----------------------------------|------------------------|----------|
| Action Type: | Articles of Incorporation | | |
| Document Number: | C14123-2003-001 | # of Pages: | 1 |
| File Date: | 06/12/2003 | Effective Date: | |
| (No Notes for this action) | | | |

[Return to Corporation Details for "INTERNET TRAFFIC BUILDER"](#)

New Search

SOS Contact Information



You are currently not logged in

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EXHIBIT V

EXHIBIT V



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Traffic Power creates gridlock

Local Web outfit manipulates Google, costing its clients big

By Kevin Capp

Business Press Jason Ohrum, the sole owner and operator of a Vermont-based Web site design company, was settling in for a long night's rest before going on vacation. It was then he discovered his business received the Internet world's equivalent to the kiss of death. Two of his most-trusted clients' sites had been banned by Google.

Though he can't recall how he found out the sites had been dropped by the largest search engine in Cyberspace, Ohrum does recall how he spent that panic-ridden Sunday evening. Instead of hopping in bed, he hopped online, spending nearly five hours clicking and banging away on his mouse and keyboard with no luck. Ohrum couldn't find out anything. The sites had simply disappeared from Google's search engine, leaving him with only one option.

First thing Monday morning, he phoned a representative of Traffic Power, a Las Vegas-based company he had recently hired to improve his clients' rankings on Google. Ohrum's representative at Traffic Power assured him there was no problem; Google was just altering its algorithms.

"She said, 'you'll be back up shortly,' which I knew was complete bull---t," Ohrum says. "My whole vacation was pretty much shot."

Traffic Power is a part of the rapidly-growing Search Engine Optimizer industry, which specializes in creating maximum exposure for Web-based businesses on search engines such as Yahoo and Google. The techniques these companies use to achieve this range from providing advice on Web site building, to helping companies submit their sites to relevant directories.

There are thousands of SEOs operating worldwide, most of which, according to Web consultant Jim Hedger, are legitimate. The complicated



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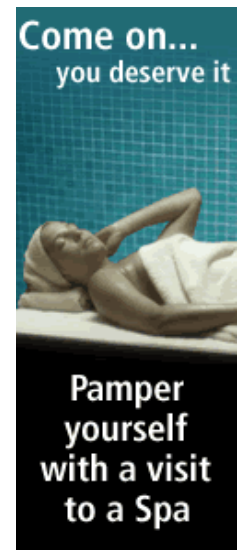
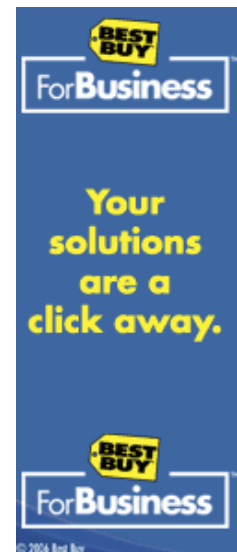
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methods SEOs employ can, however, leave a layman dizzy.

"You'll never be able to touch the service I provide. It's ones and zeros," says Hedger, who also works with an SEO called Step Forth Placement. "It sounds like we're working dark art."

The murky waters SEOs swim in is the very thing that allegedly unethical companies, like Traffic Power, rely on, Hedger says. Tucked in a strip mall on Flamingo Road and Decatur Boulevard, Traffic Power's main office doesn't exactly scream big business. The company's name isn't on the sign listing the other shops in the Flamingo Business Center. It doesn't even have a sign posted above its store - just a small label etched onto the storefront window. But Traffic Power boasts on its Web site that it employs more than 200 people - housed somewhere in that office and two others - and caters to 10,000 clients.

Only, that's not all it boasts. Traffic Power, which has earned over \$7 million, has also racked up 27 complaints with the Southern Nevada Better Business Bureau in the last three months. And more keep coming in. Although the BBB's president, Silvia Campbell, can't comment on the number pending, she does admit it's high.

"When I say there are quite a number of complaints," Campbell says, "There are quite a number."

This influx of complaints has led the BBB to retract its "satisfactory" rating, something Traffic Power's business developer Steve Powers shrugs off. He says when a company is eating up as large a share of the market as Traffic Power, it's a given that complaints will be coming in.

"The person with the most customers are going to have the most pissed-off customers," Powers says.

One of those disaffected customers is Ohrum in Vermont. He received numerous phone calls from Traffic Power telemarketers, and was hesitant to take them on for a couple of reasons. First, it sounded too good to be true. Second, none of the reps he spoke with appeared to know what they were talking about.

"It seems like they just pull anyone off the streets," Ohrum says. "Every time I talked to them, I asked if they were following Google's guidelines. Finally, they were able to explain to me what it is they were doing."

The company's representative told him they used unique software, dubbed Search Engine Entry Pages, that would help land his clients' Web sites on Google's top-10 list. To do this, Traffic Power would build Web pages based on key words associated with the particular business type, then forward the first search page to a Web page they created. The links displayed would then route people to the sites of Traffic Power clients.

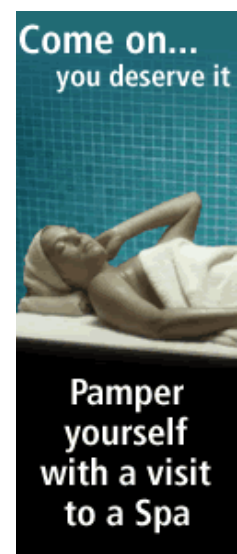
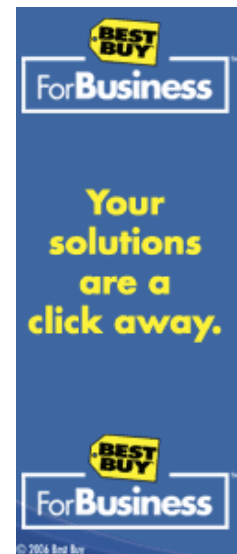
The most appealing part of the offer centered on the fact that these would be "natural listings" on Google as opposed to paid listings. Since Traffic Power only charged an initial fee of \$3,000 with the anticipation of another \$1,600 - a fraction of what Google charges - Ohrum signed the contract.

Less than two months later, his two clients' sites were dropped from Google.

"I almost developed a stomach ulcer because I thought I was going to get sued," Ohrum says. "At that point, there's nothing you can do. Google, you can't talk to them, they're untouchable. Your hands are tied."

Apparently, the "attraction pages" Traffic Power used to link his site with specific search terms violated Google's bylaws. Google has another name for them, "doorway pages," a technique outlawed years ago. Once that happens, any sites associated with those pages are banned. The largest, most popular search engine in the nation will have nothing more to do with companies in violation.

Hedger says Google takes such violations very seriously because it costs them money. The extra Web pages Traffic Power creates to link sites eats



up space on databases, which take big dollars to maintain. Even though each page only costs fractions of a cent, when enough are out there, he says, the fractions add up - potentially in the billions of dollars.

"Search engines don't like being gamed. They don't like it when certain players in the SEO industry create pages solely designed to get attention," Hedger says. "If you're trying to get your company on the public market, you don't want people thinking your product can be manipulated."

While business developer Powers sympathizes with Ohrum - with whom he spoke over the phone - Powers says Ohrum failed to understand that getting banned by Google is part of the business. Powers says Google's bylaws are in a constant state of flux because companies like Traffic Power figure out ways to beat them at their own game. Besides, he says, Google can't dictate how he operates.

"Google can kiss my ass," Powers says. "This is the wild wild west. As they [Google] get hip to a trick, they change their rule. Google cannot control my business."

Unlike Ohrum, Christopher May, based in Scottsdale, Arizona, doesn't run a one-man business. Like Ohrum, however, May says his company, which has 12 employees and sells stress management supplies, was also burned by Traffic Power. After a year of receiving countless phone calls from company representatives, May finally succumbed and accepted its offer.

Thirty days later, his company was banned by Google. Since 90 percent of May's business comes from Google, it cost him big. In the immediate aftermath, he says sales dropped close to 80 percent. He estimates that, all told, he lost \$15,500.

"They're basically robbing people," May says. "It's borderline fraud."

Well, not exactly.

Unfortunately for businessmen like Ohrum and May, the laws haven't caught up with the technology. Hearings and debates need to be held, bills drafted and a whole host of other hurdles jumped before a law hits the books. As a result, lawmakers spend most of their time responding to technology, instead of taking a more proactive stance, like dealing with innovations before they enter the marketplace.

"It feels to me like we're never going to get ahead of the curve," says Warren Hardy, vice chair of the Nevada Legislature's commerce and labor committee. "You almost have to be a prophet."

Needless to say, both Ohrum and May dropped Traffic Power after Google dropped them. Neither was able, however, to secure a refund. Both say Traffic Power representatives told them they signed a contract that reads no refunds, pure and simple.

Powers, who had nothing to do with enticing Ohrum to retain Traffic Power, acknowledges that Ohrum was misled. In fact, he told Ohrum as much on the phone, encouraging him to try and get a refund, though he doesn't have the authority to make such decisions. On a personal note, Powers says he prefers giving disgruntled clients their money back over getting bad word-of-mouth.

"I got blonde hair, blue-eyed kids," he says. "I don't need that kind of problem."

Luckily for May, he was able to get his site back up on Google, though not without some elbow grease and a serious commitment of time. He had to send a letter to Google stating that he was unaware of Traffic Power's practices.

Then the real work began. May undertook the laborious process of re-registering an estimated 400 Web pages connected to his site.

Ohrum, on the other hand, has been unable to get his sites indexed. Despite sending numerous letters of apology, and removing the spam

attached to the sites by Traffic Power, Ohrum still can't land the sites on Google.

A class action lawsuit, spearheaded by a San Francisco-based firm, is in the works, though no court date or damages figure has been set. The damage to Ohrum's business both in financial terms and reputation have taken their toll. At one point, he considered filing a lawsuit, but decided he had neither the time, nor the resources.

"Considering it's a one-man show, it's a huge impact on my business," Ohrum says. "You can't put a figure on reputation."

editsst@lvpress.com / 702-871-6780 x396

THE DETAILS

WHO: Traffic Power, a firm specializing in search engine optimization

WEB SITE: www.traffic-power.com

REVENUE: \$7 million

THE OUTCOME: Sites banned by Google

STILL PENDING: A class-action lawsuit

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EXHIBIT W

EXHIBIT W



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'Optimize' Rankings At Your Own Risk

By **DAVID KESMODEL**

Staff Reporter of The Wall Street Journal.

From *The Wall Street Journal Online*

Last summer, Gary Pond realized he had a big problem: The Web site for his luggage business no longer showed up in the search results in Google or Yahoo.

He immediately contacted Traffic-Power.com, a company he had hired for \$2,400 to do search engine optimization - tactics designed to make a Web site appear higher in Web-search results. But he said he was unable to reach anyone at the company. After further investigating, Mr. Pond discovered that Google and Yahoo had dropped his site, [PorterCase.com](#), because Traffic Power had used methods the search engines deem improper. After weeks of correspondence, Google restored the site, but a search for "Porter Case" still fails to turn up the company's Web site on Yahoo.

"I did not realize their methods were frowned upon," said Mr. Pond.

Scores of former customers have complained about Traffic Power, with some saying they found their sites dropped from search engines and others saying they saw no improvement in search rankings after responding to high-pressure sales pitches from the company. Their experiences shed light on the growing industry of search engine optimization. Many Web companies employ so-called SEO firms to help them better design or write their Web sites to make them more appealing to search engines - strategies the search engines have no problem with. But Google and Yahoo have banned some SEO companies, and their clients, for using tactics

SEARCH

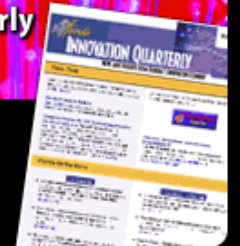

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designed to artificially inflate a site's ranking.

For its part, Traffic Power said most clients who believe they were banished from Google or Yahoo were mistaken. It blamed drops in search rankings on changes in indexing methods at the search engines that were beyond its control. The company declined to make executives available for interviews, but responded to written questions through a spokesman, Steve Pellegrino.



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Cold Calls

Las Vegas-based Traffic Power, whose corporate name is Software Development and Investment of Nevada, is run by Matthew A. Marlon. According to interviews with former employees of Traffic Power, Mr. Marlon built the company by hiring an army of salespeople to cold-call thousands of small businesses.

Often, said former employees, Web site owners had little knowledge of how the Internet worked. Salespeople found leads by running searches on certain keywords in search engines, such as "flowers" or "golf accessories," and identifying small Web sites that ranked poorly in the results.

Harold Hollister, a former salesman at the firm, said he was present during a morning pep talk on the sales floor where a manager stood on a desk and told salespeople that "a sucker is born every minute." Salespeople sometimes showed potential clients reports on existing Traffic Power clients, he said, highlighting how well the sites had done with the company's help. But some of those reports were falsified by the company, he said, and sites were listed with higher ranks than they actually had. Mr. Hollister said he left the company as a full-time employee at the end of 2003, but continued to do consulting work for the company until late last year. Traffic Power confirmed Mr. Hollister was an employee, and said he left for personal reasons.

Traffic Power said it was "absolutely untrue" that reports were falsified, and denied that managers ever told salespeople "a sucker is born every minute." It said its sales practices are no different than those at other sales companies.

More than 100 complaints about Traffic Power have been filed over the past three years with the Better Business Bureau of Southern Nevada. The bureau [says on its Web site](#) that the company has "failed to eliminate the underlying cause of consumer dissatisfaction."

Traffic Power said the number of complaints represents a "very small" percentage of its total client base, and said some may have been solicited by competitors.

Traffic Power has moved aggressively to silence its critics. Last month it sued two Web sites, alleging libel, over criticism that had been posted about the company. Bloggers have been watching the case closely because one of the suits was over statements posted anonymously in the "comments" section of a blog.

Focus on Sales

Former employees said the bulk of Traffic Power's staff worked in the sales department. Some clients paid as much as \$5,000 for a six-month contract, said Robbie Kwasny, another former salesman who worked at the company for 18 months.

Mr. Kwasny said he was fired from Traffic Power last fall after sending an unauthorized email to clients inviting them to contact him if they had any concerns about the company. Traffic Power said he was fired because of "lack of performance in his job duties."

Mr. Kwasny now works with an Internet consulting business he started, and he and Mr. Hollister



have worked together on consulting projects.

Mr. Kwasny said Traffic Power had 11,000 Web sites listed as clients when he left. He said the company had about 300 employees, including about 270 telemarketers. Turnover at the company was high, said former employees. Traffic Power declined to comment on turnover, or to say how many employees it has.

Former employees said day-to-day operations at Traffic Power were closely managed by Mr. Marlon.

Mr. Marlon, 61 years old, filed for Chapter 13 bankruptcy-court protection in 1996. In 1997, Mr. Marlon was indicted on charges of conspiracy to manufacture a controlled substance. He later pleaded guilty to a lesser charge, related to possession of a chemical used to make methamphetamine, and was sentenced to three years of probation, including six months of home confinement. The court record for his drug offense said he also had an alias, "Jimmy Ray Houts."

A spokesman said Mr. Marlon "declines to comment on his personal life, and believes it bears no relevancy to the issues."

Improving Rankings

After Traffic Power signed up a new client, the company's technicians went to work trying to boost the client's search ranking. One popular strategy was to create so-called doorway pages, former employees and clients said. Such pages are loaded with search phrases and other coding designed to trick search-engine "bots" that scour the Internet. A retail site might have a doorway page loaded with more popular search terms, about sex, for instance. Users visiting the site would be unaware of the doorway page, as they are quickly directed past it to the real front page, but search-engine bots would assume the doorway page was the site's home page, and index it accordingly.

Traffic Power sometimes hosted the doorway pages on its own servers. Messrs. Kwasny and Hollister said they were aware of several instances where the company used that as leverage on clients, telling them Traffic Power would direct traffic to a site's competitor if the client refused to renew a contract.

Another tactic: Traffic Power sometimes designed Web pages for its clients that included links to sites owned by other Traffic Power clients, according to former clients and employees. Since search engines rank a particular site, in part, based on how many other sites link to it, such tactics can make a site seem more popular than it really is.

Traffic Power denied that it used doorway pages. It said it did sometimes provide links between client sites with "similar or related content," and said its practices comply with guidelines from search engines.

The strategies are not unique. Dozens of Web sites discuss such methods for improving a site's ranking, though many warn that doing so can backfire if a search engine discovers the tricks and bans the site. "We've certainly used techniques that skirt the rules a bit at times, but only after a long series of discussions with the client," said Greg Boser, who runs a search-engine optimization business in Valencia, Calif., called WebGuerrilla.

Dropped From Google

Many Traffic Power customers found their sites removed from Google's search results last year. Billie Sumner, who sells stadium seating from a Web site called Preferred-Seating.com in Indianapolis, said her site was banished from the search giant's results for four months. Fearing she would lose business, she said she spent more than \$10,000 on pay-per-click advertising on Google and Yahoo to attract visitors. "It cost me a lot of precious time that I needed to spend on my

business, and I lost a lot of customers that couldn't find me," said Ms. Sumner. She said she tried unsuccessfully to recoup some of the \$1,500 she had paid Traffic Power.

Mr. Pond of Porter Case said he paid only a portion of the \$2,400 contract with Traffic Power, and disputed the rest of the charges with his credit card company. Mr. Pond said he is angry with Yahoo that his Web site still doesn't show up in searches on his company's name. A Yahoo spokesman declined to comment.

Traffic Power said the disappearance of Ms. Sumner's and Mr. Pond's sites from search engines could have been due to a change in indexing methods by the search engines.

Both Google and Yahoo declined to comment on Traffic Power, but each maintains a Web page that warns site owners that they can get banned for trying to manipulate search results. Yahoo cautions against use of hidden text and "excessively cross-linking sites to inflate a site's apparent popularity." Google warns users about signing up with SEO firms that contact them "out of the blue," and those that use tactics such as doorway pages and deceptive redirects. Google also urges users to be wary of SEO firms that are themselves not listed in its search results. Traffic Power's corporate site doesn't appear in Google's results. Traffic Power said it has placed coding on its Web site to intentionally exclude itself from Google's index, so that its site would not compete with affiliates that resell its services.

Not long after clients complained about getting dropped from Google - and Traffic Power's own corporate site disappeared from the search engine's results -- Traffic Power began using different names to promote the same business, said former employees. Other names the company has used include 1P.com, or First Place.

Mr. Kwasny, the former Traffic Power employee, said this strategy backfired with at least some potential clients. The company, he said, failed to change its name with its phone company, so when salespeople began calling potential clients and saying they were from 1P.com, the listing on the client's phone said the call was coming from Traffic Power.

Email your comments to sjeditor@dowjones.com.

--September 23, 2005

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EXHIBIT X

EXHIBIT X



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EXHIBIT Y

EXHIBIT Y

Traffic Power Sucks!

Google Bans Traffic Power Customers! Click [HERE!](#)

BBB Slams Traffic Power! From "Satisfactory" to 93 complaints! Click [HERE!](#)

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[Links](#)

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2/13/06

Since the lawsuit was filed against me, I have not done much updating on this site, as I did not want to give Traffic Power's lawyers any ammunition. But on Saturday, 2/11/06, Matt Cutts from Google posted on his blog site confirmation that Traffic Power and many of their customers were indeed banned from Google. You can read his post [HERE](#).

I would like to thank Mr. Cutts for this post, it will certainly help with my defense. I do not know how to thank him personally, as I could not find an email address on his site. I'm guessing that as the head of the webspam group at Google, he gets more email than the average person, so I can understand why he does not have an email address posted. I hope that somehow he finds this post, or someone who knows him can forward him a link, so that he will understand how much I appreciate him sticking his neck out. I would welcome an email from Mr. Cutts if he has the time and would like to contact me, my email address is webmaster@trafficpowersucks.com.

I would like to add a lot more to this, but I am still in the middle of this lawsuit, so I'll stop here. I would like to say that Google should in no way be blamed for the bannings, as they clearly state on their website what will get a website banned. Although most if not all of Traffic Power's customers had no idea what had been done to their sites, Google was just doing what they had to do, to keep their search results relevant.

Trafficpowersucks.com is being sued...



As many of you know, I am currently being sued by Traffic Power because of this website. Since its creation, I have not made a penny with this site. I have turned down many people who asked to advertise here since I started the site. My goal was not to make money, just to recoup the \$4001.00 I lost to Traffic Power. This still has not happened. Even though I feel that there is nothing on this website that I can be sued for, I have been sued nonetheless. If you would like to help me with my legal fees, please click the PayPal button above. I will keep strict records of every penny received, and whatever is not used will be divvied up on a percentage basis depending on how much was donated, and returned to you. Or, if you would like whatever is left over to go towards the class action suit, I can do that also, I will ask each person individually for their preference. Thank you in advance for any donation you can provide.

Have you been contacted by a company called Traffic-Power? Did they promise you "guaranteed results" and tell you how they could get you listed at the top of Google?

Don't believe everything they tell you.

Disclaimer: The following is based on MY experience with the company called Traffic-Power. In my opinion, I was wronged by Traffic-Power. Once I found that I had been lied to on the phone, I tried to get my money back. After almost a year of trying, I was unsuccessful. Your experience with Traffic-Power may be a good one, in which case I would love to hear from you. Email me at webmaster@trafficpowersucks.com. All I've been hearing from are people who have had bad experiences with them so far.

First off, let's take a look at their "guaranteed results". Tell them you want this "guarantee" in writing. You might actually get it, but no matter what they may tell you on the phone, this is not a **Money Back** guarantee. What do they guarantee? Well, if after 90 days your web pages are not listed where they promise, they "guarantee" that they will try again. This of course doesn't mean they will ever get you listed, they will just try again. And again.

Next up: Plagiarism. On the phone, the Traffic-Power salesman will tell you how the "experts" there will painstakingly build your company new web pages, designed to rank high on Google and other search engines. In my experience, this promise was complete bullshit. What I found was, most of the pages they "created" were stolen from other websites. And what is worse is that it was MY company's name at the top of the page! Here's how I found out about this problem: I had a bunch of pages that Traffic-Power had sent to me to put up on my own website, plus I knew the names of the other websites they had created. The pages contained a lot of technical information, which impressed me, I thought the Traffic-Power people really did a good job. I searched for these pages on Google, and when I found them, I copied a whole line of text, and searched for that text (in quotations) on Google. Two pages came up, the one from Traffic-Power, and one from a commercial website where Traffic-Power had taken the information. I did this with several other pages, and found that the content from many pages had been copied from one website or another. Traffic-Power even copied some of the copyrights and had them on the bottom of the page!

Now, you have to ask yourself, if these "experts" are creating brand new web pages for your site, why would they have to be protected from plagiarism? Here is the direct quote from their contract: ***"The client agrees to protect and indemnify Traffic-Power.com from any***

claims of libel, copyright violation, plagiarism, and other suits or claims based on the content or subject matter of the client's website. All claims are the responsibility of the client." So, they can put up plagiarized pages that you don't even know about, you can get in trouble, and they are perfectly safe. Doesn't seem fair to me.

Still thinking about using Traffic-Power to promote your website? Think I'm just some idiot with a grudge and a website, and I don't know what I'm talking about? Well you don't have to listen to me, check out the [PROOF](#) page, with links to a lot of information about Traffic-Power.

In the meantime, here's a test. You can see that Traffic-Power has a legitimate website, right? Now, this company claims that they are experts at Search Engine Placement (among other things). If they are experts, do you think they would be able to get their site up at the top of Google? Well go on out to Google and do a search for them, see how long it takes to find their website. You can even search for the URL itself, and you will get a message "**Sorry, no information is available for the URL**". Um, does anyone see a problem here?

OK, I'm sure this page is getting long enough, I will be creating new pages soon. If you have any suggestions for the site, email me at webmaster@trafficpowersucks.com. Thanks for the emails I've received so far, it seems there are a lot more people who have been through similar problems. Let me know if we saved you money! We will add your savings to our total.

Traffic Power Sucks!

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New Stuff

(Updated 8/18/05)

8/18/05

Still here!

Again, it's been a while since I've updated this site. Sorry, I keep busy with my real job. What's been happening? Lots of fun stuff...

Let's see, where to begin. Several people have emailed me telling me that they received their money back from Traffic Power through credit card disputes. Later, they received a letter from a lawyer in Las Vegas threatening them with a lawsuit if they didn't give the money back. I received a little letter from the same lawyer threatening me with a lawsuit if I didn't take "proprietary and confidential information related to Traffic Power's business" off of my website. I called the lawyer and asked him exactly what information he was referring to. He had no idea what I was talking about. This was the guy who signed the letter, and he was clueless. If anyone can find anything at all on this website that could possibly be considered Traffic Power's "proprietary and confidential information", drop me an email at webmaster@trafficpowersucks.com.

In other news:

Seems that Traffic Power may be up to their old tricks again. I've been hearing from several people, including a couple of ex-employees, that Traffic Power has started a couple of new businesses under new names, and this time they are based in different states. At least that's what it says on the web pages of these sites. Two sites have been found so far, they have been reported to the BBB, and several other agencies are investigating them right now. If they are proven to be Traffic Power, I'll post details here once the investigators let me know.

In more other news:

In almost every email I receive, I'm asked the same question: "How can I get my money back from Traffic Power (or 1P.com, or First Place, or Adnetpros, or whatever they are calling themselves this week). And I tell them all the same thing, if I knew how to get money back from these people, I wouldn't have this website up. After two years I'm STILL waiting for my \$4001.00. If you ever come out here and this site is not up any more, that means I finally got my money back. Anyway, this is certainly not a guaranteed way to get your money back, but here's something that might help.

Go to <http://www.trafficpowersucks.com/ComplaintForm.pdf>. Print this form out, and fill in the blanks. Get a copy of the contract you signed when you signed up with Traffic Power. Get a copy of proof of payment (credit card statement, cancelled check, etc.). Write a letter explaining your situation. Include dates and pertinent information. Do not bash Traffic Power, try to be professional! Get the following 4 things together:

1. The complaint form you just filled out.
2. Your copy of the contract.
3. A copy of your proof of payment.
4. The letter explaining what happened to you

Once you have this information, you can fax it to: 702-486-7371. Or, you can put these things in an envelope and mail it off to:

State of Nevada Department of Business and Industry
1850 East Sahara Avenue, Suite 101
Las Vegas, NV 89104

If you fax it, don't mail it, and if you mail it, don't fax it.

You should receive something back from them in about 4 to 5 weeks. As I understand it, these guys have the power to actually do something (unlike the BBB) and it's possible that you will get your money back. Good luck!

5/12/05

Finally an update!

Sorry it's been a while since I've updated the site. Once I hit the \$400,000.00 mark on my "Money Saved" page I kind of took a break from this for a while. I'm still getting emails from Traffic Power victims, every day. The big question most people want to know is: **Is there going to be a Class Action lawsuit against Traffic Power?** Well, the lawyers are still telling me that they are working on it. We were a month away from filing paperwork with the courts a couple of months ago, and then some new information came to light, and the lawyers suddenly had a ton of new stuff to include. Then, apparently there was some new law passed, so that the lawyers can take these guys to Federal court instead of regular court, but that meant everything had to be re-done in a different way. Yadda yadda yadda! Let's go already! I've been trying to get this lawsuit off the ground for a year and a half, I just want to get it done! Though I guess the longer it takes, the better prepared the lawyers will be. Each time I talk with the lawyers, they sound very upbeat, and say that everything is progressing and everything looks good, but come on! Let's get the lead out!

As usual, if I ever do get word from the lawyers that the lawsuit has been filed, I will have it posted at the top of every page on this site. Keep an eye out!

1/12/05

Extortion?

I've started to receive quite a few emails from people who have been receiving similar calls from Traffic Power (or 1P, or First Place, etc). These people are being told that if they do not renew their contract with Traffic Power, their businesses will "suffer". They are told that all Traffic Power has to do is "flip a switch" and they will stop receiving traffic. Or, they are told to renew, or Traffic Power will go to their competition and promote them instead. If this has happened to you, please email me at webmaster@trafficpowersucks.com.

10/27/04

BBB Update

The BBB now has 57 complaints listed for Traffic Power. Personally, I've never seen a company with this many complaints at the BBB. I'm guessing they have a lot more that aren't listed yet, it takes a while for them to update.

9/8/04

Traffic Power Name Change?

Although Traffic Power's site is still online, I have been receiving reports from people who have been contacted by a new company called "**IP.com**" or "**First Place**". Check out their site, the phone number is the same as Traffic Power, and from what I've been hearing they are giving the same promises (aka lies) as Traffic Power. Don't be fooled! Remember the name, and if they call you, ask them why they have to try to fool you with a fake name. Could it have something to do with all of the complaints with the BBB?

<http://worf.ussurdman.com/~vegas/commonreport.html?compid=58697>

SEO Recommendations:

OK, I receive a lot of emails from Traffic Power victims every day, and a lot of you ask me the same question: "**Can you recommend a good SEO to me?**" Let me answer everyone here and now, **ABSOLUTELY NOT**. Here are my reasons.

1: Traffic Power claims that my website, and every other website that you find online that says anything bad about them, is one of their competition trying to make them look bad. All of the emails I post on my "[Your Emails](#)" page? They will tell you that I make them all up. The truth is that **since I started my campaign against Traffic Power I have never recommended ANY SEO to ANYONE**. You are welcome to test me, especially you Traffic Power drones, send me an email from a hotmail account or some other free, untraceable account, and ask me for my recommendation. Offer me money! It doesn't matter, I will not give you a recommendation, because that might lead some people to actually believe that www.trafficpowersucks.com is one of these "competition" sites. And the "fake" emails I have listed? They are real, I can prove it, and that's all I have to say about that. If I had the time, I would post another 1000 or so today, but I have work to do, maybe tomorrow.

2: The other reason I won't recommend any other SEO is, I hope, fairly easy to understand. I gave my hard earned money to Traffic Power...I obviously don't know what I am talking about when it comes to picking a good SEO. If you want advice on which SEO to use, ask someone who made the **RIGHT** choice, not someone who lost \$4001.00 to a rip off company.

BBB Update!

7/14/04 - Finally, the Better Business Bureau has updated Traffic Power's listing. It went from "Satisfactory" to **27 complaints**, with a lot of warnings about dealing with them. Yes! Thanks to everyone who kept complaining to the BBB, it took a long time, but now Traffic Power can't use their "Satisfactory" record as a sales aid. Thanks to www.seoconsultants.com/ for the heads up on this matter! Want to see it yourself? Just go to www.bbb.com and search for the business name Traffic Power. Or, just click <http://www.vegasbbb.org/commonreport.html?compid=58697>.

Email updates

7/14/04 - I just added a ton of emails I've received to the "[Your Emails](#)" page, sorry it took so long. I have more to add, but I don't always have the time. It's funny, but I still get people who doubt that Traffic Power is doing anything wrong (it's rare, but true). All I have to say is, go read the emails I have been receiving. Then go to the [LINKS](#) page, and read what people have posted on other sites. After you've done all your homework, ask yourself this question: **Have you ever seen a company**

with so many people complaining about it? Maybe Enron!

Google bans Traffic Power Customers!

OK people, now we have proof. I've been hearing from a lot of you that have said you were banned by Google because of Traffic Power, yet Traffic Power says that Google is just "re-indexing". Friday, I received an email with a link to the following story, here's our proof:

<http://www.webpronews.com/ebusiness/seo/wpn-4-20040630GoogleBansSEOFirmanditsClients.html>

I am currently trying to get in touch with the writer of this article, Mark Carey, if I can get an interview I will post it here.

Google and Traffic Power:

Are Traffic Power customers being banned from Google because of Traffic Power's practices? A lot of people seem to think so, and judging by the emails I've been receiving, I think so too. I have been trying to set up an appointment with someone at Google to talk about this situation, their legal team has been notified of the upcoming Class Action lawsuit against Traffic Power. I currently have lists of tens of thousands of pages submitted by Traffic Power, I wonder what would happen if Google were to drop all of those pages? I also wonder if Google would be willing to join the lawsuit. Every page breaks at least one of Google's rules for listing. I will post as soon as I hear something.

Have you complained to the Better Business Bureau about Traffic Power? Traffic-Power uses their "clean" record with the BBB as a sales gimmick. I complained about them almost a year ago, and every time I checked the [BBB website](#) about them, it still says they have a Satisfactory Record and they have responded to all complaints. I finally received an email from the BBB today, it says:

"The Bureau is in receipt of your complaint. Your complaint was submitted to the company on August 18, 2003. The company did respond to your complaint and the response was mailed to you on September 9, 2003. You stated that you were not satisfied with the company's response. Your rebuttal was mailed to the company on October 21, 2003. The company does not have to respond to a rebuttal. If the company responds to it, the additional response will be forwarded to you. As of June 2004 the company has one (1) "Unresolved" complaint. If the company receives one (1) more "Unresolved" complaint, they will receive an "Unsatisfactory" record for "Unresolved" complaints."

If Traffic-Power has screwed you, go out to the BBB website and let them know! As you can see, it will take a long time for your complaint to make a difference, but eventually we can take this marketing ploy of theirs away. Here's how you do it: Go to http://www.vegasbbb.org/complaint_form.html and fill out the form. The more info you have the better. Click the "File Complaint" button at the bottom when you are done. If I remember correctly, you will receive something in the mail that you have to fill out and send in. The BBB will then send your complaint to Traffic-Power so that they can rebut it, then the BBB will send the rebuttal to you. Then you can let the BBB know if you still have a complaint or not, and if you do, eventually, it will show up in their report. Come on people, it just takes a little time! Together we can make a difference!

Traffic Power Sucks!

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Update 8/31/05

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Other Sites Against Traffic Power

I know that you might think it is just me that has a grudge against Traffic Power. Unfortunately, I am just one of many out here on the internet who have lost money to this company. Want proof? Easy, just go to Google and do a search for "Traffic Power", you will find countless others who have been burned (or were lucky enough to know better and did a write-up to warn others). Here are just a few, and if you have a few hours you will learn a lot.

Disclaimer: I have nothing to do with the following links, they were all found with a search on Google of "Traffic Power". If you do the same search, you will find the same results.

One of the best sources for search engine information on the entire internet is without a doubt www.jimworld.com. This site has been going strong for years, and there are hundreds of search engine optimization experts who will help anyone who needs it in the JimWorld Forums. The subject of Traffic Power has come up many times over the years, read up on what the experts have to say. According to several of them, what Traffic Power does to promote your website will actually get your website BANNED from the very search engines you are trying to get listed on! Here is the main thread, lots of information, just click [HERE](#). For a list of other threads, just do a search for "Traffic Power", or just click [HERE](#). (for some reason, some of the JimWorld pages take a long time to open for me with Internet Explorer, but they open right up with Netscape). Here is an excerpt from page 4: "Garris you should really email me. I have a list of sites that were pulled from Google due to Traffic Power. So far we are up to 16. A few of us are trying to organize something - not sure what yet, but I have spoken with someone at the Nevada District Attorneys Office. I was told I'd receive a refund - and that my posts on this site are being turned over to their attorney. I haven't received a refund but have disputed the charges with my cc company." **The accusations go on and on**

| | |
|--|---|
| | <p>Yet another great source is SEO Consultants, check out their Traffic Power page HERE.</p> |
| | <p>Another great site is called SEO Chat, and here is a nice write-up I found there, just click HERE.</p> |
| | <p>A little something from the archives of a site called SEO Book can be found HERE.</p> |
| | <p>Here is a site called Web Pro World, their forum rant is HERE.</p> |
| | <p>More info, from a site called Affiliate Gurus News and Views can be found HERE.</p> |
| | <p>Yet another view is from HTTP TALK, you can read it HERE.</p> |
| | <p>As you can see, there are a lot of people out there who will tell you what a rip off Traffic Power is. If you find a website that warns about Traffic-Power that you think should be listed on this page, please email us at webmaster@trafficpowersucks.com.</p> <p>Oh yeah, here's a test: When you do a search for "Traffic Power" on Google, see how long it takes you to find a forum where someone actually says something GOOD about Traffic Power. I couldn't find one.</p> |

Traffic Power Sucks!

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Traffic-Power Secrets

Want to see what Traffic Power's employees use to try to sell you their services? I just received a link to what looks like 6 pages that Traffic Power employees use to trick people out of their money. The first page looks familiar, I think I received this when they were trying to sign me up. The next 5 pages are the tricks they use to get you! These pages have been scanned as .jpg's, just click on the link to see the picture, or right click on the link and do a "save as" to copy them to your computer. I have no idea how long they will be posted. Questions? Email me at webmaster@trafficpowersucks.com.

Disclaimer: I do not know the origins of these pictures, or their veracity, all I am doing is linking to them. I personally believe they are the real thing.

<http://img17.imageshack.us/img17/6259/page3.jpg>

I think this is something I've seen before. Not a big deal, probably something they fax prospective clients.

<http://img2.imageshack.us/img2/909/page22.jpg>

Data Mining Questions: When you get that annoying phone call, this must be what they are reading from to try to hook you. I love the first question, "Is it a priority for you to have higher placement on the Search Engines?". What kind of question is that, of course everyone wants higher placement! And question # 14, they get right into the financial stuff, don't they?

<http://img25.imageshack.us/img25/8345/page7.jpg>

This page is called "Objections and Rebuttals", looks like they try to have a quick answer for any question or worry you might have. The first one says, "If an SEO company offers you a guarantee, I'd hold onto my wallet if I were you." This isn't what they told ME, in fact I got all KINDS of guarantees. And check out the 3rd one! Their response to a potential customer not being able to open a report! They automatically tell you there are "major coding errors on your Website". Now check out the last one on the page, if a potential customer wants to take the time to think about it: First, they try to make the you look stupid by saying you don't understand their service. Most customers will not agree with this. Second... is continued on the next page.

<http://img18.imageshack.us/img18/5912/page4.jpg>

OK, second is that the Traffic Power employee did not do his job well enough for you to understand. This is better than calling you stupid, and a lot of people will feel bad for the salesperson, and not want to get them in trouble. The third reason gets into a big subject: Money! If you say you can't afford it, they will go and talk to their "manager" (isn't this scam familiar? I believe it is practiced at used car lots across America).

The next part is for your business partner, read this carefully. They will try to play you against your own business partner! Unbelievable!

Next part: Price. I've heard different things from different people as to how much Traffic-Power's rates are, it seems like they try to charge as much as they can. One guy just posted tot he Jim World forums that he was employed by Traffic Power, and I think he said he charged one guy \$10,000 for 6 months.

Next paragraph? Make your company's webmaster look bad.

<http://img19.imageshack.us/img19/3624/page11.jpg>

Go for the Gold...Closing

Here's the biggie, how to get your money! I love this one, if the customer says he wants to talk to his webmaster: "Your webmaster is more like a graphic artist; they don't design sophisticated software which tracks search engine placement algorithms...blah blah blah."

Blah blah blah??? What is this, Seinfeld?

Next paragraph, get the money! That's what it is all about.

If it turns out that money is the problem, don't worry, you can put it on a credit card! Now, I've read this next bit several times, and I'm still not sure if I understand what the hell it means. If a potential customer has money problems, the solution is for them to use a credit card to purchase Traffic-Power's services. OK, that makes sense, but here is their justification: **"Why don't you do what the majority of my clients do, and put the \$3000 balance on a major credit card. That way, you can market your website to over 90% of internet users with absolutely no money out of your pocket. Let's say it takes you 6 months to pay off your card. Now you have six free months of pure profit from your web site, without using any of your own money to get started."** Um, does this make any sense to anyone? Does that mean if you pay them off in one month, it would be like 11 months of free advertising?

Can someone explain this one to me? My email address is webmaster@trafficpowersucks.com. Drop me a line.

<http://img28.imageshack.us/img28/2415/page6.jpg>

And last but not least, another used car salesman ploy, getting the "Finance Manager" in on the deal.

Ugh, I'm getting sick from reading this crap and typing my thoughts on it. How is this company in business? This page is the "wrap up", get the money, get the money, GET THE MONEY! They know that once they have your money, you are not getting it back. And finally, once they have your hard earned cash, the last thing they try to do is get a little more, by selling you two more packages. Lovely.

The End

Note: My apologies to any used car salesman out there who I may have offended, I did not mean to imply that you are in any way comparable to a Traffic Power salesman.

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Plagiarism?

Disclaimer: Do I need a disclaimer on this page? I'm pretty much showing hard facts, proof that the pages that were produced by Traffic-Power contain content from other people's websites, with no mention the the Traffic-Power page where the information came from. In my "campaign" I found a page stolen from a very large company, and Traffic-Power even copied the companies copyright at the bottom of the page and included it on mine. My company's banner was prominently displayed at the top, it looked like I had plagiarized the page.

Yes, I've said that Traffic-Power Plagiarizes information from other people's websites. Want some proof? Here you go!

Update 6/21/04: Traffic Power changed the page I listed on 6/10, but I made a copy which can be seen [HERE](#) (the page that was this was plagiarized from is [HERE](#)). I've removed the links to people's websites. The stolen material is on the right in the pink box. I'm not going to list any more stolen pages on this site, instead I am contacting the companies who are unknowingly listed on the pages, and the companies who are having their pages stolen. These Traffic Power customers and the web page originators will then be given the web address to sign up for the Class Action Lawsuit against Traffic Power, if you would like to sign up, [email me](#).

Update 2 6/10/04: Took about 5 minutes, and I found another

possibly stolen page: Check it out, go to:

<http://www.onlinewbc.gov/docs/manage/leading.html>

and compare it to the article on the right at

<http://www.business-office-productivity.net/index3.htm>

UPDATE 1 6/10/04:

The plagiarized page I found has been changed by Traffic-Power to an older page they used to have up. Don't worry, there are plenty of others out there, the next one I find I will be contacting all of Traffic-Power's clients listed on the page before posting it here, and I'll cache it.

This does prove one thing though, Traffic-Power is aware of me and my site. If someone from Traffic-Power would like to dispute my findings, I would love to hear from them, my email address is webmaster@trafficpowersucks.com.

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Update 8/31/05

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FAQ

I'm getting a lot of questions in emails every day, I figure you folks can use a good FAQ. Here they are in no particular order:

Q: Who are you, and why did you start this site?

A: I'm not going to tell you who I am. Suffice it to say, I am someone who was wronged by Traffic Power. They know who I am. This site is my answer to Traffic Power's unwillingness to refund money which was, I believe, taken from me under false pretenses. Most of the emails I've received from others tell a similar story, but I do receive some rabid Traffic Power supporters threatening me, and I'd rather they didn't know where I live.

Q: I've lost money to Traffic Power/My site was just banned from Google. Can you help me?

A: If I knew the secret of how to get your money back from Traffic Power, I would have never started this website in the first place. As for the Google bannings, it is hard to say 100% whether a site was banned because of Traffic Power, or some other thing the site owner has done. Even if I were to prove that your site was banned because of Traffic Power, as far as I know the only thing to do is re-submit it to Google after fixing whatever got it banned in the first place.

Q: Has anyone from Traffic Power contacted you?

A: I've received a few emails from people at Traffic Power. One "Sales Manager" told me my site was garbage and I didn't know what I was talking about. When I emailed her back so she could point out exactly what was wrong on my site, she told me my "list of blacklisted websites is wrong". When I mentioned that I didn't have a list of blacklisted website, in fact (until this page) I had never even mentioned the word "blacklisted", she never emailed me back. Typical.

I also had a call from them, my caller ID said Traffic Power. I didn't answer it, I know better. Rule number one: **Never talk on the phone to anyone from Traffic Power!** This is what got me in trouble in the first place, I was guaranteed things on the phone, and when I called them on it, their answer was, "If it isn't in writing, it doesn't count". I received an email about 10 minutes later from someone telling me he was trying to contact me "in regards to an email" he had received. I emailed him back and told him I would only talk to him via email, as I had to have everything in writing. Guess what: He never emailed me back either.

Q: What do you want from Traffic Power?

A: That's easy. I WANT MY MONEY BACK. Period. End of story. Not one penny less of the \$4001.00 I spent. When that money is in my bank, I will wash my hands of this mess and never think of them again. I told them about 9 months ago, when one of my first credit card disputes didn't go through (I think I did 6 total, I lost every one) that if I didn't get my money back I would cost them a lot more than I had lost. I even gave that to them in writing. Guess they didn't believe me. So far it has cost them at least \$37,000.00 (as of 6/28/04), check [HERE](#) to see if the total has changed.

Q: What can we do?

A: Again, I don't know how to get your money back from Traffic Power. One thing you can do is to sign up for the potential Class Action Lawsuit against them, if you would like to be included, just email me at webmaster@trafficpowersucks.com. Another thing is to possibly complain to Google, I don't know if it will do any good, but it can't hurt. If anyone knows how to get in touch with some of the higher ups at Google, email me the information, and I will do what I can.

Any more questions? Email me!

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Money Saved So Far: \$643,200.00!

Updated 8/18/05

Wow, it's been a while since I've updated my total here. Can I hit a million bucks?
Let's find out!

Or, Traffic Power (or 1P.com, or First Place, or Adnetpros, or whatever they are calling themselves this week) can give me my \$4001.00 back. As they've known since day one, if I get my money back, the website comes down, the class action suit stops, and they never hear from me again.

Yes!

As of 2/1/05, I have hit my goal, and taken over 100 times what Traffic Power stole from me, away from them. It took a while, but I did it, just as I told them I would. What now? Well, I'm not taking the site down, I'll keep trying to help Traffic Power victims. The Class Action suit is still in the works, when that starts, I will have information here. Thanks to everybody for the emails telling me how much my site saved you, glad to be of service. Keep them coming, I'll keep updating the total on this page, maybe I can get up to a million!

| | |
|--|--|
| | <p>Thanks to us, several companies have been spared the ordeal we went through with Traffic-Power, and we will keep a running total at the top of this page. If we have saved your company from Traffic-Power, please email us at webmaster@trafficpowersucks.com so we can add your savings to the total. Our goal is 100 times the amount that Traffic-Power stole from us (they stole \$4001.00 from us), so we won't be happy until the total is \$400,100.00. That's a ton of money, but we won't quit even if it takes us 20 years! So give us a hand, and help to put a rip-off company out of business!</p> |
|--|--|

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A New Scam?

Note: The following is my opinion only, but it is based on research and personal experience.

OK, so Google bans Traffic Power customers, and the very next week Traffic Power sends all of their customers an email. Of course they do not say anything about the Google ban, they tell their customers that they are doing things a new way, and the customers have to take all of the Traffic Power code off of their web pages. Traffic Power claims that they are going to have all of the websites on their own server from now on, nothing on their customer's web sites.

Here's the problem: Say Joe starts a small online shoe store, and hires Traffic Power to create some websites for him. Traffic Power charges him (for the sake of argument, I'll say \$3000.00) and creates 3 new sites all about shoes. Joe has no access to these sites, they are all maintained by Traffic Power on their own server. A couple of months later, these new websites hit the search engines, and maybe Joe starts getting more hits. A year later, for whatever reason, Joe decides not to renew his contract with Traffic Power. End of story? Not quite.

The next day, Traffic Power starts cold calling online shoe stores, and they sign up Mary, who also sells shoes online. They charge Mary \$3000.00 for the creation of 3 sites they will keep on their server. The thing is, they don't have to create 3 new sites... Joe already paid for that last year. All they have to do is change the URL's that these already listed pages point to, and Mary starts getting hits the next day.

There are several problems here. Joe has paid \$3000.00 to ultimately help his own competition. And Mary has paid \$3000.00 for work that was already done for someone else. The next year, Mary will have to stay with Traffic Power, or the pages will go to yet another shoe site, one of her competitors. Who wins? Traffic Power.

| | |
|--|---|
| | <p>Again, this is just my opinion, though I have seen other companies do the exact same thing (Traffic Logic is one of them). It will be a year from now before this starts happening to today's Traffic Power customers, I'm guessing we will be hearing from a whole new set of victims when it happens.</p> |
|--|---|

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Update 11/17/05

I have just received an email from the lawyer who has been working on the class action lawsuit against Traffic Power for 15 months. This lawyer, John Halebian from the law firm [L. Stewart Halebian LLP](#) contacted me on August 9th 2004, saying that his firm had done research, and that they thought there was "a basis to bring litigation". I would like to say again, he contacted me and offered to take the case. At the time, I had been working for Traffic Power in New Mexico, and although things were progressing, the law firm involved was exactly excited about the whole thing, so when I received the email from Mr. Halebian, I felt like the gods were finally smiling on our cause. It appears that I couldn't have been. As the months went by, I furnished Mr. Halebian with every iota of information he requested. Over the years, I've received thousands of emails from people who have been affected by Traffic Power, from those like myself who have lost a couple of thousand dollars, to companies who have had to lay off employees and even go out of business completely. Also, I've heard from ex-employees of Traffic Power, who have furnished me with a ton of information. All of this information was offered to Mr. Halebian.

As the months went by, I got a bit antsy, and finally in January of 2005, I sent Mr. Halebian an email asking for some kind of update. On January 6th, 2005 Mr. Halebian emailed me saying "the complaint" that was about half filled out, and said that "the case has been on the front burner and we should get very close to wrapping this up in a week or two." Again, that was January 6th, 2005, over 11 months ago. Every couple of months, I would ask for an update, and I would receive excuses along with assurance that the law firm was still very interested, "even more than before". In the meantime, I was receiving emails every day, from Traffic Power asking me for information on the class action suit. I told each person the same thing: the class action suit was in the works, and as soon as I knew something, I would post it on my website. And here is the post as promised, I'm writing today to say that I have received an update from Mr. Halebian, the man working on the class action suit for over 15 months, that his firm will "not be able to continue to pursue any type of legal redress on your behalf".

The reason? It seems that since Mr. Halebian's law firm is in New York, and Traffic Power is in Nevada, a Nevada law firm is needed to help with the suit, a firm that is experienced with consumer fraud, Nevada law, and class actions. As far as I know, Mr. Halebian had contacted one law firm, at least that was all I was aware of. Apparently this law firm has passed up the class action suit, and so, Mr. Halebian has decided to drop the whole thing.

So, it looks like we are back to square one. I'd like to apologize to the thousands of people who have emailed me asking about the class action suit. I will start contacting new law firms tomorrow. I do have a LOT more information now than I did 15 months ago, so things will go a little quicker this time. Unfortunately, I have virtually nothing to show for the past 15 months except for a half filled out form, but hopefully the next law firm will be able to do a better job than [Lovell Stewart Halebian LLP](#).

I did offer to Mr. Halebian a chance to address everyone about what he has been doing with the lawsuit for the past 15 months. If he decides to answer, I will post his response here. I personally like to see what 15 months of work on a case like this looks like, and I'm sure a couple of thousand other people would like to see what they've been waiting for all this time. Also, if Mr. Halebian decides to share this information with me, I'd be more than happy to post it here if that is appropriate, or pass it along to the next law firm if it is not information I can post here.

Class Action Law Suit

Update 5/12/05: Thanks for everyone who has emailed me from New Mexico. While the NM lawyer was (slowly) working on the case, I received a call from a law firm in New York who wanted to take the case on, so I switched over to them, and it has been in their hands ever since. I've received the paperwork that they are going to file, it was incomplete and looked like a lot of legal mumbo jumbo to me, but it was the real deal, and they are still working on it. When the lawsuit is finally official, I will post details on this page.

UPDATE 8/19: OK, we have so far TWO companies in New Mexico that are ready to help out. They have been in contact with the law firm handling this case and things are moving forward. I still can't make any promises, but things are looking good. I'll post info here as I get it. We could still use some more New Mexico companies!

We're looking for someone in **New Mexico** who was a Traffic Power Victim! We have a law firm interested, but they are in New Mexico, so they have to prove that Traffic Power has defrauded someone there before they can start any kind of lawsuit. If your company is in New Mexico, [EMAIL ME!](#)

If you would like to be included in the Class Action lawsuit against Traffic-Power, email me with your complaints against Traffic Power at webmaster@trafficpowersucks.com.

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Update # 2, 10/21:

OK, I've taken some time to do a little bit of research on this situation, and what I've found is that no one knows anything about anything when it comes to these fake forums. Here are the possibilities as I see them:

Scenario 1: Traffic Power created them - To me, this makes the most sense, though I have no way to prove it. The site was registered anonymously, I believe it would take a court order to find out who it belongs to. I'm involved with enough lawyers trying to get this class action suit off the ground, someone else can tackle this one. There are a lot of bad things being said about a lot of companies, I'm guessing someone could sue for slander or libel or something. But, who are they suing...

Scenario 2: A Traffic Power supporter created them - Also very possible, maybe even someone who works for Traffic Power is doing this on their own during their spare time. This could also be a scenario that Traffic Power could bring up when everyone finds out who is responsible, they could then claim ignorance and fire the patsy.

Scenario 3: A Traffic Power reseller created them - Another possibility, though doubtful. Someone who didn't know this was a scam would end up going to Traffic Power or 1P, not to a reseller, at least from what I could find on the fake forums themselves.

Scenario 4: A Traffic Power hater created them - This is, for some reason, what I have been finding online in different forums. Personally, I can't follow the logic behind this, but a lot of people are saying it. Apparently it is believed that someone

who has it in for Traffic Power created the forums, so that they could come in as a "white knight" (I've seen that term on several forums) and "save the day". Again, I don't see how someone could "save the day" if they were the ones who created the fake forums in the first place. And why would anyone who didn't like Traffic Power do anything that would mislead some poor fool into believing that Traffic Power was the best SEO out there?

My conclusion? It is my opinion that Scenario 1 or 2 makes the most sense. But, I could be wrong, and in the interest of protecting the innocent, I will remove all links to the fake forums, and discussions about the fake forums, until I get some answers. If anyone HAS some answers, please feel free to email me at webmaster@trafficpowersucks.com. I'm washing my hands of this one, for the time being.

Fake Forums

Update 10/21: Seems there are a lot of accusations as to who actually set up the fake forums. Possibly it was someone from Traffic Power, possibly a Traffic Power supporter, and possibly someone who doesn't like Traffic Power very much. I don't know why anyone in their right mind would support Traffic Power, and I don't understand why someone who is against Traffic Power would want to put something out there that would fool people into going TO Traffic Power for business. But, I don't have all the facts, I'm just posting what I've found, if anyone has any insight into this, email me at webmaster@trafficpowersucks.com.

UPDATE 10/5: Sorry I haven't updated in a while, I have an actual business to run and sometimes I get a bit busy. Just read something interesting at [Site Removed](#), about yet another new scam Traffic Power is allegedly doing. Seems like they are setting up a bunch of fake forums, and then they post fake stuff about how great Traffic Power and 1P (their new business name) are. Do yourself a favor and read the whole page [Removed](#). Thanks to whoever put the info together, it was most informative.

Update: I just went out to a few of these fake forums and did a little digging around. Oh my God, what a trip! Remember the old Superman comics, when they had the Bizzarro world, and everything was the opposite? This is the Bizzarro forum! You can go to just about every REAL forum online and read about each different SEO, and you'll notice most people have nice things to say about all of them except for Traffic Power. On these fake forums, everything said about all of the other SEO's is bad, but everything said about Traffic Power or 1P is GREAT! Ha! It's funny if you know what's going on, but it's sad to think that unsuspecting people are falling for this crap. I'm going to have my lawyers look into this, maybe have them post some

| | |
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| | <p>derogatory stuff about Traffic Power and see that it never shows up.
I'm guessing this will be considered some kind of fraud in the
courtroom.</p> |
|--|--|

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Your Emails

(Updated 8/18/05)

These are just some of the emails I've received in response to this site. Names will be removed (unless you request to have your name posted). Note: I make no claims that anything posted in the following emails are true or false, I am posting them exactly as I receive them:

Note: I'm going to stop adding emails to this page. For every email you see here, I have at least 5 more saying the same thing, enough emails for you to read all day, so I'll leave this page as is.

Please add me to your list. and let us know what's involved in shutting down Traffic Power. Without going into a long story about our dealings with them, our experiences are identical with the e-mails I've been reading on your site.

They are threatening us, and using many other aggressive scare tactics to extort more money from us. We are an honest, traditional (company), and not used to people like this. I am happy to cooperate with you.

1-p.com almost took me until I found you guys. Add \$3000 to your total and keep up the good work.

I got screwed by Traffic Power too. Valerie just called me threatening to "sell my web pages" to my competition. I yelled "screw you" into the phone and hung up."

I paid them \$2500 for NOTHING. They did nothing to help me and my web site performance did not improve one little bit.

I warn everyone to stay the hell away from these people.

I'm a furious right now but calm. I just got off the phone with the traffic power representative that's looking over us and she admitted to the google banning Traffic Power and so forth...their customer service lied to me (3 employees) that you were a competitor, google never banned them, so forth. She is now claiming that traffic power how fulfilled their promises and that our accounts are expiring...that the lawsuit is a joke and there is no lawsuit...that we can't ever get our money back...I told them, "You haven't done a thing!!! Our hits remain steadily the same from last year, nothing has improved..." My father and I will tag team on the phone soon against her again...but we caught Traffic Power lying to me.

We actually disputed the charges with Amex and got a refund. They have since threatened a law suit to get paid. We chose to ignore this law suit.

About two years ago we were using Traffic Power for SEO and even tried their Mail Power program. We did not see any improvements in our ranks within any search engine. Not long after they complete their initial work on our site we were no longer listed with google.com. I contacted Google several times using different subjects until I finally figured out a way to receive an e-mail from an actual person. We emailed back and forth several times to find out why we were banned from Google. I guess I wore him down enough until he finally asked who was doing the SEO for our site. I replied and told him it was Traffic Power. He was careful not to use their name specifically, but said yes we had been banned because of unethical SEO practices. I then removed all content that Traffic Power created from our sites. I emailed the guy back at Google telling him that all Traffic Power code and pages were removed from our server and with this they placed our sites back into their listings. The bad news is that we had at least top 100 positions with Google for almost every keyword we were interested in and every since this has happened we can not seem to get listed in any relevant keywords to our site other than our company or product names. We have top ten positions on MSN, Yahoo and several others, but are not even in the top several thousand in Google since this happened. Therefore we have had to use the Google AdWords advertising to receive any traffic from Google which costs us about \$5000 per month. We since hired another SEO company who has given a sweet deal. We don't pay unless they get us listed in the top ten on Google. They have not been successful at all and are baffled trying to figure out why, but I think I already know that answer. I hope this helps get what we and other deserve from Traffic Power. By the way, can you believe that Mike Tracy with Traffic Power actually had the nerve to call about a month ago trying to get us to allow them to do additional SEO on our sites and more e-mail advertising which does not work?

Good luck with your lawsuit, but we got our money back from them by just threatening to go to court.

Traffic Power basically got me kicked off of my main source of traffic - Google.

I was making 5000. a month and then nothing. This resulted in me having a loss of income and resulted in my having to not pay some of my bills. It pretty much has put me in the brink of bankruptcy.

I have been a client of 1P.com for four months and am very dissatisfied with their service. They have done very, very little in the way of getting good search engine position for me. They purchased two domain names for me and used 40 key words. To date I have minor rankings in 3-4 search engines. My website...is not in Google any longer. Feel free to pass this information to the attorneys or to contact me personally by phone if you feel that is necessary.

I have complete information I can fax to you regarding the credit card dispute with American Express. I lost that dispute due to the fact that they had a phrase in their contract that says "no refunds apply"

Of course, I ended up with a "service" that got me de-listed from Google for three months.

Traffic Power charged me on 5/29/04 in the amount of \$2000.00. I'm out that amount plus the downtime from not being listed on Google.

I've received no hits from the "promotional" page they created for me. Complete rip off. I tried to fight it through Amex but the agreement they had me sign was the deal breaker.

Prior to using TrafficPower, our websites were listed prominently on major search engines including Google, Yahoo and MSN. We chose TP to help promote 40 targeted keywords relating to our product line, shortly there-after, our placement dropped in all search engines and two months after beginning the TP service, we were booted from Google due to doorway or gateway pages.

It took us over 9 months to become re-listed with Google and to this day, our placement has never recovered 100%. We're out a few thousand dollars paying for TP's 'services', not to mention lost business since the majority of new engineering customers learn about our online search engines for plastic materials information through Google.

We suffered about \$30K in damages due to being banned from google. So it had an effect on our sales. We did get a refund by our credit card company to our card. But now traffic-power is threatening to sue us for the money they claim we owe.

I forwarded their letter to our attorney and he sent them a letter. So far no response from them.

I feel pretty good about the fact that I did a little research before signing continuing on with 1P and didn't get suckered like some more veteran businessmen. Your site certainly helped!

My little company designs websites and of course we need to make optimization a

priority, but we would prefer to leave it to an expert. We haven't found one yet so it seemed like 1P's sales pitch was promising. We weren't about to pay \$5000 for optimization ourselves, but we have clients that would. That is how we were offered to take part in their "Merchant Agreement." We would get 40% of any referrals. It involved flying out to Las Vegas to get trained. Looks like we were offered the opportunity to join in on the scam.

About one year ago, our company was contacted by traffic-power and after a "negotiation" which went pretty much the way you describe on your website, we signed a contract with them.

We were tipped by a former traffic-power employee about the problems with Google, and then we started making extensive research about the actual traffic-power practices.

To our dismay, we have discovered of the way traffic-power customers have been misled by this company and we are extremely at this whole scam.

We will be very interested in participating in the upcoming lawsuit.

I can't believe I didn't do my homework better. So I'm out \$2500 and the portal site appears to be banned by google. It's getting about 4 visits a day! Let me know if there is a class action I can join in or other legal stuff. I'm considering small claims court. Do you know if google is taking any actions against 1p.com clients? You should take donations online for a legal fund. Seriously, a kick ass class action firm could really fix them good. Thanks for you efforts.

I just contracted with them 2 weeks ago. I just found all this "STUFF" All BAD of course, about First Place, i.e. Traffic-Power. I don't think they have done anything yet which is damaging to my site, but I fear I will loose my \$2401 which I put on my AMEX. I have emailed them telling them they are to stop all work, which at this point was the beginning of the key words to develop the "shadow page" or whatever it is. See I am not savvy in this business, that's why I thought they could help me. It appears they will do more damage than good. If I loose my website positioning, which is not good to begin with, it will destroy my business.

Thanks for the warning site. Stopped me from burning \$1,500+. Gotta believe you - you have better position than them on Google! Sometimes little guys can outrun the wolves.

Just received a phone call today from "Traffic Power" saying that our contract is "expiring" and we need to renew. We informed them that we had asked in writing last August to cancel our contract, so we would not be renewing with them.

The rep said, "Okay, we'll just sell your re-direct page to your competitors." This was followed by threats and intimidation. I asked her not to speak to me that way, and she said, "I'm just telling you what's going to happen if you don't renew" (in a very smart ass tone). I said, "Great!" and she hung up on me.

Just thought you'd like to know that they're still out there with their pushy reps and

still identifying themselves as Traffic Power.

I read your complaints about traffic power, and I had to email you to let you know that I am currently mailing complaints to VISA for refund(s). You see, I didn't get diddly squat from their SEO services (about \$2,100 charged to my card), and then they upsold me on banner advertising, and also Conversion Consulting. Wow you must think I'm a sucker. But I was tracking web hits to my site, and still on average of fifty visitors per day, I was not getting any business. No one was clicking through my shopping cart and buying my product. In their consulting contract, they did specify that if I followed their advice, I should realize sales to exceed 10% of my gross revenue, and if that did not happen they would give me a full refund.

Well, the refund has been "in review" for almost a month and a half. I keep calling them, emailing them, but they still say that they are reviewing still. So I went to VISA, and asked for refunds. I wrote them letters explaining that although two of the three contracts specify "no refunds", I'm justifying a breach of their contract that they (1) caused me to be banned from Google, (2) they didn't achieve (8) out of my (10) keyword phrases to reach the top (10) ranking of Google, MSN, Yahoo --- but other very minor search engines such as "MAMMA". Who the hell uses Mamma search engine to shop for toner???

Their web consulting services didn't pan out for me. But what burns me, is their overall lousy customer service, their over promises orally over the phone, and under delivered results. They bilked out of seven thousand dollars, and now I'm in big credit card debt because they are totally uncooperative in at least giving me a partial refund. The last conversation I had with a lady started out calm and polite, but while I remained polite and persisted to ask her if any refund was forthcoming, she kind of giggled and said something to the effect, that "It's not like we're trying to blow you off". I another thought came to mind, but I didn't respond to her strange expression.

No, I think traffic-power &%*@ed me. They didn't blow me off. So I just wanted to let you know, and that I'd like you to include me in any class action lawsuit you are brewing up against these crooks from Las Vegas.

Our company was taken by them for \$3,000.00 and now that I am refusing to pay more since they did not do what they said, they are threatening to send me to collections.

Please let me know - I am happy to work with any attorney here (I am a former paralegal!) and would work hard to get this going.

We would like to join the class action law suit. We signed up with Traffic Power a year ago and not one thing has happened with our site, in fact, we have not heard from them since last May...when we try calling, all we get is the run around...and of course, no manager we can speak with. We have lost \$4,000 to these people, we are a small company with just myself and my husband working, we have put our sweat and tears in to this website only to not have it go anywhere in over a year.

Since November of 2003 I have trusted in traffic power to increase my websites traffic as they promised. Finally after 8 months of continued promises and no results I demanded our companies money back. After 2 months of this, and nothing but empty

promises for a refund, I decided to give them a second chance. This time I was in direct contact with a supervisor named Violet who assured me huge results within 6-8 weeks. I even brought this website, and many others like it, to her attention. She said that it was because of a mistake on some clients part that was many years ago and everything was now better. Even though I didn't believe her I decided to give it another shot. Here I am 10 weeks later and still absolutely no increase in my website traffic and \$1400.00 in the whole (with interest over 2 years I figure around \$2,000). Please share my story with as many people as possible and rest assured my team of attorneys will be hammering at these crooks door!

Thanks for spreading the information, i was also robbed \$3500.00 dollars and i did not get anything from the work they did for me.

I have done what looks like the stupidest internet advertisement ever. I gave traffic power 4 grand for this supposed great advertisement. They promised me that I could pick 20 words 10 of which they "PROMISED" "GUARANTEED" would be in the top 10 of ALL the search engines. I was new to the internet business and wanted a kick start and so I fell for it. Now here it is 7 months later and I have just a couple of my key words placed but they are like 4th maybe 5th page if that but 0 in the top 10. I have called them and heard all the excuses like the words are too general it takes time to get ranking, etc. And they even tried to get more money out of me to change my website to make it "more user friendly". But on the original agreement from the sales guy He said and I quote "It takes 90 days to get the spiders rolling" and the metatags and all that internet jargon. After that that is 3 month then the top 10 placements would begin. I have seen some of the emails from other disgusted people who got "conned" Screwed" whatever. I was wondering is there anyone maybe that would want to try to file a class action lawsuit against or is it even possible. I guess I should talk to an attorney. Thank you.

Your page is very helpful ! i have been reading your page for a while, I am still disputing with AX regarding to traffic power charge, it was back last July. I am determined to fight till the end. I have not paid them anything... though the dispute has been turned back. I will keep sending them in.

In reading your pages, and doing research on my own, it is interesting to note that the Owner of the Traffic-power.com has registered very similar companies, in addition to 1p.com

check out this page,
<https://esos.state.nv.us/SOSServices/AnonymousAccess/CorpSearch/CorpSearch.aspx>

if you input the name " Judah May"

You will get a list of companies

tec-power.com

first place

worldwide internet advertising

local search

seach engine power

.....

I hope this is helpful, especially if there is a class action suit.

Also if you check with City of Las Vegas, business license dept. it seems that they

have no valid business license. I am using all this tools to fight with credit card company as well.

Very good job on getting that site up!!

Just wanted to let you know that I have a client that got screwed by them and they are trying to come up again under the name of <http://www.adnetpros.com>

Post it on your website. Those guys are selling lies!

I'm so pleased that I found your website. It's great to see that I'm not the only one pulling my hair out about Traffic-Power/1P.

I would like to know if you are collecting names for the potential lawsuit or if you have a mailing list for updates. We have a small company (in California) and were "taken" by Traffic-Power last year. We would definitely be interested in being kept up to date on potential legal proceedings and how we might be included if it comes to pass.

My name is Shannon Port (you CAN post my name), I WAS a traffic-power.com employee. I know A LOT of the the tricks that were pulled and scams that they used and still use to pull one over on their clients. Mr. Matthew Marlon, the owner hires people to help him come up with these scams. Please contact me back.

I think we may be a victim here in New Mexico. We have signed up many months ago and nothing from traffic power. No good placement. I really would like our money back.

Problem with Traffic Power. (name withheld) paid 1265 for SEO and was caught in the Google problem in mid 2004. Under the new company they created a new website called www.sitewithheld.net. I have filed a claim with American Express and the Better business Bureau. I have had my attorney in Oregon send them a demand letter requesting a refund. I would do anything I can to get even with this company. If there is a class action lawsuit I would be glad to join.

Hi - I've been trying to get a chargeback issued through Amex for the past 8 months... seems to be going nowhere. I had three websites "optimized" by TP and like everyone else was banned from Google until I removed the code etc. Thanks for pursuing this.

Please count me in if I can be included in the suit.
Thank you so much for putting up the site to let everyone know about them .
They hit my 60 year old mother too. got her for 3000. Never did anything for her.....same ol same ol
we would both be interested in pursuing them with you.

I, like so many others, was ripped off by traffic-power. They had a guy high pressure me into paying 3000 to get my site listed "guaranteed" they actually re-directed MY

business To MY COMPETITIONS web site by making a mistake and listing re-direct pages as .com when My site is a .us so all the sub standard work they did actually directed everyone to a totally different web site. They had plagiarized "ghost pages" that went to a competitors web site. (I think they were supposed to link back into MY own site)

I actually went BACKWARDS as far as getting my site listed in the search engines. Then several weeks ago they sent me an e-mail offering to extend my contract for free for 3 months (they admitted they had done ZIP for me) that is when I learned about them creating another web site that traffic- power owns and controls to feed me hits (supposedly) This is NOT what I signed up for!! This is NOT the deal I agreed upon.

The way they tricked me is to stall until my time to charge back my credit card payment had run out. I think they are extremely aware that after 6 months most banks will not allow customers to back out of a charge. They kept giving excuses and technical double talk to keep me pacified until my time ran out and now they won't even answer my e-mails or give me anything at all. Worse than that is that if I don't renew with them they will sell the work that I paid them 3000 to do to one of my competitors. I'd LOVE nothing more than to be part of the class action law suit against them they are criminals that should be in jail!! Period!! Traffic Power is bilking the American small businesses out of much needed capitol and they are operating a continuing CRIMINAL enterprise. When is someone in power going to look into this and put a stop to these criminals?

Can you tell me what lawyer may be considering a class action law suit. I certainly would like to add my \$3000 to it.

I have been screwed over by Traffic Power. Traffic Power EVEN COST me loosing one of my vendors. I would like to be included in the class action suit.

About a year and a half ago I signed on with Traffic power with a salesman named Dave. I went through the process, didn't see much results, and basically felt that they were competent, but dropped the ball with me.

When i got a follow up call a few months ago, the gentleman explained that that person was no longer with the company, and they apologized immensely !

Then he went on to tell me how they've also improved on the software since then. He subsequently took me to search engines, and showed me customers of theirs and the results they've gotten for them. He told me how there were 20 words in a "campaign." Eventually after I was interested, they made me a great deal since i had problems previously. They gave me two "campaigns" instead of one at the 2004 price of \$3000. They told me it was going to be 4k in 2005.

Also, they let me pay 1/2 down and 1/2 in 6 months in a "performance guarantee" since I had previous problems.

I'm embarrassed to say I fell for it completely. Right now they have the two "redirect" sites up that will take you to my website. I'm not so much worried that they aren't competent, but my webmaster has informed me that they will get me banned on Google since they use tactics that are questionable as far as Google is concerned. (when giving me the sales pitch, the guy mentioned that they were

making big progress within google, and that google didn't like them and were basically enemies so to speak)

Bottom line is what do I do now? Do I ride this out and take chances with Google (where I've had successful AdWords fyi) or do I confess to almighty Google and beg for their mercy ???

(webmaster's note: This one is long, but worth reading)

This is my story,

I work for a large, multi-million dollar manufacturing company that distributes our products to thousands retail stores, including every Wal-Mart in North America.

Yesterday we received an urgent call from someone stating that our Web page had "some serious coding errors and major issues" and that he had to speak to the owner of the company immediately. Because the call was about our website, and seemed extremely important, it was transferred to me. I am my company's IT/Web Director and actually designed four of my company's websites, including the one in question, myself 2 1/2 years ago. (It's important to note that the call was transferred to me without knowledge of the person or reason for the call - just that it was important.)

The gentleman introduced himself as Joe, from First Place. He proceeded to tell me that he could guarantee my company "top placement in several popular search engines including, Alta Vista and Lycos". I was seriously annoyed by the fact that a salesman had somehow talked his way from the highly-trained operator, past my personal assistant, and straight to the Top Dog, so my immediate response was "Who uses Alta Vista and Lycos anymore? Let's talk about Google and Yahoo!" He laughed and begin to tell me how his company could put us at the number one position on at least eight search engines. I told him to prove it, so we went to 1P.COM, where I received the full tour, including password-protected access to some of their client's traffic reports. I must admit, I was very impressed. I proceeded to tell Joe that I considered myself an SEO expert and would need to know more about how they planned on putting us at the top, since I had been working on that myself for years. Joe passed the phone off to one of their "engineers", who told me all about the proprietary software they had developed and how it would automatically optimize (re-arrange the home page content) and submit our site to the major search engines on a daily basis. He said that Google and the others would recognize that the site's content changes on a daily basis, and therefore index it daily - just like it does with CNN.com, ESPN.com, FoxNews.com, et al. This seemed brilliant to me and I told him that. Then I asked about pricing and a guarantee. The price? \$4001. The guarantee? Our website on the first page of at least 4 major search engines, under at least 8 of our 20 keywords. SOLD!!!

Joe was back on the phone in a jiffy asking for a credit card number. He told me to check my e-mail for the contract. Sure enough, there it was. I told Joe that we were a large corporation, and that we had procedures for spending \$4000. I told him I needed to run it by my Board of Directors at a 10:00 meeting the next morning, but if he called me at 1:00 that afternoon, I'd have the "o.k. to pay" and a signed contract for him. Joe was disappointed, but understood.

I pitched the whole thing to the Board the next morning. They asked if I thought it was a legitimate company and money well spent. I said absolutely! They said, sign

the contract yourself and send it on...

Joe called promptly at 1:00. I told him it was a "go". He said "great", and asked for the credit card number. I reminded him that we were a large company, and that there were procedures: I would sign the contract, then send it, and a purchase requisition, to Accounting, who would then cut First Place a check and send it with the contract.

This is where it starts to get crazy...

Joe told me that they don't really take checks, that most companies just give him a company credit card. I told him we don't "charge" anything when a contract is involved. He seemed completely stunned by the news, but said he would ask his boss about the check. He put me on hold and returned about a minute later with the news that they could take a check, but they would need someone's drivers license number on it, "whoever signs it". I reminded Joe, yet again, that we were a multi-million dollar corporation, and that a computer, or a stamp would probably be signing it. Again, he was stunned. Joe asked me how long the payment process would take, and I told him a few days. NOW GET THIS - Joe then asked if I could speed-up the process by faxing him the signed contract immediately, and then personally walk the purchase order to Accounting, wait for the check, and then send it overnight! (Big red flag!) I told Joe to slow down, let the process play-out, and he would have the account. Joe responded by telling me that 1P.COM will only allow three clients within the same "business type" that share the same keywords at a time, and that he couldn't guarantee that they can "take us on" as clients by the time the check arrives, because they are going to continue having their salespeople call-on our competition. I told him I'd fax the contract and he would get the check soon.

Joe called as I was leaving work this evening, at 4:58 PM, and asked about the contract and the check again. I told him I would fax the contract "right now" and the check was on its way. He seemed pleased.

On the drive home, I replayed the events of the day over in my head. I determined that not only was First Place a horrible company, but probably unethical as well. I went online as soon as I got home to find proof. Within minutes I found out from seoconsultants.com that First Place used to be Traffic-Power. That piece of information led me to trafficpowersucks.com, and that led to many forums and bulletin boards, as well as the LVBBB.

THANK YOU for saving my ass! I almost made a serious, possibly even career-killing mistake. Instead I learned a valuable lesson. Please add \$4001 to your running total and accept my sincerest gratitude.

Good luck on the class-action law suit

After signing up with First Place in early November of 2004 (they used the "if you sign up today and pay for the year you'll get \$500 off"). Ok so it sounded like a pretty sweet deal and I requested a rush to be put on so I could hopefully get some placement by Christmas for my apparel site www.sitewithheld.com. I became impatient with how long it took them to conduct their "keyword analysis" and I threatened after Thanksgiving to cancel my service and get a refund.

After ruffling some feathers they finally completed my site and it looked like crap. It was terrible. Just to give you an example they use white text on light gray for my

links....who the hell could read that? Anyway so now I was pissed and I let the sales department and customer service know it. The funny thing is that most of the time I would get a voicemail box and if on the rare occasion someone would call me back I would get the runaround or they would call me at the most inopportune times and not leave a message (thanks to caller ID I knew they called). I managed to get a few cell phones and that was key.

Once January came, I had it. I filed with the Nevada Business Bureau and the Pres of First Place responded by highlighting their "no refunds" clause on the contract. My response was to highlight the contract where it says "all fees include tech support, customer support, and customer requested changes", none of which I received in 2 months. I also filed a claim with the Internet Fraud Department of the FBI and I disputed the charge with my credit card company. I also e-mailed the customer service rep assigned to me every 3 days flooding her box with reminders that no one had contacted me about my refund; pretty much I annoyed her and I laughed.

During that time of filing I came across your website and read all the testimonials and wish I had seen this site beforehand. As luck would have it, out of nowhere I received a receipt in my e-mail that my credit card had been credited the full amount!!! I have since confirmed this with the company.

So there you have it, that's my story. I really believe that you have to make it known to them that they did not complete their end of the contract and simply be bigger annoyance than they are.

Yes I got taken too by First Place or 1P.com. The apparently operate under several names.

After 4 months the "site" they created was not even listed in any search engine. I once again asked for a refund of my \$2000 only to receive a "report" that says the 2 of the 20 keywords I provided were listed with 2 search engines as item 40 or above. I went to their site to run a report. The reporting system crashes, I can not get it to generate the same numbers and when I run Web Position software myself or try the searches manually, I can not confirm the 2 placements they claim.

I'm out 2000 dollars, they generate no measurable traffic, they can't even get listed in the search engines and they don't respond to my emails. I'd like to join your class action law suite.

Add me to the list of those who have been screwed by Traffic Power. Even after they said they would refund my money they have not. I have heard so many excuses it is pitiful. I am ready to sue. Thanks for taking the time and energy to build trafficpowersucks.

Here's my situation with Traffic-Power.com. I sell heating products online. During the 2003-2004 heating season I did very well with TP promoting my web site. Last May I gave them another \$1,500.00 to continue. Two weeks ago I called and spoke to a female at TP to ask why I am not getting nearly the hits I was getting a year ago. She asked me if I could prove that with printed reports from TP over the two year period. I could not. However, I went into my web site shopping cart yesterday and found that my sales are a whopping 52% lower compared to one year ago at this time and my web site hits were down 55%!

Like most of your emailers, I got the sales pitch from 1P.com. The salesperson talked up a good story and showed me some online reports from recent client campaigns. I operate 30 sites of my own and have written a couple of books on internet marketing for niche audiences, so I keep up with new tactics for getting traffic. I had never heard of the technique 1P claims is so successful. I was seriously considering giving them a try. But I couldn't find any testimonials or endorsements anywhere on their site. There was no clue as to who these people were or what their past clients said of them. Fortunately, I googled 1P / Traffic Power and found your site. You just saved me \$5,000 and I hope you get a place in Heaven for your good work. I'm sorry you lost money, but maybe something good will eventually come from the experience.

Thanks for sticking up for us all!

Here's a link with a story you might enjoy:
<http://www.wired.com/news/culture/0,1284,66485,00.html>

I have called my contact at FTC. He asked for copies of all my documentation-and I have it ALL! Am putting it in chronological order to fax to him this afternoon. Am also contacting some other Shop.org members who were used as references by TP. My contact at the FTC has already used info I supplied on other scams to successfully prosecute two phone scams. You're right-BBB is really ineffective. Hopefully we can get somewhere this way.

I just found your site. When I tell my boss about getting suckered, I may lose my job since I was the one who said we should try it.

I read a lot of the emails on your site. Same story. Am currently getting emails from Penny Wheeler with all kinds of stats/graphs showing what a wonderful job TP or whoever they are this week is doing for us. I have saved emails from this group, have hard copies of contracts, etc. I also have some inside contacts at the Federal Trade Commission who specialize in phone scams. When I called them, they were very interested.

...and thanks for saving me \$5,500. I was approached by 1P yesterday. Sounded too good to be true.

I have a copy of the new website that Traffic Power made for me recently . When I saw what they were doing I told them to take it down off Google. I still think their new system is against Google guidelines. You can have my new website as proof if you want to study their new shenanigans.

Just got a phone call from Steven Kowalski and Peter W. over at 1p.com trying to solicit their services to me and my company. They were very high pressure and wanted me to supply a credit card immediately for a 20% discount off their \$5000 yearly fee.

So I hopped on the web and did a little research only to come across you website and a link to a Las Vegas newspaper article saying 1p.com isn't the same company

as Traffic Power. Has anyone truly confirmed they are the same company?

I am in the market for an SEO company and their spiel sure sounded good. I am very leery about doing business with them based on what I have found on your website.

It cost me two grand for web placement only to find out I have zero placement with the largest search engine on the planet. Its all or nothing baby. Not only are there sales people rude and offensive but they are a fountain of miss information. When I asked why I had poor placement his reply was I need to spend another two grand and get into there "email" program which sends out advertising emails to millions of people. I will not be part of spam email period!! I would be more than happy to supply you with any info needed to de-rail traffic power. Also, to date, they won't talk to me or reply to email.

I was taken for \$3400 and am very pissed off. Please add me to the law suit.

We are a client of Traffic Power and have been a victim of their fraud. We were pressured into signing with them and pressured even more when they felt we should spend more money with them to help our website become better. They were very nasty and insulting to us when we did not want to spend more money. They told us, "we might as well shut down our website," if we didn't follow what they wanted us to do. We spent a lot of money with them, and they did not do as they promised. We lost valuable time, money, customers, and data from them. Please tell us how we can become part of the class action suit.

I was contacted today by 1p.com, and solicited for over an hour by a guy named Ron from Hawaii... He sold me on their idea, and had faxed me a contract for 4K for a year. I started getting cold feet right away, and thought that I should do some research before I plunged ahead. After searching for their domain info, and seeing that all their info was hidden, I progressed further. I searched businesses in Nevada under that name, and found the link to TrafficPower.com.

Since that link led to nowhere, I searched the word, and came across your website. Thanks for saving me some serious money!!!

When I agreed to pay \$1500, I dropped all my other efforts to get found on the internet. Suddenly, nothing was happening. I found out that Traffic Power said they were waiting for my OK which I had given them months previously. That period of time was very bad but the time following that was not much better. Paying someone here in Hawaii a much lesser amount of money was giving me much higher traffic. Again, after they said they were working for me, nothing. I have a site that records how many hits I get because of their efforts. It is next to nothing. Can I join your efforts and get to try to get compensated?

We are currently disputing a charge with them because they are such a scam. Amex originally denied it but this should clinch the deal.. I am sure we will get our money back now. Thank you so much for doing this. We did 2 sites for \$1500 each and I know someone else who did one.. for \$2000. What a drag.. they actually slowed my business.

I just got off the phone with the sales rep, Marc Bausch and he said they have been carrying our website placement and unless I renewed with them, they would kill our placement on the engines. Was like I was dealing with some extortion tactic. Very hi pressure guy who said all we have to do is "flip the switch" and (implied) your business is over... Unbelievable scare tactics used.. I asked him to put everything in writing - which he declined.

We were a previous client of Traffic Power which we had dropped over a year ago, and was just contacted by a rep claiming that unless we renewed with them they would sabotage our positioning on the search engines. How about that for business ethics.. Any advice?

Yes, I too have been scammed out of \$2000 by "Traffic-powerscam". I am red hot hopping mad. They are liars and thieves and need to be in jail. Thanks for the site warning people about them. I sent an official complaint to the BBB of Nevada. Thanks for that link too.

We got F-ed by Traffic-Power also. A little over a year ago we had one of their sales people (Bill Hines) calling us relentlessly. Finally we decided after we had spoke to some other companies that had used them (They hadn't got screwed yet) that we would go forth to try to ease our costs from the pay per clicks. You know the rest. We will be willing to be a part of a class action law suit. I know the way they have their contracts made up it may hinder the thought, but I believe they were misleading to say the least. I think a good attorney would tear them up. I could be wrong- It sounds like you have more knowledge about this situation. Please inform me if you have time. I wish we could all sue the crap out of this M-F'er that is filthy rich because of a result of being a con-man. I sure he's laughing about it.

I had my client sign up with them a year and a half ago they quit using them for six months then they resigned up 2 weeks ago. Lucky thing I found your site and got them to do a charge back and that saved them 2 grand per site, a total of 4 grand!!

Hi! I was looking at your site. I was a Traffic Power Customer and signed up back in September 2001. I spent \$1900 with TP and I really never saw any increase in traffic to my site. Every time I called I always got excuses. After I was to have a campaign in place and had waiting the two months for the results, I was told by another person at TP that the keywords I had supplied were too generic. Why didn't I get told that initially when I submitted them months earlier? I had even talked with Rich Splain one of the owners of TP who refused to help me get the service promised. I feel I was ripped off and deserve a refund like everyone else who was cheated by TP. I would like to be included in any correspondence regarding TP and help with the Law Suit against the company. Please keep me informed of any progress and any information I can supply to help, please let me know.

I am in Arizona and ready and willing to participate in a class action. Thanks and wish I would of found you sooner!

Thank you for providing what I do not have the time or inclination to do. I am indeed

another victim, and they are a worthless organization that should be shut down. Are they long for the business world?

I wish I had found your site before we got caught in this. Same thing. Very friendly, high pressure salesman. Talked us in to this. Then they built a godawful looking site, plagiarizing not only our site, but who knows what others. How do we extract ourselves without ruining our reputation?

I am interested in being part of a class action against Traffic-Power. They did not perform to their obligation.

I own the below sites and have been ripped off by Traffic Power. Do you know if some one has ever just cancelled their credit card payment with them to get their money back ? Also do you know how to get rid of their spam pages that got me banned in the first place. Also count me in on the law suit I am from SC. I lost \$50,000 in Revenue last year because of them.

The Las Vegas rip off artists cheated me fair and square. I got shunted to some Russian speaking outsourcer who didn't have a clue as to English words that were related to my site's content. I'll be glad to try to do something, but I just look at it as being ripped off.

I am a fellow Traffic Power Victim. Luckily I never let them actually touch my website - just create a SEE page that pulled stuff from my site.... I did actually get their guarantee in writing because I contacted them 3 months ago wondering what the hell ever happened to them.

Now I find out that they were "Evil" in the eyes of Google and I think Google thinks I too am "Evil" hell I'm just a little guy with no IT staff, who just wants his site to get ranked in Google, Yahoo etc..... arrgh!

Anyway, please keep me in the loop on this traffic power crap - rest assured they haven't gotten a penny from me since May and won't anytime soon.

They got to me for \$6,000.00 plus \$4000.00 for their consulting service...

Count me in.

Same scam, same calls, same finance manager close, same bs. The lady that cold called me called no less than 7 times in 2 hours, I set a time for her to call, but I left my cell phone in another office so I couldn't hear it ring. She panicked and power called the sh#@ out of me when I didn't answer.

I have been ripped off. This service has not worked at all. I have been a member since last February and have gotten one order. Then a man named Mark Bausch called and told me he could increase my business by 10%. I was so leary but he made a guarantee that he would return my money by Christmas if that didn't happen. Now they are saying that the contract period is a year. So I was lied to. What kind of

recourse do we have. I have paid them \$5900 for nothing.

Our company is in the middle of being bilked for \$5,000 from TrafficPower. Only in America!

I'm from Canada...and guess what their 1866 number does not work here. I was told that I would be paying \$300/month for the first six months...But instead they charged me \$1500 on my credit card. And what they have done is taken Webpage Optimized site..., which I've spent money and lots of time on, and they just ripped it off and put it on their bogus spam site online-creditcard-application.net site. Can you say PLAGIARISM? What A rip-off!!! A rip off from the money they stole from me and a rip off of my website!!! Anybody who gets a call from TrafficPower or 1P.com... JUST SAY NO!! They will rip you off!!!

It's a wonderful afternoon thanks to you and your efforts. Traffic Power has been after our company's marketing department for 2 months. With time demands being what they are, not a lot of research had been done on this company. With the high pressure tactics they use, marketing was on the verge of giving them a try. In fact, the money was to change hands in two days - \$4,000.

I cannot begin to thank you enough for alerting the public to this low-life type business practice.

Please, business people out there, do your homework!! I nearly didn't do enough and almost got burned.

Add me to your lawsuit updates - I tried contesting my card with American Express, but I lost because I signed a document saying they give no refunds. I'm out \$2000.

Traffic-Power promised me higher rankings by using their service. This service was offered to me in May of 2004. By the end of June of 2004, we had been completely deleted from the Google search engine. At or around June 25th, I contacted Bruce Barnwell and told him the issue. He told me that it was just a "glitch" and we would be up within a couple of days. I gave him a week and we were still down. I contacted him again at or around June 29th and told him of the problem. Again he told me it would be over the weekend. I verbally gave him until July 5th to have my web site back up on Google or we would be contesting our credit card.

That date came & past. Our web site was still down.

We rely almost 100% on our web site for sales. Of those sales, 80% of our traffic comes from the Google search engine. We were promised higher traffic from Traffic-Power.com. They have a spot in their contract that they do not give refunds due to non-performance. I would understand if they were not able to improve my web site, but these people deliberately lied to me. They used shifty practices to sell their platform to unsuspecting customers. It's not that they didn't "perform" their services, they completely destroyed my web site and got me banned from Google for a period of 3 months.

It took us 3 months to get Google contacted and to get our web site back on track. During that time, we suffered heavy loses in sales.

Daryl Novak called my husband today after I had written two emails and my husband left two messages. He told us that two men are the ones that has caused all of their grief. They apparently had shadow pages associated with their websites, and TP didn't know it and thus they got shut down by google. Anyway, we told him we still want our refund. So far we haven't heard back. He said he wanted equal time to show us that they are not the bad guys, my husband said fine, but in the meantime we need all of our money refunded.

We will see.....only TWO MEN and it wasn't even their fault. :-)

I came upon your website last night. First Place contacted me and on this past Friday, I was suckered in. We didn't have a clue they use to be traffic power. :-(So they charged me \$6,001.00 for two websites.

I left the decision up to my husband since I was out, so last night decided to research and found all of this and so, I immediately called my credit card company. I have also contacted First Place by email and told them what I had uncovered and I want an immediate refund, since no services have been rendered. I threw in there also, that we had talked to our lawyer and he said for us to contact them first for a refund, so no further actions would need to be taken. I am hoping I will not have to do a charge back, but after reading how "NICE" these guys are I am thinking I will probably have to fight.... I sincerely hope I do not have any trouble getting my money back!!!!!!

Thanks for the site.

I was about to fax them \$1500.00 in the morning...

Whew!!

We have been scammed by Traffic Power. We also, JUST want our money back... They keep saying stupid things like their bank wont give us the money, etc... Is there a good attorney in Nevada that wants to take on this case that you know of? We would be willing to give him half of the settlement. Other than that, what steps do you recommend we take? They have admitted fault in their emails, and have even told us that we WILL get our money back, its just a matter of when. Any ideas would be helpful. Thanks

Same story you've heard countless times. I gave TrafficPower \$3000. The only result from my investment was being delisted from Google. We had decent showings on Google prior to this - now we have none to speak of.

I'll go to the BBB site to file a complaint.

Please keep me informed about the class action lawsuit.

Above all, thank you for maintaining this valuable Web site. It is some solace to know that there are so many others in my position and that together we might get some redress.

...I was appearing in Yahoo, in the top ten, I meant with my site, and my efforts. With their new doorway pages, I appear at like #88.. non-existent.

these guys are over the top. we are about to retain an attorney, got anything in California? They have now hijacked our site, info, logo without permission. Bewarned!

I am also a Traffic Power victim. Luckily I had no ranking to lose, and I am not yet banned, but they have locked me into a contract which they have no intention of fulfilling. Sure, I can break it, but then I am out the 3K with nothing to show for it.

I can't believe I lost \$4.500 and my online business on the same day! Traffic Power and salesman Ron and James should be thrown in jail. Please include me in the class action suit. And please give me updates. God Bless all of you who got ripped off.

I want to be in on the complaint list. I have been around and around with the company for refunding my money. I have been banned and not to mention the doorway is hugely as sin. Let me know if I write out my complaint to you or someone else.

Your URL says it all. I was duped by trafficpower. They told me that there mouse-over-redirect garbage was search engine friendly. Is there anything we can do to get our money from this fraudulent company?

I left the company (Traffic Power) several months ago when it became clear that they were about to initiate a new and very dangerous coding technique that would generate good placement (short term) that could then be resold - in its entirety - to a new client while causing severe damage to the "previous owner" of the coded pages. (I can be more technical if you care to respond and/or call me.)

Add another \$5k to your "Ometer" for not doing business with traffic power! We checked them out first. Thanks for your site and information. They even show off their "great" bbb record under "First Place".... See attached documents.

I have a small business... I have spoken to them (Traffic Power) about optimizing my website. After reading information on your site, I think I will not use them after all... I offer my thanks to you for posting the information (probably saved me some money and embarrassment) but I need to find out how to optimize my website so it is easier to find using search engines. Do you have any suggestions? I'm willing to do the work myself but I need knowledge and information.

Joe Chavez from 1p.com is going to call me on Tue. When I asked him if he used to be trafficpower he said "NO". Should I confront him on this, or should I just ignore His phone calls? Could being nasty to him "backfire"? He wasted about 1 hour of my time.

Your site has confirmed my doubts about Traffic Power (I guess they are going by 1P now days). I received a call from them the other day. They were very high

pressure, offering this and that with discounts if I signed up immediately. I let them ramble on for a bit... because I'm the type of passive person who has a hard time hanging up on people. After about 10 minutes I got off of the phone with them. The next day the sales person calls again. I was very busy at work, so I just said "thanks, but not interested" and hung up. The next day she calls again! I did the same. The next day she calls again!

Anywho, I just wanted to drop you an email and let you know I really enjoy your site.

I am sick about traffic-power. They promised to return my money but I have not seen it. Any advice ?

We were with Traffic Power for 2 years and they WERE effective.....sorry that it was through methods not recognized as legal by the search engines. I guess the gains on the front end were pretty much lost by being banned.

I am a victim of Traffic-Power. The sales rep GUARANTEED me a 6 - 7% return after the first month. Well, after the first month, I email this person to ask why was I not seeing the 6 - 7% return? Not only have I not seen a 6 - 7% return, I have seen Zero percent return. My email was not answered. I had over 2000 hits to my site and not ONE sale? How can that be? So I did a little checking and that's how I ran across you. I am out \$1500.00. I am just now starting to get my credit card company involved. I really don't have much hope. I am really PO'd about this as you and many others have indicated. Any advice on how to recover my loss?

Hello. My company used Traffic Power and because of that was banned by Google and Yahoo. After we understood the problem and too the direction that the SEO people gave through Google, we got our URL turned on by Google with in about 3 weeks.....But that was months ago and YAHOO has still not re-activated our URL and this is costing us lots of money. We are a little company who needs some help with this.

I am a law student and have been a victim of traffic power as well. I am glad to have found your site. An interesting thing is that I have had many people call my company asking me how the service of traffic power was. Apparently, TP was using our company as an example because certain keywords (which were optimized by another company) were being shown as examples of tp's work!

1) our site was already optimized for certain keywords that traffic power claimed to have been their work.

2) I was charged \$3,000.00 and have never heard back from nor seen any results.

I want to offer any legal help you many need in pursuing a case against traffic power.

Count me in as having saved \$5000 thanks to your site. These guys at trafficpower/ 1p very persistent. BTW, I heard their pitch in September and when I asked them last month why *their* site does not show up in top 10 under google, they said those sites which do show up are their partners/re-sellers (hush hush) and traffic power provides the OEM technology to their partners..some such bullshit answer.

| | |
|--|--|
| | Anyways.. thanks for alerting people to these scamsters. |
| | I'm presently working on getting my money back from Traffic Power. In the event I don't, I'd love to be a part of your class-action suit. They mislead me from the beginning. I get a stomach ache thinking about it. If you have any further questions or updates down the road, I'd love to hear them. |
| | Thanks for putting up your website. It stopped me from doing something that might not have been in my best interests. |
| | Thanks for the info and thanks for your website, based on the comments, it looks like your website has saved some companies from having the problems we have had with trafficpower.com, 1p.com, internetadvertising.com or whatever they call themselves today. They should of given you your money back, it looks like you cost them a lot more than \$4000. By the way I have been in business 13 years and never refused a customer a refund.... |
| | I just found your web site today. I've been contacted by TP a number of times, but I refuse to do business with the company. Not only due to their spamming of SE's but also their aggressive, rude, impolite sales force. |
| | Like many of your readers, I was suckered into trafficpower.com and promised higher listings on the top websites. Needless to say I only received about 100 hits and canceled any future business with them. Today however I received a notice from Internetadvertising.com stating they just put up a portal page. I never heard of them so I called and found out they are really trafficpower.com. Is there any way to block their link to my website? |
| | Hi, I am practically out of business thanks to my friends at traffic power. My webmaster just removed their files off my server. What can I do to try and get relisted more quickly? |
| | I was duped as well. I have been banned from Yahoo and Google. I'm in the process of getting my site re-listed. I would be happy to join in the lawsuit. |
| | The good news is we didn't let them put any code on our site, so that makes me feel better about the banned part. They still haven't called me back to discuss my concerns about no traffic from them (I saw your site after I called them). They are probably creating fake reports to give me right? I'm not even sure its worth following up with them since it seems I'll never get my money back.

Thanks for getting back to me and major kudos on the site! |
| | I signed up with Traffic Power last winter. They have really screwed me over. Got dropped from Google of course. Now they have created new web pages on their server...(guess they are 'advertising pages') that link to my site. I think this will get me even more banned (if that is possible) What can I do to these guys???? |

I'm in charge of a site called siteremoved.com. We were getting very little traffic via Traffic Power's portal pages since I signed up in . About three months ago they "upgraded" all of their promotion pages. They said it would take about 6 weeks and that they would credit my account for 2 more months. That was over two months ago and still no traffic (I have good analytics that tell me where people come from). Anyway, I just called them today to discuss what the hell is going on. They were supposed to get back to me in 20 minutes and I still haven't heard back.

Tell me about this class action suit? Also, what steps (be it futile) should I take to get my money back. We paid \$12K for a 100 keywords for a year.

I read your site but looks like I got there a bit too late. Let me tell what happened. First off I was promised results after about 1 month by a sales rep. Then they changed that to 3 months. As of last week my login an pass do not work to see my stats. Kind of weird that it happen one day after I threatened legal action. It has been well over 3 months since they emailed me that my campaign has began. Moreover some tech emailed me saying they took over TrafficPower?? Well I would love to sue these bastards and maybe get together with some other companies and file a class action suit. I was lucky to only pay 1500\$ for half a year. Any suggestions?

We were eating lunch at the country club the other day and I was talking to someone about our new web advertising campaign when someone from the next table heard me mention "Traffic Power". She broke in and told me her horror story about TP and told me to check out trafficpowersucks.com.

I spent several hours researching TP and will be going to the bank this morning to try to charge back the money we have given TP so far and change our credit card number so they can't charge anything else. At that point I will request TP to remove the gateway page they have on their server and tell them of my actions. If they have a problem with my actions I will be joining the potential class action law suit.

Thanks for your hard work on this matter. If you can give me any extra guidance I would appreciate it.

I hired traffic power. Business was doing good until the Google thing went down. My business dropped almost to no sales. I read through your site and found it all to familiar. I spent \$1,400.00 to start up, and after a few months they were calling asking for \$3,000.00 to make it better. Thank God I told them no. This happened about 3 months or so ago. As of yet, I still have not recovered. Business is dead. How can I get involved in the class action suit?

We would like to be included in any lawsuits against Traffic Power. Not only did we loose over \$6000, but even after canceling our contract, I cannot get rid of them. They refuse to remove their shadow url's that are linked to our website. They have stolen our keywords and are threatening to go to our competition with the information. In the mean time, all of the shadow url's are full of my information and linked to my website. This has become a complete nightmare.

I have been a victim of traffic powers trickery and would like to know if there is

anything I can do to get my \$1200 back.

I had several phone calls from these guys offering a rate of \$4000.00 for a year. I am SOO glad i found your site, now .. only to find a company i can trust!

Count me in on a lawsuit against Traffic Power. They got \$400 from me and got me banned from Google for three months. They refunded \$2000 to me for a bogus conversion consulting report that a 5 year old could have written. Unfortunately, the actual salesman that worked with me is a very nice man. I have told him that the company he works for is horrible.. They have created a worthless page for me now with its own domain. I'm just watching, but I would never give them another penny.

Your site has lots of info about how poor Traffic-Power is. We've been a victim, what can we do?

We're listed with every search engine with the exception of Google. How can we be re-indexed with them?

I can't even begin to detail the hassles I've had with Traffic Power. Today was the icing on the cake. After untold hassles with Traffic Power's miserable list of suggested keyword, today my set up technician informed me that my advertising pages were ready and gave me the URL, then signed off his responsibility to my account before I even had a chance to see or approve it. It is riddled with pornographic and irrelevant global keywords. It is offensive and insulting, not only to me but my customers and target market. My site is decidedly NOT an adult or porn site. On the contrary; it is a religious supply store. I can't even get them to disable the links to my real site. My requests to speak to a supervisor are ignored, and the only person who is "allowed" to speak to me at Traffic Power, has told me that there is nothing he can do.

Please include me in any class action suit against Traffic Power. I will be more than happy to provide detailed documentation.

I got burned for 2,000.00.

I did get some good leads for a while, but now all is dried up.

The following is from an email from traffic-power to us dated today. Are you or anyone else you know interested in the fact that the following is a threat to extort money from us or they will use all of our confidential information they had access when promoting our site, and sell it to the highest bidder?

Name Withheld

(From Traffic Power) Please disregard this notice, we had already processed the request for the update before your request to cancel was submitted. We are confident in our ability to get the placements, so we are going to continue to promote this site for the placements requested. Once the site has placement (probably within the next month or two) we are confident that one of your competitors would love the opportunity you have passed on. I will try and make sure you are not bothered again, the tech who sent the email was just doing what they should have. Best of luck

again, and have a great day.

**Jed Simper (TRAFFIC-POWER)
Client Development**

I was considering doing business with 1p.com (formerly traffic power). I had a nagging feeling that something wasn't adding up with their presentation, so I decided to do a little research and ended up on your site.

Thanks for putting this together; you probably saved me some grief, and thousands of dollars

**Just wanted to update you...Traffic Power has changed its name AGAIN!!!
BEWARE of wolves in sheeps clothing.**

I have recently submitted a charge reversal to American Express (the card we had used to pay TP, the first \$1500), and although AmEx denied it and felt the charge was valid after I submitted my case, we cancelled our "agreement" with TP and "saved" the additional \$1500 that would have been due if we would have continued our agreement with them. So, in effect, you could add that \$1500 to your money saved page on your website.

Get this: TP claims we have top 10 results NOW (even after I pulled the code off at least 2 months ago) in a search engine named Teoma, which I have never heard of before). In the same report they show MSN, Google, and other search engines and NONE of those have results in the top 10 - most have no results at all. I suspect "teoma" is an arm of TP, or some relationship exists in order to provide "proof" that their system works and is valid.

I wish I NEVER would have agreed to this in the first place. Never again will I agree to something that started with a cold call!

Just wanted to let you know if anyone contacts you that you can get your money back from Traffic-Power even though they say no refunds. I disputed the charge on my credit card because I was still in contract with them until November of this year. I was able to show the contract and other supporting documentation that they did not do what they said they were going to do on the contract.

I am about ready to have a f___! Break down. I new that after the run around that something was wrong. I gave them 2K for the freaking promises and still nothing. I insisted that I meet with them in person and that I was more than happy to fly down to Vegas to meet with my sales rep. he had all the charm going on like he was some Mac daddy. I am so pissed right now that I do not know if I can even talk straight. If you have any advice as to how to stop what they started to do and perhaps get my money back. I have every single email and copies of everything that was done with them. Other than phone conversations. So lucky me that I have good record keeping skills. Somebody help!!!!!!!!!!!!!!!!!!!!!!

The BBB of Nevada stated that they would include my complaint against Traffic Power and try to keep them from taking more money from me and try to get a refund

for me. We will see what the BBB is able to do. Also, I closed my American Express. A clerk at American Express told me that the charge would still go through even if I closed my account, but I don't see this happening. How can something be charged when the account is closed? I will be looking on your website for details.

Before I was going to stay with Traffic Power with the thought that if I was going to loose \$3,000.00 I might as well let them do their new thing. However, with all the evidence you have on your website of others in the same boat as myself, I gained courage and sent all this documentation to American Express to try to get out of payment to Traffic Power of the first payment. I also just sent a threatening letter to Traffic Power warning them that on October 15 they had better not try to put the other part of \$1,500.00 on my credit card, that I would get lawyers involved.

...they got me for 750- but I smelled a rip off before the remainder of the money was due , (2250) well thanks and keep my name on any pending lawsuits

Like you, they lied to me and took the money and ruined the rankings that I had achieved on my own. I have so far, not been able to get back the rankings I once had.

Unfortunately, our company was conned by Traffic Power. We invested \$1500 of \$3000 to have them help us with search engine placement - we just didn't have the time to do it ourselves. 2 months into our campaign, we were declining in traffic and Googling TrafficPower was interesting - they weren't even listed, the 1st page listed was your site - trafficpowersucks.com. Well, I became concerned - especially being the Marketing Manager responsible for choosing them. We stopped our agreement, removed their 'See' pages (which is why Google booted us) and thankfully saved \$1500. Good news, we're still #1 on every other search engine. Bad news, we're nowhere to be found on Google, which is the lifeblood of our organization. If anyone sues TrafficPower for lost business, count us in! I'd like to remain anonymous at this time - thanks for your site, it will help others not make the same mistake we did.
Sincerely, Traffic-Power Does Suck (BIG TIME)!

I'd love to know about any class action taking place, or any more news about what I can do.

3K is what they stole from me, i feel like such a jerk, but that's how it goes. Its been almost 6mos I have not even tried to get charges reversed by Amex.....any idea if its worth trying?

anyhow, i would really appreciate any more info. i will go to whatever lengths i need to to participate in stopping these idiots.

I have already emailed you in the past about my experience with Traffic Power. I want to make sure that I am aware of the class action lawsuit because I want to be involved. Let me know by email in case I get busy and am not checking your website like I should. I was off Google for 2 months and spent a tremendous amount of time and effort to get back on Google It was a nightmarish experience. I might be able to not have to pay my American Express the first \$1,500.00 because of all the documentation I got off of your site. That helps build a case when you are trying to get out of Traffic Power's no refund policy. Thank you for your efforts. I know how

much time and effort you had to go through but maybe this class action lawsuit will help all of us.

I am one of the businesses that the above group has ripped off. It is nice to know that I am right about the lack of performance they can get away with. Please let me know if I can help your cause. I would love to bring these people down.

You can add my \$4000. to the pot! Paid up front by check. After 4 months my site disappeared off google. We now have removed all Traffic-Power content from our ftp site.

I got suckered by these guys and while I never finished paying them, they still got roughly 900 bucks. I would like that back as their results never generated any traffic for me, though they did manage to get one or two obscure keywords into the top ten. Even though I ignored all calls from them to pay up they still sent me some site upgrades a while ago so it seems the left hand may not know what the right hand is doing.. I can't afford to lose that much money.. basically I am in the hole making monthly payments to a credit card because of them and their promises. I would love to sue them but I have no idea how without it costing me more money I don't have.

Hello, I am interested in filing a class action suit against traffic-power, as I got my father's site involved and now we are banned from google. Please contact me.

(From another SEO) We get calls weekly from people complaining they got scammed by Traffic Power and their site is banned.

These guys need to be shot out of a cannon to the moon. They are ruining people's lives.

And even though we get MANY sales calls because of them, they are bringing down the SEO industry as a whole. Especially for the ethical.

I just found out yesterday that I've been had too. I paid traffic power \$3000 and have seen hardly any results. They were able to get one keyword (my least desired) ranked fairly high for a limited period and that is all. All their promises have fallen short.

I heard about this today.. been on T-P for 8 months. Am cancelling today, have removed their pages and links. Was costing me \$3,000/yr, so I guess that brings your total up.

Thank you for the site.

Saved me \$1500

Traffic Power just about ruined our internet business. I would like to know if there is

any class action lawsuit going against them.

Since I am still off Google after two months, www.preferred-seating.com I am convinced that I was banned off Google because of Traffic Powers techniques. I am trying to get my money back by disputing the charge on my credit card. In the meantime, I would like to join any lawsuit going on against Traffic Power I am furious at the loss of buisness we are experiencing because of loosing our ranking on Google. Not to mention the time and energy I have had to expend to read up about the problems Traffic Power has created for its customers, reeducating myself about the do and don'ts of website optimization, emailing back and forth to Traffic Power, waiting for the new promises of a new "promotional page" the emotional anguish of realizing what being off Google meant to our small struggling, new buisness and also having to create another website, (which has been accepted onto Google) and the time it will take for this website to climb up through Google. A prominent architect called and told us that our name and website used to be everywhere on the internet and now he could barely find us, what happened?

I have all the documention needed, emailing back and forth between Traffic Power and myself. I figure their days are now numbered so I better get out of it while I can get my money back. Please let me know of any legal action.

Hello unnamed Traffic-Power opposition leader!

I was just today called by Traffic Power and pitched to. I thought the product sounded good, and seeing as how I do the optimization (with little to no time) of our site, it was sounding better by the minute. Especially at the low, low price of \$3000/year. Well, thanks to your site as well as a few others, I am definitely not going to order their services. We will probably not buy any other SEO services, either.

Thanks for the being diligent, and add another \$3000 to the Money Saved So Far amount.

We, too have been victimized by this company. Our domain SiteWithheld.com has been banned from google. Of course they offer no recourse other than the idiotic proposal of hosting some funky redirect pages. Please keep me informed of any class action law suits in the Phoenix area.

Thanks for the info I was almost ready to go with there company the only thing that held me back besides this was the salespeople when I said I was unsure about doing there deal they gave me an attitude this was from 2 different people the 3rd salesman was pretty nice an almost had me convinced. also I was weary about the placement of there own site like you stated again thanks for the info it was very helpful and probably saved me at least \$2000.

...we have an E-commerce site that was doing pretty good before traffic power on rankings. traffic power came at the suggestion of one of the employees of our E-commerce branch, and unfortunately, hit me at the precise time that i was looking for an SEO firm as my workload was increasing 10 fold outside of the site, and needed someone to run things. I unfortunately turned it over to them. a little background... before traffic power, our site was doing roughly 125 - 150k per month

in business... had 9 full time employees, and a shipping dept. when TP came on board, our sales went up a little, but after 3 months, we were banned from EVERYWHERE... not just google. yahoo... msn.. aol... AltaVista... all of the major search engines. our sales went immediately from 160k to less than 1k. 1 thousand in sales per month doesn't pay 1 persons salary.. much less the 15 that were currently working.

when I realized what had happened and their means of gaining that ranking... I immediately picked up the phone and called them... they started to give me a line about "google is re-indexing"... when I posed the question of all major search engines, and was google responsible for re-indexing every search engine, I was promptly hung up on. they now will not accept a phone call from me, nor anyone affiliated with me or my company, and have gone as far as blocking all of our domains from their email servers... I now just get a standard qmail rejection when I try and email them.

It took me 2 solid months to fix what had been done. had I had the time or paid attention to what was happening behind my back, I would have put an end to it immediately... but I didn't, and that's my fault.

I went through it... it sucks... and it has taken me a total of over 1,000 hours of work to build back up to where I had it before. I can offer some tips on rebuilding, getting search engines to pick you back up, things I've learned in the process, etc if you'd like. (free of course... I'm not a bastard SEO company. hahahaha)

If there is a class-action lawsuit, please include us. We have been a scammed just like many. However, since there has been a lot of evidence to prove a scam, my credit card company did refund my card.

I'm sorry you hold such a grudge but I have nothing bad to say about them, they generate my business 25,000 a month. sorry.

You have saved us. TP called today and email me a bunch of info. Thanks for your help.

You saved me \$4000.00 and when they call back tomorrow I will give your site the credit!

Our matter with the BBB was reopened with our response as of today. Our complaint took 2-3 weeks to get a response.

According to a customer service agent at the BBB, there are at least 50 complaints to date. She believes this number may need updating.

When I mentioned Traffic Power by name she immediately knew who I was speaking about, and said, " Oh, yes, we know about them. There are many complaints on file."

We will be contacting the Attorney Generals office in the coming days. Also, a local News group called "Contact 13 News" has a consumer affairs investigative team. People can reach them at (702) 876-1313.

Sounds like everyone that signed up with Traffic Power got screwed! I can unfortunately be included in this elite company. Same story..no work, lost revenue and dropped from Google.

They wanted to charge my client \$2500 and the salesman FREAKED when I told him I was going to do due diligence on his co. He told me the offer was only good for 2 more hours....(I was on the road driving)

Cheers!!

They suck, I agree with you 200%.

We just about signed up for their SEO re-seller program with a 40% commission - too good to be true? Well, we found you.

We have over 6,000 clients that need or should have SEO. Could you imagine the implications, not only on ME and MY JOB, but more importantly OUR CLIENTS??!!

Thanks for the attention and energy you've spent with this company. Good luck to you bro!

I asked a reputable woman who has been in the SEO industry for almost 10 years and she sent me this reply:

- > There's been talk all over the Internet regarding Traffic-Power.**
- > Please read my article on the very, very nasty company --**
- > Traffic-Power here: Getting Banned Due to Spam**

More fuel for the fire.

I am one of the former Traffic Power clients; we have been badly burned by them and have lost about 70% of our incoming leads from being de-listed by Google.

I just got off the phone with TrafficPower. After consistently calling me everyday, two to three times a day for almost 6 months, they hung up on me. I mentioned the BBB, banned on Google, plagiarism, and money back guarantees- They hung upon me as I am speaking.

TrafficPower was scheduled to call me back in one hour to help me promote my website. In that hour time frame, I came across your website. I checked the BBB report before and was not planning on checking again. They did have a satisfactory report. As of August, they have 20 complaints.

Thank you again.

You saved me \$3600 and a lot of headaches

Nice. I haven't laughed so hard in weeks.

I know your policy is not to recommend SEO's, but I was kinda worried about one of your letter writers:

"I am in the process of finding a new SEO company (a few have already contacted me) and I would definitely recommend anyone and everyone away from Traffic-Power. In my opinion their company practices are borderline illegal, and if not they are at least a poor service company."

Big red flag!

Good optimizers don't have to contact you.

Here's an alternative:

Go to the three major search engines:

**www.google.com
search.yahoo.com
search.msn.com**

Type in "Search Engine Optimization", "Search Optimization"... etc.

Compare the results. SEO's do their own optimization! If they can't get THEMSELVES on the search engines, what makes you think they can get you up there?

Find the companies with the best results on all three engines. Voila. You now have a list of good prospects. All else being equal expect Google to provide a little under 45% of your search engine traffic, Yahoo 20 to 25%, and msn a little over 15% and balance the results accordingly.

Now DO SOME HOMEWORK! Check references (ask for references that are a minimum of 3 years old... THE OLDER THE REFERENCE THE BETTER!). There are many forums and Ezines that can help too.

I am a current Traffic-Power customer, and I have a feeling I've been taken for a ride.

We are a small business, so when we were offered a low price SEO we jumped.

Unfortunately I did not do my homework first. Their tech support is almost non existent. We have lost almost all of our traffic, and are now worse off than when we started with them. Our company signed up for a year and we still have six months left on the deal. Losing the money hurts, but losing the traffic hurts even more. I am in the process of finding a new SEO company (a few have already contacted me) and I would definitely recommend anyone and everyone away from Traffic-Power. In my opinion their company practices are borderline illegal, and if not they are at least a poor service company.

We were also screwed for \$2000, and are now banned from Google.

Thanks for you site. I was contacted by Traffic-power about 2 months ago, and within a couple of weeks after they worked on my site, my site was completely

banned from Google and my sales dropped to 1/2 as a result. I took off all their work and contacted Google and have since been put back up on Google. However, I paid \$3000 to Traffic power and I have tried to contact them about 10 times and have received zero response. Luckily my credit card company says they will get my credit card refunded, but it hasn't gone through yet, so I'm still out \$3000, plus about 3 weeks of 50% sales due to their work which equals about \$2400 lost in sales. Please included me in the lawsuit as I believe they deserve to be sued.

Well done! I actually rejected another company with the same approach, but your website contributed to the research process in the rejection. I guess you can add \$1500 to your total if you count similar companies.

You saved me and my client \$5000 a piece. I should mention this so you can add it to your website.

I have several attorneys who are close friends both in Idaho and in Utah. I'd love to nail these bastards (Traffic Power) to the wall. We have six sites that are being torn down piece by piece and we sell advertising on all of them so our pocket book is being effected by the whole thing. Would you like me to inquire with my attorney friends to see what they say about a possible class action suit?

I am a small business owner who finally came to my senses about a month ago and demanded a full refund from Traffic Power. I was with them for about 4 months, and I lost my placement completely in Google. I had no idea they were scam artists until yesterday when I spoke to a legitimate SEO guy and he filled me in on why I might not be in Google any more.

I received a phone call from a Traffic Power employee who wanted me to do a \$6,000 a year campaign. It sounded alright what he was saying so I decided to do a search for their company on google. To my surprise, I found a website called trafficpowersucks. After reading it for a couple of minutes with the employee on hold, I picked up the phone and told him I was not interested. He inquired to why and I informed him of your website. He obviously knew of your website because he went into this whole spill about how it is a bunch of bull. Well, I just wanted to say thanks for the website.

We had two sites kicked out of google. It took two weeks of e-mails to google before they were listed again. One they only listed again after removing the traffic-power pages from our site. 90% of our business comes from our sites. Our sales were cut in half during these two weeks. When I contacted Traffic-Power requesting a refund I was told "Your contract does not state that you will receive a refund if we get you kicked out of google. You are still listed in many other directories, so what's the problem?"

I got sucked into Traffic Power up until the point of having them email me an agreement. Right before I signed, I voice in my head said to do a google search about the company. I found your site and lots of other complaints about the company...needless to say I will not be signing any agreement. Thanks for saving me \$3500 and lots of headaches!!!

I have some legal insiders offering advice at various levels. Here is a recent communication... "..also some more info you and the others might not have considered. Traffic Power accepted payments over the Internet therefore (fraud) took place electronically, which falls under the laws that govern wire fraud.

<http://www.lectlaw.com/def2/w017.htm>

From the information provided so far, there may be enough evidence to file wire fraud charges with each of the states his victims reside in. Also, as he is a "resident" of Nevada that does not grant venue in legal jurisdiction because it's where ever his site is hosted (e.g., the state having physical location of the servers) is the legal venue for jurisdiction. So for example, if his site is hosted on a server in an NOC in MI, that's where jurisdiction takes place.

I have a small site that I started up a few years ago. I received a call from Traffic Power around a year ago and was sucked into trying their service. As of early last month, my site disappeared of google.com, my traffic has dropped, and sales have gone down even further thanks to their shoddy practices.

Thanks for your web site. I used to work in SEO, and am very wary of anyone who guarantees results. There are legitimate professionals in this field, but I'm sad to say they (Traffic Power) are the exception not the rule.

I've been ripped off!!!! \$2000! They promised me things and did not deliver.

They got me banned from Google and now my the host of my domain is also threatening to shut down my site because of the "spammy" techniques!!! I would love to join in on the lawsuit!!

Thanks, you just saved me \$3000 us \$4300 Canadian.

I am a current client, or shall I say "victim" of Traffic-Power (over 2mos) and still waiting for my website to be listed with any search engine! So far I have not received any info. that my site has been banned by Google....but I'm not listed anywhere either. Traffic Power states in their contract that they will achieve top 10 listings for at least 8 of the 20 keywords I signed up for within 90 days. Actually, their salesman verbally promised me that they would have me on the first page of the major search engines within 3 weeks....and after the 3 weeks I could cancel my "pay-per-click" advertising with Google and Overture. So...here it is...2 months gone...and I paid them \$1700 and I not only do not have any first page placement.....I don't have any placement at all! I also have to keep paying for Google Adwords and Overture to get any business at all.

I have no doubt that I have been seriously damaged by traffic-power.com since my site was de-listed by google about six weeks ago. I have requested that traffic-power disable the SEE page redirect to my site and am ready to turn the matter over to an attorney.

This is Name Withheld at the now defunct SiteWitheld.com (Thanks to Traffic Power).
I just got a phone call from my new account rep at Traffic Power. Apparently she wasn't given any information about me. She called to introduce herself and ask if there was anything she could do for me. I gave her an earful and asked how long she had been with the company. She said since February. I suggested that if she had any sort of a conscience she should quit.

I told her of the numerous people that were pissed off at them and she countered with the company line that they were Traffic Power competitors. I told her that was management BS, that she should wake up to reality, that Traffic Power was hurting real people like you and me.

I did get her to admit that Google had kicked off a number of their clients, (the first time anyone ever admitted that) and that it was because they were cutting into their pay-per-click action. She also said that Google had targeted Overture too. That's probably Bullshit. I said that since Traffic Power's main claim is that they can get people good Google placement, and now that I'm banned, why is Traffic Power still billing me? Long silence, no answer. I ended the conversation by saying that if there ever is a class action suit against Traffic Power, I will be part of it.

I got taken for \$5,000. I have some decent emails to back up my story, but the credit card company won't act based on emails so my disputes were also denied. I even tried to stop the second charge from going before it went through, but they processed it anyway.

Ok, you can add another \$3,000 to the total amount of money prevented from getting sucked away by Traffic Power.

They call and they call, and they have a great pitch. It is almost as enticing as snake oil, so I can see why so many people fall for it.

First, I was not impressed by their "guarantee which isn't really a guarantee." Basically, they agree that if what they charge you for doesn't work, they'll keep on doing what hasn't worked. AND they still keep your money. Some "guarantee."

Second of all, getting your site banned from the search engines is economic suicide. It isn't worth the risk! There are only 2 ways I know of to get good rankings: lots of solid content and lots of quality inbound links. Glad I didn't take the easy route!

Thanks for the useful information. You are providing a very good service to people who might otherwise lose their shirts.

Talked to them a bit ago and they are removing all the links and refunding my money but its not over yet.

Thanks for telling the truth about Traffic Power. I signed up with them approx 3 months ago before the Google flap broke and had my sites pulled down etc. etc. Since then I've removed all their code and everything is back to normal except that I'm out \$5,000.

I signed a contract in which the second half(\$1500) was due June 4, and was clearly stated as contingent upon customer satisfaction. Traffic Power ran the charge May 14, after I had told the Salesperson over the phone that I was not at all satisfied.

We have been a victim of this company and we just got confirmation from Google in writing that we got dropped because of them, we are interested in the law suite and we will be looking into filing independently against them, these guys are not going to get away with it, they have hurt us very badly, our traffic from Google dropped from 50K hits a week to 8K in the month of July and the sad thing is we signed up the 3 week in June and a week later got pulled from Google.

I signed up with them 3 months ago and have not had one piece of traffic from their work. My credit card has now been charged and I am out \$1500. Not a happy person.

I received a call from traffic power today, they wanted \$5K for their services.

I have been building websites for over 8 years, and have learned a thing about SEO in that time, so I had no intention of using their services. But I figured, Since I have them on the phone, I'll act interested and try to see if I can get them to reveal some of their secrets. Who knows, I might learn something.

So as they are trying to put their magic spell on me to sign up, I am looking at the underlying code and immediately get suspicious. Although their tricks look interesting, I figure, it is more than likely bound to get banned by Google eventually so I decided to do a bit of research. Which is how I ended up on your site.

If their practices were legit, I had considered using them on one of my sites, which I have grown from 200 visitors/day in January 2004 to my current 35,000 visitors/day. I am certainly glad I did my homework first. It would have had a HUGE impact on my revenues if I had implemented their practices and gotten banned from Google.

I was recently contacted and I was very interested until I heard the cost and felt the pressure to sign up right away. I know when a salesman tries to sign you up immediately, there's something wrong. I told him I had to think about it. When I decided the cost was too high, he called me back and told me they would "work with me on the cost." In the meantime, I did my on research on Google, found your web site and now have to thank you for saving me \$3,900.00!! Please add my total to your list, because I will not in any way ever let them have that money.

Your resources have saved my company from Traffic-Power in the amount of approx. \$6,000.00. Thank you!

I am a small business that has used Traffic Power's services for 2 years. I am not showing up on Google or Yahoo. This is virtual suicide for my business! They assured me that what they did was legitimate, I would not be banned due to their methods. What's worse, they encouraged me to promote their services knowing that I would be banned. I have emailed them and called, they don't respond either way. I don't have any money to contribute to a lawsuit but I would like to be added to the list of victims.

I read your article on Traffic-Power. I am one of the victims also. I have been in business since 1996 and our sales have continued to grow. We have over 500 web pages that are associated with our web site and it was never hard to see us out there somewhere on a search engine. I have always submitted my site and have never had any problems. Traffic-Power contacted me last September and I thought it might be nice to let someone else do the work. Since January our business has steadily lost \$10,000 a month and visitors have noticeable gone away. I wasn't sure what was happening until I received a phone call from a company that said I had been banned from the internet. Sure enough I did a search on the major search engines and didn't see one of our web pages out there. I contacted Traffic-Power and was told that Google periodically does a reshuffle so their content is always changing - give it a few weeks and it will come back. I was told there is no such thing as being banned from the internet. Business is the worst it has ever been. We had more business the first day we got exposure on the net than we do right now. If reading the articles I've seen about Traffic-Power is true, Traffic-Power killed us.

I would like to thank you for your valuable information on Traffic Power. I have been approached by them. I have been burned before so I decided to search for more information on them and stumbled on the consortiums web site. Traffic Power will be calling me back on Monday or Tuesday and I plan on asking a lot of questions.

Their offer to me was: Pay \$1000.00 now the rest after 6 months.

My offer to them will be: Eat my (fill in the blank)

Are there any SEO's out there that are honest and get results at areasonable price?

I would like to be involved in the traffic-power class action suit. We used them about a year ago and have since been banned from Google.

Furthermore, I have made repeated requested for them to remove the doorway page, which they have refused to do. Consequently, I cannot request Google to reconsider my site for inclusion in the directory.

I had three of my websites with them and paid them over \$12,000. I ended up getting black balled from google as a result of their work.

We signed up with Traffic-Power the end of March 04. Our SEE pages went up the end of April 04. In reviewing our web stats, our web traffic went down by nearly 50% from April to May. When I contacted Traffic-Power, they said we needed to wait for 6-8 weeks before we would be able to see any results. By the end of June, our web traffic dropped another 30%.

When I spoke with our sales person, and I showed him the above information, he referred me to email the director of sales. He also said that Google had changed their algorithms, so their tech support department was working diligently to get everyone working properly.

I sent an email to the director of sales requesting help. To this date, I have not received any reply from him.

On 07/20, my sales person called me at home. He asked me if I wanted a refund. Of course I said yes. He told me to send an email to help@traffic-power.com requesting a refund. He told me that through his personal research, he had determined that things were not right at Traffic-Power. When he confronted his supervisors, he gave them 24 hours to refund payments to his customers. If they didn't, he would contact each of his customers. That's when he contacted me.

I've subsequently cancelled the contract with Traffic-Power, asked for a refund, and made sure they've removed all the SEE pages for me. They have done all that, except refund my money.

I'm still not listed on Google, and my business is severely affected by my decision to work with Traffic-Power.

Paid them \$1500.00 and got nothing, luckily I was pre-warned about the being banned (from a competitor) and cancelled them. Also had my webmaster remove whatever they did to my site which appears to have been just in time.

Our company got BURNED to the cost of \$3,000. I had documentation via printed e-mails from their own technical people acknowledging their own problems on getting our site up on GOOGLE. They NEVER ... in the entire year got us listed on GOOGLE. I actually got a few e-mails from them while I was trying to get a refund, however I ended up like you. NO REFUND. The bad thing is that the behind the scenes text that they wrote, did get our company BLOCKED from Google. I am currently working with people at GOOGLE to get un-blocked, and they are being as helpful as they can, but have told me it may take quite a while, because there are SO MANY companies like ours trying to get re-instated.

I totally agree TRAFFIC POWER SUCKS. I didn't "LOSE" my job over this situation, but it I did lose the respect of my Boss and any hopes for a raise for the next SEVERAL years.

I'm a Traffic-Power loser that has been defrauded out of \$2000.00. I've been a customer since Feb, 04 and nothing is working for me. Traffic-Power has stopped helping me.. What can I do they are still taking my money?

I am out \$4000.00, banned by Google, and down to 3 hits a day!!

I recently allowed myself to be pressured into buying the traffic-power service same-day as sales call to receive discount. After some research and the help of your site, I'm now trying to get our money back.

I signed with Traffic-power..after having checked many referrals - all good. Immediately after, the bad news started coming in. I spoke with the agent that I signed with, he assured me that this was just a very disgruntled customer who had started a fuss. To reassure me, they were going to move me to the front of the line. Well, just as I was reaching my 8-12 weeks, I get an email saying they've extended my contract by 12 weeks. They've made improvements! Is there anything that you can

advise. I think I've just been suckered in a huge way!

..we have contacted our credit card company with which we paid for their services. They have filed a dispute against TP which will be pursued on our part to show malpractice and fraud. It might be good to encourage other companies who do this to try the same approach.

Additionally, we have contacted he BBB in LV about our concerns.

Our concerns are similar to others mentioned on your website.

The fact is we have been dropped by Google after TP registered their SEE pages which act as forwarding doorway, gateway or mirroring pages. As of Monday the 19th, we finally made the investigations complete after 3 weeks of poor sales in which we have lost approximately \$15,000.00 in normal income in less than 3 weeks due to this TP SEE pages. Of course, we all know how long it takes to get relisted, so the losses may get deeper over the coming weeks.

During this investigation it was determined that TP SEE pages did in fact get us bumped from Google. We had not experienced any problems with Google in our entire tenure on the internet until TP listed or registered those pages.

TP blamed the problem on Google. However, when we pointed to numerous articles on the internet and Google's own posted webmaster guidelines stating that doorway or mirroring pages are not allowed, TP a technical rep did not respond to these statements.

We are currently in touch with a local law firm which will be drafting a letter of demand requesting an immediate refund of payment.

I think the class action law suit is a good idea since this company clearly is causing serious harm to the well intentioned companies who are seeking professional help in SEO or better marketing.

I am interested in being a part of the lawsuit against Traffic-power.com. I have totally lost all my placement with traffic-power and am now losing tons of Sales which is my business.

I signed up with Traffic Power a couple of months ago and my site has been banned from google and yahoo. My site only pops up because I am paying to be a sponsored link....my site no longer shows up under keywords that traffic power tried to help out with. I was sooo mad because last week they were trying to push another proposal on me for more service (at that time I didn't know about what had happened) And thank goodness I didn't give them my credit card #. They basically had the nerve to call me, not disclose ANY thing about the site being banned, and tried to take me for a fool. After searching on the web, I realized there were lots of companies that got screwed by them. What can we do? What do you suggest?

I appreciate your work on exposing the contract. (thought I knew how to read) There's a sucker like me born every minute. For 8 months, I thought I was doing

fine...They did keep their word. . .

I was getting up to 780 hits per day, flying high and took in as much business as I could handle . A couple weeks ago, I would have said you're wrong; but now the Website I spent years developing is BANNED! Thanks for saving me the trouble of trying to get a refund. I called them and was led to an answering machine message. I might try an individual lawsuit if it can be done from here.

Nothing but bad news about traffic power they did some work for me and took my money. They created pages and domains and (we got) absolutely nothing. My web site is a great site and I thought I could benefit from them only no results. They took my money. When I originally signed up with them we selected keywords which would account for some 800,000 hits a month guess what it did not happen. They are still calling me repeatedly for money which I refused to pay based on the total lack of professionalism as well as poor results. I am looking for someone to help me optimize my site. If you know anyone have them contact me.

(From Trafficpowersucks.com: I have been asked almost every day for recommendations for a good SEO company, and I have NEVER given a recommendation. Traffic Power claims that my site, and others like it, are their competition trying to make them look bad. I am NOT an SEO, and I refuse to make recommendations, so please do not ask.)

For your entertainment:

Here is an email thread between myself and one of the jackass tech support morons at TP. Feel free to post these documents / email thread on your site

Thanks for the enlightening documents - my partners & I were laughing hysterically at your company's lame attempt to cover up your fraudulent activity. I at least applaud the great lengths your company will go to to pretend to be legitimate - I wish I could lose my 22 years in the industry and be stupid enough for just a moment to believe your crap. But, as the saying goes: "If it walks like a duck, acts like a duck, and quacks like a duck - it's a duck."

Here's the PR I'm going to give your sham of a company in exchange for stealing \$2,800 from me:

- 1) Filed complaint with FTC (completed)*
- 2) Filed complaint with BBB (completed) - I noticed you guys have quite a few of these lately...*
- 3) Send an email to my list of copywrihting clients warning them of your company (in progress)*
- 4) File a lawsuit (in progress)*

Hello, I've been reading your site and the postings on JimWorld about Traffic power. I'm glad there is information like this out there. We have paid them \$2,000 but we haven't implemented their "techniques" yet... I'm afraid that if we do, we'll get back listed just like so many others. I'm about to call them and question them on their tactics, I'm going to tell them about your site and the thread on Jim World. Any advice on how to deal with them? In any event, thanks for the site, and the information...

Name Withheld

Gotta love your website. Can I forward it to the 25 plus people I know who had sites banned? I saved many companies money too by posting on Jim's World - can I forward to them too???

Thanks.

Name Withheld

Hi, love the site! I almost signed up with Traffic Power about a year ago, but I was warned about them by my brother's company. I told the salesperson, a Rick Cordova, that I wanted a guarantee in writing or no deal. When he wouldn't give me one, I told him I would go elsewhere. Here is the email he sent back to me:

Name Withheld,

Obviously your the kind of guy that likes to see results first. This is what I'm going to do for you, I'm going to call one of your competitors and bring them on board with us, I will e-mail you there results in about two months, its really sad that you don't have the good buisness sense that Name Withheld has, THANKYOU!!!!!!

Rick Cordova

Senior Marketing Consultant

866-424-8535 ext. 113

What a tool! Because I wouldn't sign up with them, he threatens to help my competition! I will tell everyone about your site, keep up the good work!

Name Withheld

Traffic-Power is evil and must be stopped!

Name Withheld

I like you site. We signed up with Traffic Power over a year ago, they are very rude. My webmaster checked the pages they sent us to upload to our site, and told us that he would quit if we uploaded them, they were that bad. He said we would be banned from the search engines he had worked years to get listed on. Traffic Power wouldn't even talk to us about a refund. Now we see on your site that they probably stole the pages anyway. What a scam!

Name Withheld

Thanks for the info, I was about to sign up and read your site at the last minute. Add another \$2000.00 to your Total Saved! Thank you!

I wanted to drop a quick note about these people even though I didn't sign up with them. I did however hang up and surf the net a bit and came across the thread on Jimworld and then to your site as well.

Bottom line is even though they were nice on the call, I have yet to tell them NO so I haven't had the pleasure yet of getting yelled at, but I am sure I will tomorrow when I told them to call back heh. (At the very least I understand they are punctual about calling to take your \$\$).

At first, the sales pitch sounded good, but as my a-typical self being in the IT field and having designed a few pages in my day, I began asking questions (technical questions at that) to which they began giving me half gibberish and half smoke which was attempted to be blown up my wazoo. This of course prompted my Internet search on them (Yes BBB was my first stop) and came up with all these other people who have been scammed by them by browsing the forums. There is nothing worse than a wolf in sheep's clothing.

You can tack on 4k which those threads saved me PLUS all of the headaches and things which many others have gone through which I (Thankfully) will be able to avoid now.

I truly hope you are successful on your suite and this company goes back to where it came from; the gutters of Vegas.

Name Withheld

I just read your site and was wondering if you found a good company for promoting your web site? I was contacted by traffic-power, but wanted to do some research before handing out \$3000.00. All the referrals they provided me, gave a great review of the company, but after reading your site I will decline the offer from traffic-power.

Thank you for the info
Name Withheld

We are currently having issues with TP as well. Have you had any luck with a refund? Also, have you filed a complaint with the BBB? We plan on seeking a refund so any suggestions are greatly appreciated.

Good job with the site. Between the two of us plus Name Withheld and Name Withheld, I bet we've stopped at least \$100,000 of business from going TP's way.

My (company) was going to use them - they had called us many times.

Not now.

I guess I would have forked out \$4000 like my buddy who is now banned from Google. I had talked to TP about three times - they called me. We were interested because my buddy which is (Company Name) was bringing us tons of work after using TP. Now he will be struggling. He had over 400 attraction pages.

I found through the page you sent me that one of the affected businesses is (Company Name). This is a public company with over 5000 employees. I sent them the following email. I suggest you do the same. They have some clout and may be able to put pressure on these guys.

I just paid traffic power \$2000 in last of March. So far I haven't been removed from GOOGLE. I'm debating what I should do next. Tell them to stop doing what they are doing and pull down their URL's which refer people to me?

I'll tell you, this has been the week from h*%#!

I made the colossal mistake of signing up with Traffic Power about 3 weeks ago. They made me pay up front for a whole year. I simply ignored all the red flags because I wanted help with SEO and I hoped they were the right company to do it.

The tech person was very nice as were the customer support people. The sales people were sleazy. Everyone I talked to in TP told me that what they did was totally legal. I watched a number of power point presentations that were very slick. I opted for a SEE page (search engine entry) page instead of giving them any access to my code or website. They created the page under a separate URL - (site name).

I won't go into the technical aspect. Suffice to say that they launched the SEE page on the 14th of June. On June 23rd, my site disappeared from Google. My page rank went from 4 to 0. A search for '(keyword)' on Google gets 350 references but not my actual site. I was simply gone - banished from the 900 pound gorilla of all search engines. I made many calls to Traffic Power of course! They claimed Google was just reorganizing and it was coincidence that I was gone and to 'chill'. I would be back up in a few days. But they also said they were working round the clock to fix the problem.

For 2 days I was lost in fear, self-recrimination and misery. Then (Name Withheld) stepped up to the plate and (Name Withheld). They gave me very good advice. (Name Withheld) sent me to a forum thread that described just what happened to me.

This morning - Friday - I went into action. I called TP and told them to get everything off my site. To terminate the SEE page AND my connection to them. I told them that they didn't raise me in the rankings, they screwed me and made everything much much worse. I told them I wanted all my money back and that I would engage a lawyer if I had to. I put all this in an email & cc'd my lawyer. They told me it would take 48 hours to get everything off my site. Once I am sure that is done, I will reapply to Google via an email to their webmaster explaining everything and asking for reinclusion.

This saga is long from over, but at least I am now taking action to correct the mistake. Do I feel stupid? YES!!! Do I feel energized into action? Yes!!! My 'baby' has been threatened and I am an angry mama bear.

Mark this story well. Learn from my sad example.

I am trying to join the class action lawsuit. My site SiteWithheld.com was recently banned from google because of trafficpower.com... I called them and complained.. and they said "You are not banned by google.. they are actively re-indexing (globally as well).. they gave me ridiculous bull-shit email.

I just wanted to inform you that I'm a former Traffic-Power employee and I too have complaints...

I used to work for traffic power. I can give you all the information you need to put the company away. I know all the secrets. If you need help I can help.

I'm the latest victim. SiteWithheld.com had thousands of links on Google. We signed up with TP a month ago and last week, we went down. We've never been kicked out of Google. I want to be part of any class action lawsuit.

I'm not happy that there are so many people out there that have been screwed by TP, but I'm a little comforted that I'm not alone and there are actually people out there taking up the fight.

I'm here to help in any way possible. Documentation, fianancial, whatever you need.

Bottom line is, we usually get about 50 orders per day. Today we had 5. If this continues, I'm going to have to lay off some of my staff. I love my business and I love my employees. This effects real people. No one in the .com world is more pissed off than I am right now.

Hello, Unfortunately I didn't know about your site before i signed up with this company Traffic Power. My website NameWithheld.com just got banned from Google, coincidentally 2 weeks after my campaign with traffic power officially started. Anyway, I basically got screwed by them and since that date my hits have gone down over 20% and you can only imagine what it has done to my sales. I would love to be a part of a class action lawsuit if there is one, i would like some details. thanks alot!

We are a current customer of Traffic power and yes, we have been blacklisted! It didnt take long either. I sure wish I had recorded our phone conversations becasue I asked about some of their practices and was assured that they were all legitimate... Your site rocks, please let me know what else I can do to help you!

I have information, Inside information on traffic power and would like to share it with you. Like Employee cell numbers including the so called owner Matt as well as others and there new forms and programs that they use. Let me know if you are interested I have and can get inside information I don't like the company and they lie and cheat their customers which I have proof of.

Count us in.

We have similar experience with Traffic Power. Right now, our site is blacklisted and our page rank killed to zero because of their entrance pages. They also claimed to us that they did work for certain other domains, which we found to be a lie. And, they claimed that they would not do more than 3 companies in one industry, but we found DOZENS of competitors with the same entrance pages.

I'm glad someone forwarded me information this morning about Traffic-Power and the wipe out Google put on them, as well as the class action lawsuit. I actually recommended these idiots to a few clients, but luckily none of them bought into it.

Whew! I would have looked like a major a-hole if they did! I know one of the sales people on a friendly basis. Unfortunately I don't even think he realizes that the product he is trying to sell is a sham. I hope I can set him straight, because he's a really good guy just trying to make a living. However, no one has the right to make a living by stealing customers money with a business based on practices that have knowingly been banned and targeted by the major search engines. I will be speaking against Traffic Power, regularly in the local business community of Las Vegas.

I got off the phone with them, and I had argued about SEOing sites, and I thought their "attraction pages" with "mouseover" was total bulls!!!. I did some more research. They said JimWorld were liars out to get them, and JimWorld was just trying to make money by stealing clients. I came across your site, and now I'm convinced. They are very, very evil.

They now promise to put attraction pages on their server, but how can that work with a PR0 domain? Dumb f!!ks.

Thanks guys, you saved two of my sites

We just signed up with TP last month - and, dammit, I should have trusted my gut instinct with this one. But our company needed a shot in the arm with our web presence, and I thought TP could help us. Apparently that was not the case. I have since pulled all the code from our site and put it back into a "before TP" state (I have saved the original TP files on my computer, and changed our FTP password), disputed the charges on our credit card, and documented as many things as I can regarding them and our relationship with them. So far I think our site is fine with Google, but I just hope it's not too late as they have cached pages of the TP stuff.

I have just recently purchased Traffic-Power services (10 days ago)... after reading the information on your site... I'm wondering what my next step should be. If I do a charge back... what should my reason be since enough time has not lapsed to say they didn't provide the services. I would appreciate any advice you can give me as I'm scared to death that I made a very bad decision to the tune of \$xxxx.00.

I have fallen victim to Traffic Power.com. I am out over \$6000 and my business revenue has dropped to almost 0. I am hurting from this and would like to join the class action lawsuit. Please let me know if you company is handling this.

We have received several phone calls from Traffic-Power.com and their very aggressive sales people are pushing us to spend \$5,000 on their service. My due diligence search has led me to your web link. Are they to be trusted or should I "cut-and-run" before finding myself out a bunch of money without any return on it.

I am sure you know that google dropped all sites that are using traffic power.

One thing is for sure they are out of business now that they are banned from Google. Their whole business practice was based on this so its time to say goodbye.

I will tell you as I am sure that you know...

There are a bunch of pissed of people loosing lots and lots of money out there right now since Google dropped Traffic Power!

I'm writing to congratulate you on your site. It's great that you're trying to help out other people who are getting scammed. Which brings me to my next subject. I'm in the middle of a one year program with Traffic Power and the first few months it did work pretty well. Last two months or so the results seem to be falling off a little bit, but the biggest concern I have is having my company's website blacklisted because of what these freaks are doing with their illegitimate techniques which they specifically told me that they do NOT do, because that's what "OTHER" SEO companies do (figures.....). Anyway, I wanted to contact you to see what information you have on this class-action lawsuit which seems to be forming and how I can get involved, and also if you have any other tips for how I can prevent anything bad from happening to my website or my company because of Traffic Power. Look forward to your reply.

..Traffic Power is using deceptive business practices. I have been dropped from Google and can show the loss in sales.

I came upon this subject in the Webpro.com newsletter and was very interested. Last June I launched a website to promote my business that I had started a couple of years before. Soon after, I was called by someone from traffic power that gave me all the hype about getting top rankings on all the major search engines, especially Google. After several calls from the same guy (which was beginning to seem like borderline harassment), I said "OK, so what's the bottom line?" He told me \$4000.00 payable up front. I told him I could not afford that much. Maybe some type of payment plan if your service is so great. He said it had to be paid in full before any service was rendered. At that point I Told him I was not interested, To which he replied (this is not a direct quote, but it's pretty darn close) " I'm sorry that have decided not to use our service and you will probably be sorry too." Kinda sounds like a threat to me.

My name is Name Withheld and I own an on-line company called NameWithheld.com. I used traffic power. Everything you said is true. I'm a victim of them. When I questioned some of the things they were doing I was told that they were doing nothing against Google fair use policies and that they were in good standing with them. I never received top ten placement. When I questioned why, they said my search terms were too general and popular and that if I kept them it might take many more months to get good placement. I said I didn't need them to get good placement on obscure search terms that nobody used, I hired them to get good placement on the terms my competition and everybody else was using to find candy sites. They said they would redo the site and make it better. Nothing happened. I should have known better, I screwed myself. I got banned and will probably shut down my site. It's just too much work to rebuild what I've lost.

Keep up the good work and let me know if there is ever a class action suit against these guys. I'd like to be part of it.

I run a medium size company that receives all of its sale leads from the internet. I fell

for 5000 dollars to these scam artists and now been booted from Google like everyone else. Of course I will also have to pay all of the labor costs associated with fixing the problems to get re-indexed with Google. This problem is already causing serious loss of revenue. Please contact me as soon as possible with any information you can so I can join the lawsuit.

I WORKED for traffic power about 2 years ago. In that endeavor, I sat at a rickety old desk making \$10 an hour. I never understood for the first week or so, why I continuously got clients downright angry and upset by what I was giving them. The end all be all was that the salesmen were just selling (on a commission basis) this service to sites that were technically not even placeable websites with the search engines. They were either 1) 100% flash sites or 2) Had poor layout with tones of Java or sliced Photoshop images. Because of that, I was the one doing the analysis in hopes to help them. No one told them that when they got on with Traffic-Power that they were going to have to redesign their site to get even some "minor" results from the software used.

This was just the first of many outlandish business practices that they participate in.

The second....Placing most of their Management staff on a two week voluntary leave without pay so that they could pay the other employees...ya know, the ones that REALLY ran the show. The turnover rate for the coders was at least 2 a week.

Now, even weeks before putting the Management staff on leave, announcements were made to the rest of the staff members that they "hold their paychecks" for another couple of days because of a "Credit Card company error" the monies for the checks had been placed in the wrong account and that we would have to hold paychecks for a couple of days to make sure they were cleared. For 3 out of my total of 6 paychecks (50%) I had "bounced" (and yes, I learned I went straight to their bank to cash it the day it was issues. Employees clamored to the bank to make sure they would get paid before monies ran out.) and then had to fight for at least one of the checks almost 4 days after payday.

I was waiting for this bomb to drop and will be watching this very carefully. I wish I could help more, but I am sure I am not the only employee that is somewhat ruffled under the feathers by the way they were treated.

I am a recent client of Traffic-power. The first and only two sites they have worked on NameWithheld.com and NameWithheld.com have recently been banned by Google. Since this company assured me that they only use ethical practices to gain placement I am prepared to help in this lawsuit by giving any information you need.

Adrienne Crashin assured me multiple times that Google was not allowed to ban any sites from their directory because of a current law suit involving an anti-Semitic website. I can provide more info here if you are not familiar with this.

After I noticed that these sites were gone from the Google index she again referred to this law suit. I have submitted a chargeback case to AMEX.

My company develops and maintains websites. We decided to partner with Traffic-power because the search engine aspect was becoming overwhelming. This was a huge mistake and we feel as if we were scammed.

Their telemarketers are downright rude as well, and would not stop calling me after I asked them not to! That was the tip-off for me - how could such a great service require such high-pressure-used-car salespersons? I am glad I didn't listen to them BUT keep up the good work on your site, there are plenty of small businesses like us that don't need to be screwed by these guys!

Thanks for the info...I just closed my online store. It just pisses me off that people like traffic power get away with what they do. My store wasn't my main income, it was just very good side income and I don't have the time or the drive to rebuild anymore. I'm taking a long break. Good Luck and please notify me about the lawsuit.

We enjoyed top 10 Google placement on 30 prime keyword phrases for about 3 months before being removed from Google. Based on what I've read, we decided to remove any traces of TP code from our website and re-applied to Google. It's a sad day for me since the US\$2700 I've paid to TP resulted in my site being blacklisted on the search engine that typically generated 50% of our business.

Please keep me posted on the lawsuit and let me know if you need any more info.

I joined on with Traffic Power and now my site is also banned from Google after paying them \$2800 for the year. Please forward me any information you can regarding the class-action lawsuit. I would be very interested.