

IMERGENT INC
Form 8-K
September 05, 2006

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

**CURRENT REPORT PURSUANT
TO SECTION 13 OR 15(D) OF
THE SECURITIES EXCHANGE ACT OF 1934**

Date of report (Date of earliest event reported): **September 5, 2006**

iMergent, Inc.

(Exact Name of Registrant as Specified in Its Charter)

Delaware

(State or Other Jurisdiction of Incorporation)

001-32277

(Commission File Number)

87-0591719

(IRS Employer Identification No.)

**754 East Technology Avenue
Orem, Utah**

(Address of Principal Executive Offices)

84097

(Zip Code)

(801) 227-0004

(Registrant's Telephone Number, Including Area Code)

N/A

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 7.01 Regulation FD Disclosure.

On September 1, 2006, iMergent, Inc (the Company) entered into a stipulated final judgment and permanent injunction with the State of California and the Ventura County, District Attorney. This stipulated judgment stems from an investigation by that District Attorney's office into whether the Company was in violation of the California Seminar Sales Act (California Civil Code § 1689.20-1693) and the Seller Assisted Marketing Plans Act (California Civil Code § 1812.200-1812.221 SAMP ACT).

The Company agreed to pay a total settlement of \$550,000. The Company had accrued the settlement amount in previous quarters. The settlement amount includes payment of \$200,000 to the State of California and to Ventura County for an award of costs, attorney and statutory fees; and \$350,000.00 to refund certain California customers who may file claims. To the extent that filed claims exceed the refund amount, refunds will be paid on a pro-rata basis.

In addition, the Company also agreed to certain actions intended to clarify the business practices of the Company. There is no obligation for the Company to register under the Seller Assisted Marketing Plans Act. The settlement does not limit the Company's ability to conduct business in the state of California.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

IMERGENT, INC.

/s/ Robert Lewis

By: Robert Lewis, Chief Financial Officer

Date: September 5, 2006