

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
SANGAMON COUNTY

FILED

CTR-4 JUL 02 2012

Anthony R. ...
Clerk of the
Circuit Court

THE PEOPLE OF THE STATE OF ILLINOIS,)
ex rel., LISA MADIGAN, Attorney General of the)
State of Illinois, and)

THE ILLINOIS DEPARTMENT OF FINANCIAL AND)
PROFESSIONAL REGULATION,)
ex rel., BRENT ADAMS, Secretary of the Illinois)
Department of Financial and Professional Regulation)

Plaintiffs,)

LEGAL HELPERS DEBT RESOLUTION, LLC, a foreign)
Limited Liability Corporation, also known as the law firm of)
Macey, Aleman, Hyslip & Searns.)

Defendant.)

NO. 2011-CH-286

FINAL JUDGMENT AND CONSENT DECREE

Plaintiffs, the PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of Illinois, and THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, *ex rel.* BRENT ADAMS, Secretary of the Illinois Department of Financial and Professional Regulation, have filed a complaint for a permanent injunction and other relief in this matter pursuant to the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1 *et seq.*, the Uniform Deceptive Trade Practices Act, 815 ILCS 510/1 *et seq.*, and the Illinois Debt Settlement Consumer Protection Act, 225 ILCS 429/1 *et seq.*, alleging violations of the aforementioned Acts.

Plaintiffs, by their counsel, and Defendant, by its counsel, have agreed to the entry of this Final Judgment and Consent Decree by the Court without trial or adjudication of any issue of fact or law.

DEFENDANT'S POSITION

The Defendant denies violations of the above Acts, and generally, rejects any jurisdiction that the Plaintiffs have over it as regulatory or enforcement agencies. For all times relevant to this matter, the Defendant has operated as a law firm, in compliance with applicable Bar rules, and provided legal services and representation to its clients.

FINDINGS

1. This Court has jurisdiction over the subject matter of the complaint having been filed herein and over the parties to this Final Judgment and Consent Decree.
2. There is no admission of liability or waiver of rights by the Defendant and no finding of such by the Court.

DEFINITIONS

"Debt Settlement Service" means (1) offering to provide advice or service, or acting as an intermediary between or on behalf of a consumer and one or more of a consumer's creditors, where the primary purpose of the advice, service, or action is to obtain a settlement, adjustment, or satisfaction of the consumer's unsecured debt to a creditor in an amount less than the full amount of the principal amount of the debt or in an amount less than the current outstanding balance of the debt; or (2) offering to provide services related to or providing services advising, encouraging, assisting, or counseling a consumer to accumulate funds for the primary purpose of proposing or obtaining or seeking to obtain a settlement, adjustment, or satisfaction of the consumer's unsecured debt to a creditor in the amount less than the full amount of the principal amount of the debt or in an amount less than the current outstanding balance of the debt.

ORDER

NOW THEREFORE, on the basis of these findings, and for the purpose of effecting this Final Judgment and Consent Decree, **IT IS HEREBY ORDERED AS FOLLOWS:**

- A. Defendant has agreed to stop and is permanently enjoined from marketing, offering for sale or representation, accepting money or engaging with any new Illinois consumers for the provision of any debt settlement services.
- B. Within fourteen (14) days of entry of this Final Judgment and Consent Decree, the Defendant shall dismiss the case it filed in the United States District Court for the Northern District of Illinois against the Plaintiffs.
- C. By their execution of this Final Judgment and Consent Decree, the Plaintiffs and Defendant agree to a settlement to fully resolve, settle, and discharge all civil claims, disputes, and causes of action that the Plaintiffs asserted or could have asserted against the Defendant pursuant to the Consumer Fraud and Deceptive Business Practices Act, Uniform Deceptive Trade Practices Act, and the Debt Settlement

Consumer Protection Act related to the conduct alleged in the Complaint and First Amended Complaint for Injunctive and Other Relief filed herein, up to and including the date judgment is entered.

A. RESTITUTION

The Court enters a judgment in favor of the Plaintiffs and against the Defendant, Legal Helpers Debt Resolution, LLC for restitution in the amount of \$2,100,000.00. Payment shall be in the form of a cashier's or certified check made payable to the "Attorney General's Consumer Trust Account." The monies paid for restitution pursuant to this Final Judgment and Consent Decree shall be paid to Illinois consumers who were formerly, or are currently, enrolled in Defendant's debt settlement program. The Attorney General shall have discretion in apportioning and disbursing restitution in an amount and manner she deems appropriate, and the Attorney General may prioritize payments to consumers in her sole discretion. The Defendant shall fully cooperate with the Attorney General in good faith in the Attorney General's administration and issuance of such refunds, including responding to reasonable requests by the Attorney General for customer information or any other information reasonably necessary to effectuate the refund process.

Payment in the amount of \$2,100,000.00 is due as follows: \$700,000.00 within two weeks of the date judgment is entered, \$700,000.00 within 44 calendar days after the judgment is entered, \$700,000.00 within 74 days after the judgment is entered. Each payment shall be mailed or hand-delivered to the attention of Attorney General of Illinois, Consumer Fraud Bureau, 500 South Second Street, Springfield, Illinois 62706.

Any monies remaining after the distribution of restitution shall be deposited into the "Illinois Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund" for Consumer Enforcement and Education and may be used by the Illinois Attorney General for any purpose authorized by section 7(e) of the Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/7(e).

B. PAYMENT TO THE STATE

A. The Court enters a judgment in favor of the Plaintiffs and against the Defendant in the amount of \$ 150,000.00. The Defendant shall pay the amount of \$ 150,000.00 to the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund for Consumer

Enforcement and Education which may be used by the Illinois Attorney General for any purpose authorized by section 7(e) of the Consumer Fraud Act. 815 ILCS 505/7(e). Payment shall be in the form of a cashier's check or certified check made payable to the "Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund for Consumer Enforcement and Education". Payment in the amount of \$ 150,000.00 is due on or before (date judgment is entered) and shall be mailed or hand-delivered to the attention of Attorney General of Illinois, Consumer Fraud Bureau, 500 South Second Street, Springfield, Illinois 62706.


B. Defendant shall pay the amount of \$40,000.00 to the Department of Financial & Professional Regulation as reimbursement for its costs. It shall be payable by certified or cashier's check to the Illinois Department of Financial & Professional Regulation, for deposit to the Financial Institutions Fund. Such payment shall be mailed or hand-delivered to the attention of IDFP, Office of the Secretary, 9th Flr., 100 W. Randolph Street, Chicago, IL 60601 on or before the date this Judgment and Consent Decree is entered by the Court.

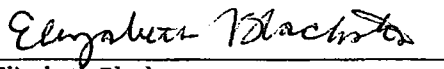
C. **RETENTION OF JURISDICTION**

Jurisdiction is retained by this Court for the purpose of enforcing this Final Judgment and Consent Decree.

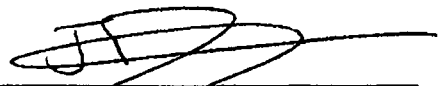
APPROVED:

PLAINTIFF, THE PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of Illinois

BY: 
Rebecca Pruitt
Assistant Attorney General
Consumer Fraud Bureau

BY: 
Elizabeth Blackston
Assistant Attorney General
Chief, Consumer Fraud Bureau

DEFENDANT, Legal Helpers Debt Resolution, LLC

BY: 
JEFFREY A. ALLEN, MANAGER

PLAINTIFF, THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, by BRENT ADAMS, Secretary

BY: Brent Adams
Brent Adams, Secretary
Illinois Department of Financial and Professional
Regulation

Date Entered: July 2, 2012

John Schmitt

JUDGE

From Article at GetOutOfDebt.org