

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 15-23070-Civ-COOKE/TORRES

CONSUMER FINANCIAL PROTECTION
BUREAU,

Plaintiff,

v.

ORION PROCESSING, LLC, a Texas limited liability company d/b/a World Law Processing, Wld Credit Repair, and World Law Debt; FAMILY CAPITAL INVESTMENT & MANAGEMENT LLC, a Delaware limited liability company a/k/a/ FCIAM Property Management; WORLD LAW DEBT SERVICES, LLC, a Delaware limited liability company; WORLD LAW PROCESSING, LLC, a Delaware limited liability company; DERIN SCOTT, an individual; DAVID KLEIN, an individual; and BRADLEY JAMES HASKINS, individually and d/b/a World Law Group, LLP, World Law Group America, LLP, WLD Price Global, Inc., World Law Forms and Mediation, and World Law South,

Defendants.

SHANNON SCOTT, an individual,

Relief Defendant.

**SEALED TEMPORARY RESTRAINING ORDER AND ORDER SETTING
HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

This matter is before the Court upon Plaintiff's *Ex Parte* Emergency Motion for a Temporary Restraining Order with Asset Freeze, Appointment of a Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue ("*Ex Parte* Motion"). [D.E. 4]. Plaintiff's *Ex Parte* Motion was heard in open court on August 18, 2015.¹ The Court has considered the Motion, related portions of the record, and counsel's arguments, and is otherwise fully advised in the premises.

Plaintiff, the Consumer Financial Protection Bureau ("the Bureau"), has filed a Complaint under the Consumer Financial Protection Act of 2010 ("CFPA"), 12 U.S.C. §§ 5531(a), 5536(a), 5564 (a) & 5581, and the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6102(c)(2) & 6105(d), based on Defendants' violations of the CFPA and the Telemarketing Sales Rule ("TSR"), 16 C.F.R. pt. 310. The Complaint alleges that Defendants' acts of practices violate these laws in connection with the marketing and sale of debt relief services. Plaintiff seeks preliminary and permanent injunctive relief, rescission or reformation of contracts, the refund of monies paid, restitution, disgorgement of ill-

¹ The motion was referred for appropriate disposition by the District Judge on this date. [D.E. 10].

gotten monies, the appointment of a temporary Receiver, and other equitable relief as well as civil money penalties. Plaintiff has also moved for a temporary restraining order pursuant to Rule 65(b) of the Federal Rules of Civil Procedure. Plaintiff's Motion is hereby **GRANTED in part and DENIED in part** for the reasons set forth herein.

I. FINDINGS OF FACT AND LAW

Having considered the Complaint, *Ex Parte* Motion, declarations, exhibits, and memoranda filed in support of the Motion, the Court finds that:

1. This Court has jurisdiction over the subject matter of this case, there is good cause to believe that it will have jurisdiction over all the parties hereto, and venue in this district is proper. *See* 12 U.S.C. §§ 5564(a), 5565(a).

2. There is probable and good cause to believe that Defendants (a) Orion Processing, LLC, a Texas limited liability company, d/b/a World Law Processing, Wld Credit Repair and World Law Debt (collectively "Orion"); (b) Family Capital Investment & Management LLC, a Delaware limited liability company, a/k/a FCIAM Property Management ("FCAIM"); (c) World Law Debt Services, LLC, a Delaware limited liability company; (d) World Law Processing, LLC, a Delaware limited liability company; (e) Derin Scott, an individual; (f) David Klein, an individual; and (g) Bradley James Haskins, individually and d/b/a as World Law Group, LLP, World Law Group America, LLP, WLD Price Global, Inc., World Law

Forms and Mediation, and World Law South, have engaged and are likely to continue to engage in acts or practices that violate the CFPA and the TSR, 16 C.F.R. pt. 310. There is probable and good cause to believe that Shannon Scott, an individual, has received funds or assets and is likely to continue to receive funds or assets that can be traced directly to Defendants' unlawful acts and practices. Based on the above, the Court therefore finds that Plaintiff likely to prevail on the merits of this action.

3. The Court finds that immediate and irreparable harm will result from Defendants' ongoing violations of these laws unless Defendants are restrained and enjoined by Order of this Court, at least in order to maintain the status quo pending preliminary injunction and final trial proceedings.

4. The Court finds that immediate and irreparable damage to the Court's ability to grant effective final relief for consumers in the form of monetary restitution and disgorgement or compensation for unjust enrichment will occur from the transfer, dissipation, or concealment by Defendants of their assets or business records unless Defendants are restrained and enjoined by Order of this Court; and that in accordance with Rule 65(b) of the Federal Rules of Civil Procedure, the interest of justice requires that Plaintiff's application be heard *ex parte* without prior notice to Defendants to maintain the status quo. Therefore, the Court finds

that there is good cause for relieving Plaintiff of the duty to provide Defendants with prior notice of its motion.

5. Weighing the equities and considering Plaintiff's likelihood of ultimate success on the merits and the likelihood of irreparable harm in the absence of preliminary relief, the balance of hardships favors Plaintiff, and a temporary restraining order with an asset freeze, expedited discovery as to the existence and location of assets and documents, and other equitable relief is in the public interest.

6. As the Bureau is an agency of the United States, no security is required for this Order. FED. R. CIV. P. 65(c) ("The United States, its officers, and its agencies are not required to give security.").

II. DEFINITIONS

For the purposes of this Order, the following definitions shall apply:

1. "Advance Fee" means any fee or consideration requested or received by a Debt Relief Service Provider from a consumer for any Debt Relief Service, whether directly or indirectly, that occurs before

a. the Debt Relief Service Provider has renegotiated, settled, reduced, or otherwise altered the terms of a debt pursuant to a settlement agreement, debt management plan, or other valid contractual agreement executed by the Consumer; and

b. the Consumer has made at least one payment pursuant to that settlement agreement, debt management plan, or other valid contractual agreement between the Consumer and the creditor or debt collector.

2. “**Assets**” means any legal or equitable interest in, right to, or claim to any real, personal, or intellectual property owned or controlled by, or held, in whole or in part for the benefit of, or subject to access by any Defendant or Relief Defendant, wherever located, whether in the United States or abroad. This includes, but is not limited to, chattel, goods, instruments, equipment, fixtures, general intangibles, effects, leaseholds, contracts, mail or other deliveries, shares of stock, commodities, futures, inventory, checks, notes, accounts, credits, receivables (as those terms are defined in the Uniform Commercial Code), funds, cash, and trusts, including, but not limited to any trust held for the benefit of any Defendant, Relief Defendant, any of the Individual Defendants’ minor children, or any of the Individual Defendants’ spouses. It shall include both existing assets and assets acquired after the date of entry of this Order;

3 “**Assisting Others**” includes, but is not limited to

- a. Providing paralegal or administrative support services;
- b. performing customer service functions including, but not limited to, receiving or responding to consumer complaints;

c. formulating or providing, or arranging for the formulation or provision of, any advertising or marketing material, including, but not limited to, any telephone sales script, direct mail solicitation, or the text of any Internet website, email, or other electronic communication;

d. formulating or providing, or arranging for the formulation or provision of, any marketing support material or service, including but not limited to, web or Internet Protocol addresses or domain name registration for any Internet websites, affiliate marketing services, or media placement services;

e. providing names of, or assisting in the generation of, potential customers;

f. performing marketing, billing, or payment services of any kind; and acting or serving as an owner, officer, director, manager, or principal of any entity.

4. **“Consumer”** means an individual or an agent, trustee, or representative acting on behalf of an individual.

5 **“Debt”** means any obligation or alleged obligation to pay money, whether or not such obligation has been reduced to judgment.

6. **“Debt Relief Product or Service”** means any program or service represented, directly or by implication, to renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a consumer and one or more creditors or debt collectors, including but not limited to, a reduction in the balance, interest rate, or fees owed by a person to a creditor or debt collector.

7. **“Debt Relief Service Provider”** means any Person that offers or provides any Debt Relief Product or Service.

8. **“Defendants”** means the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination, and each of them by whatever names each might be known;

a. **“Corporate Defendants”** means: Orion Processing, LLC d/b/a World Law Processing, Wld Credit Repair, and World Law Debt (collectively, “Orion”); Family Capital Investment & Management LLC a/k/a FCIAM Property Management (“FCIAM”); World Law Debt Services, LLC; and World Law Processing, LLC;

b. **“Individual Defendants”** means Derin Scott, David Klein, and Bradley James Haskins, individually, and doing business as World Law Group, LLP, World Law Group America, LLP, WLD Price Global, Inc., World Law Forms and Mediation, and World Law

South (collectively, "WLG"), collectively, or in any combination, and each of them by any other names by which they might be known;

c. **"Relief Defendant"** means Shannon Scott individually and by any other name by which she might be known;

9. **"Document"** and **"Electronically Stored Information"** are synonymous in meaning and equal in scope to the usage of the terms in Rule 34(a) of the Federal Rules of Civil Procedure and include but are not limited to:

a. The original or a true copy of any written, typed, printed, electronically stored, transcribed, taped, recorded, filmed, punched, or graphic matter or other data compilations of any kind, including, but not limited to, letters, email or other correspondence, messages, memoranda, paper, interoffice communications, notes, reports, summaries, manuals, magnetic tapes or discs, tabulations, books, records, checks, invoices, work papers, journals, ledgers, statements, returns, reports, schedules, files, charts, logs, electronic files, stored in any medium; and

b. Any electronically created or stored information, including but not limited to electronic mail, instant messaging, videoconferencing, SMS, MMS, or other text messaging, and other electronic correspondence (whether active, archived, unsent, or in an

deleted items folder), word processing files, spreadsheets, databases, document metadata, presentation files, and sound recordings, whether stored on any cell phones, smartphones, flash drives, personal digital assistants (“PDAs”), cards, desktop personal computer and workstations, laptops, notebooks and other portable computers, or other electronic storage media, backup disks and tapes, archive disks and tapes, and other forms of offline storage, whether assigned to individuals or in pools of computers available for shared use, or personally owned but used for work-related purposes, whether stored on-site with the computer used to generate them, stored offsite in another company facility, or stored, hosted, or otherwise maintained off-site by a third party; and computers and related offsite storage used by Defendants or Defendants’ participating associates, which may include persons who are not employees of the company or who do not work on company premises;

10. “**Electronic Data Host**” means any person or entity that stores, hosts, or otherwise maintains electronically stored information;

11. “**Financial Institution**” means any bank, savings and loan institution, credit union, or any financial depository of any kind, including, but not

limited to, any brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer;

12. “**Person**” means an individual, partnership, company, corporation, association (incorporated or unincorporated), trust, estate, cooperative organization, or other entity;

13. “**Plaintiff**” or “**Bureau**” means the Consumer Financial Protection Bureau;

14. The words “**and**” and “**or**” shall be understood to have both conjunctive and disjunctive meanings as necessary to make the applicable phrase or sentence inclusive rather than exclusive.

III. PROHIBITIONS ON THE PROVISION OF DEBT-RELIEF PRODUCTS OR SERVICES

IT IS HEREBY ORDERED that Defendants and their successors, assigns, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby temporarily restrained and enjoined from, or assisting others from, any of the following in a manner that violates federal law through the collection, charge, imposition or receipt of any and all Advance Fees as defined above. This includes engaging in any Debt Relief Product or Service that violates this Order through (a) participating in

telemarketing any debt relief product or service; (b) advertising, marketing, promoting, offering for sale, selling, or providing any debt relief product or service; (c) receiving any remuneration or other consideration from, holding any ownership interest in, providing services to, or working in any capacity for any person engaged in advertising, marketing, promoting, offering for sale, selling, or providing any debt relief product or service; and (d) attempting to collect, collecting, or selling or assigning any right to collect payments from Consumers who purchased or agreed to purchase any Debt Relief Product or Service from Defendants.

Provided, however, that to ensure Consumers in debt relief payment plans will be provided with the opportunity to continue making payments on those plans, Defendants may continue to provide debt relief services to Consumers for whom Defendants have negotiated a debt settlement and who are currently engaged in a payment plan pursuant to that debt settlement. However, as of the date of this Order, Defendants may not collect any fees from these Consumers until further Order of the Court.

IV. PROHIBITED MISREPRESENTATIONS

IT IS HEREBY ORDERED that Defendants and their successors, assigns, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with any of them, who receive actual notice of this Order by personal service, facsimile transmission, email, or otherwise, whether acting

directly or indirectly, in connection with the advertising, marketing, promotion, offering for sale, sale, performance of any Debt Relief Product or Service are hereby temporarily restrained and enjoined from falsely representing, or from assisting others who are falsely representing, expressly or by implication, any of the following:

A. That any Defendant or any other person will or likely will provide to Consumers legal representation;

B. That any Defendant or any other person will or likely will provide to Consumers a local attorney or an attorney located in the Consumers' state;

C. That any Defendant or any other person will or likely will provide to Consumers an attorney to negotiate with creditors a modification or settlement of the Consumers' debts; or

D. Any other material fact.

V. PRESERVATION OF RECORDS AND TANGIBLE THINGS

IT IS FURTHER ORDERED that Defendants and their successors, assigns, officers, agents, servants, employees, independent contractors, and attorneys, and those persons in active concert or participation with any of them, who receive actual notice of this Order by personal service, facsimile transmission, email, or otherwise, whether acting directly or indirectly are hereby temporarily

enjoined from destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any Documents or records that relate to the business practices, or business or personal finances of any Defendant, or other entity directly or indirectly under the control of any Defendant.

VI. ASSET FREEZE

IT IS FURTHER ORDERED that Defendants, Relief Defendant, and their successors, assigns, officers, agents, servants, employees, independent contractors, and attorneys, and all persons directly or indirectly there under the control of any of them, including any financial institution, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service, facsimile, email, or otherwise, are hereby temporarily restrained and enjoined from directly or indirectly:

- A. Selling, liquidating, assigning, transferring, converting, loaning, hypothecating, disbursing, gifting, conveying, encumbering, pledging, concealing, dissipating, spending, withdrawing, or otherwise disposing of any Asset that is (1) in the actual or constructive possession of any Defendant or Relief Defendant; or (2) in the actual or constructive possession of, or owned or controlled by, or subject to access by, or belonging to, any corporation, partnership, trust or other entity directly or

indirectly owned, managed or controlled by any Defendant or Relief Defendant;

- B. Opening, or causing to be opened, any safe deposit box, commercial mail box, or storage facility belonging to, for the use or benefit of, controlled by, or titled in the name of any Defendant or Relief Defendant, or subject to access by any Defendant or Relief Defendant;
- C. Incurring charges or cash advances on any credit card, stored value card, debit card or charge card issued in the name, singly or jointly, of any Defendant, Relief Defendant, or any other entity directly or indirectly owned, managed, or controlled by any Defendant or Relief Defendant; or
- D. Cashing any checks or depositing or processing any payment from any consumer, client, or customer of any Defendant.

IT IS FURTHER ORDERED that the Assets affected by this Section shall include: (a) all Assets of each Defendant and Relief Defendant as of the time this Order is entered, and (b) those Assets obtained or received after entry of this Order that are derived, directly or indirectly, from the actions alleged in Plaintiff's Complaint. This Section is not intended to interfere, impinge upon, or supersede any order of a competent federal or state court over jurisdiction of any party subject to this Order.

**VII. RETENTION OF ASSETS AND RECORDS BY
FINANCIAL INSTITUTIONS AND OTHER THIRD PARTIES**

IT IS FURTHER ORDERED that, except as otherwise ordered by this Court, any financial or brokerage institution, business entity, electronic data host, Internet or “e-currency” payment processor, or person served with a copy of this Order, or who otherwise has actual or constructive knowledge of this Order, that holds, controls, or maintains custody of any account, Document, or Asset of, on behalf of, in the name of, for the benefit of, subject to withdrawal by, subject to access or use by, or under the signatory power of any Defendant, Relief Defendant, or other party subject to Section VII above, or has held, controlled, or maintained any such account, Document, or Asset shall:

A. Hold, preserve, and retain within such person’s control, and prohibit the withdrawal, removal, alteration, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion, sale, liquidation, or other disposal of such account, Document, or Asset held by or under such person’s control, except as directed by further order of the Court, Documents, or Assets held in the name of or benefit of any Defendant;

B. Plaintiff is granted leave, pursuant to Rule 45 of the Federal Rules of Civil Procedure, to subpoena Documents immediately from any financial

or brokerage institution, business entity, electronic data host, or person served with a copy of this Order that holds, controls, or maintains custody of any account, Document, or Asset of, on behalf of, in the name of, for the benefit of, subject to access or use by, or under the signatory power of any Defendant, Relief Defendant, or other party subject to Section VI above, or has held, controlled, or maintained any such account, Document, or Asset and such financial or brokerage institution, business entity, electronic data host or person shall respond to such subpoena within three business days after service.

VIII.

IMMEDIATE ACCESS TO BUSINESS PREMISES AND RECORDS

IT IS FURTHER ORDERED that Plaintiff and its representatives, agents, contractors, or assistants, are permitted immediate access to Defendants' business premises; and

IT IS FURTHER ORDERED that the Defendants and their successors, assigns, officers, directors, agents, servants, employees, attorneys, and all other persons directly or indirectly, in whole or in part, under their control, and all other persons in active concert or participation with them, who receive actual notice of

this Order by personal service, facsimile, email, or otherwise, whether acting directly or, shall:

A. Allow Plaintiff and its representatives, agents, attorneys, investigators, paralegals, contractors, or assistants, including, but not limited to, federal, state, and local law enforcement officers, including the United States Marshals Service, the Federal Bureau of Investigation, the Internal Revenue Service, the Sheriff or deputy of any county, and the Police Department or police officer of any community, immediate access to:

1. all of the Defendants' business premises, including but not limited to:

9011 Mountain Ridge Dr., Suites. 130-E, 130-F, 130- G, 200,
and 220, Austin, TX 78759

any storage facilities; and

such other business locations that are wholly or partially owned, rented, leased, or under the temporary or permanent control of any Defendant;

2. any other premises where the Defendants conduct business, sales operations, or customer service operations or where Documents

related to the Defendants' businesses are stored or maintained, including but not limited to a storage unit;

any premises where Assets belonging to any Defendant are stored or maintained.

B. Immediately identify to Plaintiff's counsel:

1. all of Defendants business premises and storage facilities;
2. any non-residence premises where any Defendant conducts business, sales operations, or customer service operations;
3. any non-residence premises where Documents related to the business, sales operations, or customer service operations of any Defendant are hosted, stored, or otherwise maintained, including but not limited to the name and location of any Electronic Data Hosts; and
4. any non-residence premises where Assets belonging to any Defendant are stored or maintained; and

C. Provide Plaintiff and its representatives, agents, attorneys, investigators, paralegals, contractors, or assistants with any necessary means of access to, copying of, and forensic imaging of Documents, including, without limitation, identifying the locations of Defendants' business premises, keys and combinations to business premises locks, passwords to devices that hold

Electronically Stored Information, computer access codes of all computers used to conduct Defendants' business, access to (including but not limited to execution of any Documents necessary for access to and forensic imaging of) any data stored, hosted or otherwise maintained by an electronic data host, and storage area access information;

IT IS FURTHER ORDERED that:

A. Plaintiff is authorized to employ the assistance of federal, state, and local law enforcement officers, including, but not limited to, the United States Marshals service, the United States Marshal or Deputy United States Marshal, the Federal Bureau of Investigation, the Internal Revenue Service, and the Sheriff or deputy of any county, and the Police Department and police officer of any community, to effect service, to implement peacefully the provisions of this Order, and to keep the peace.

B. The assistance of law enforcement is highly advisable to ensure that this Order is executed in an efficient, safe, and orderly manner. It is the primary role and mission of the United States Marshals Service to provide security and to obey, execute, and enforce all orders of the United States District Courts and the United States Courts of Appeals as provided by law. The United

States Marshals Service shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute its duties. The United States Marshals Service, the Federal Bureau of Investigation, the Internal Revenue Service, or the local law enforcement is authorized to use any reasonable force in the enforcement of this Order.

C. No one shall interfere with Plaintiff's inspection of the Defendants' premises or documents.

D. Plaintiff shall have the right to remove any Documents, including any devices containing Electronically Stored Information related to Defendants' business practices from the premises in order that they may be inspected, inventoried, and copied. The materials so removed shall be returned within five business days of completing said inventory and copying. If any property, records, Documents, or computer files relating to Defendants' finances or business practices are located in the residence of any Defendant or are otherwise in the custody or control of any Defendant, then such Defendant shall produce them within twenty-four hours of service of this Order. In order to prevent the destruction of computer data,

upon service of this Order upon Defendants, any such computers may be powered down (turned off) in the normal course for the operating systems used on such computers and shall not be powered up or used again until produced for copying and inspection, along with any codes needed for access. Plaintiff's representatives may also photograph and videotape the inside and outside of all premises to which they are permitted access by this Order, and all Documents and other items found on such premises;

E. Plaintiff's access to the Defendants' Documents pursuant to this Order shall not provide grounds for any Defendant to object to any subsequent request for Documents served by Plaintiff; and

IT IS FURTHER ORDERED that:

A. The United States Marshals, the Federal Bureau of Investigation, the Internal Revenue Service, or other local law enforcement officers are authorized to escort Plaintiff and its representatives and agents inside Defendants' business premises including, but not limited to, the locations identified in Section XIV.A. of this Order;

B. The United States Marshals, the Federal Bureau of Investigation, the Internal Revenue Service, or other local law

enforcement officers, and those persons acting under their supervision, including Plaintiff and its representatives and attorneys are authorized and directed to serve this Order along with any summons, complaint, motions, declarations, and discovery requests on Defendants, including at the premises identified in Section XIV of this Order;

C. Defendants and their employees, agents, and bookkeepers shall provide immediate access to such locations to Plaintiff, the United States Marshals Service, the Federal Bureau of Investigation, the Internal Revenue Service, or other local law enforcement officers and to Plaintiff's attorneys;

D. Defendants and their employees, agents, and bookkeepers shall also immediately provide usernames and passwords to all computers that store information concerning Defendants' business operations;

E. Defendants and their employees shall surrender Blackberry, iPhone, Android, or other mobile access devices that contain information concerning Defendants' business operations to Plaintiff's representatives.

IX. LIMITED EXPEDITED DISCOVERY

IT IS FURTHER ORDERED that Plaintiff is granted leave to conduct certain expedited discovery, and that, commencing with the time and date of this Order, in lieu of the time periods, notice provisions, and other requirements of Rules 19, 26, 30, 34, and 45 of the Federal Rules of Civil Procedure, and applicable Local Rules, the Bureau is granted leave to:

A. Take the deposition, on five days' notice, of any person or entity, whether or not a party, for the purpose of: (1) discovering the nature, location, status, and extent of Assets of Defendants or their affiliates or subsidiaries; (2) discovering the nature and location of Documents and business records of Defendants or their affiliates or subsidiaries; and (3) enforcing compliance with this Order. The limitations and conditions set forth in Rules 30(a)(2) and 31(a)(2) of the Federal Rules of Civil Procedure regarding subsequent depositions shall not apply to depositions taken pursuant to this Section. Service of discovery upon a party, taken pursuant to this Section, shall be sufficient if made by facsimile, email or by overnight delivery. Any deposition taken pursuant to this subsection that has not been reviewed and signed by the deponent may be used by any party for purposes of the preliminary injunction hearing;

B. Serve upon parties requests for production of documents or inspection that require production or inspection within five calendar days of service, and may serve subpoenas upon non-parties that direct production or inspection within five calendar days of service, for the purpose of discovering: (1) the nature, location, status, and extent of assets of Defendants or their affiliates or subsidiaries; (2) the nature and location of Documents and business records of Defendants or their affiliates or subsidiaries; and (3) compliance with this Order,

C. Serve deposition notices and other discovery requests upon the parties to this action by facsimile or overnight courier, and take depositions by telephone or other remote electronic means; and

D. If a Defendant fails to appear for a properly noticed deposition or fails to comply with a request for production or inspection, seek to prohibit that Defendant from introducing evidence at any subsequent hearing.

X. DEFENDANTS' DUTY TO DISTRIBUTE ORDER

IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of this Order to each affiliate, subsidiary, division, sales entity, successor, assign, officer, director, employee, independent contractor, client company, electronic data host, agent, authorized signatory to bank accounts, attorney, spouse,

and representative of Defendants and shall, within three calendar days from the date of entry of this Order, provide Plaintiff's counsel with a sworn statement that: (a) confirms that Defendants have provided copies of the Order as required by this Section and (b) lists the names and addresses of each entity or person to whom Defendants provided a copy of the Order. Furthermore, Defendants shall not take any action that would encourage officers, agents, directors, employees, salespersons, independent contractors, attorneys, subsidiaries, affiliates, successors, assigns, or other persons or entities in active concert or participation with Defendants to disregard this Order or believe that they are not bound by its provisions.

XI. DURATION OF TEMPORARY RESTRAINING ORDER

IT IS FURTHER ORDERED that the Temporary Restraining Order granted herein shall expire on the 1st day of September, 2015, unless within such time, the Order, for good cause shown, is extended with the consent of the parties, or for an additional period not to exceed fourteen calendar days, or unless it is further extended pursuant to Rule 65 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, Defendants shall appear before this Court on the 28th day of August, 2015 at 9:30 a.m., to show cause, if there is any, why this Court should not enter a preliminary injunction enjoining the violations of law alleged in

Plaintiff's Complaint, continuing the freeze of their assets, and imposing such additional relief as may be appropriate in response to Plaintiff's motion for entry of a preliminary injunction order [D.E. 4] that seeks additional relief not immediately granted herein.

XII. SERVICE

IT IS FURTHER ORDERED that Defendants shall file any answering affidavits, pleadings, or legal memoranda with the Court and serve the same on Plaintiff's counsel no later than three business days prior to the preliminary injunction hearing in this matter. Plaintiff may file responsive or supplemental pleadings, materials, affidavits, or memoranda with the Court and serve the same on counsel for Defendants no later than one business day prior to the preliminary injunction hearing in this matter. *Provided that* service shall be performed by personal or overnight delivery, facsimile, e-filing, or email, and documents shall be delivered so that they shall be received by the other parties no later than 4 p.m. on the appropriate dates listed in this Section.

XIII. SERVICE OF THIS ORDER

IT IS FURTHER ORDERED that copies of this Order may be served by facsimile transmission, email, personal or overnight delivery, or US Mail, by Plaintiff's agents and employees or any local, state, or federal law enforcement

agency or by private process server, upon any financial institution or other entity or person that may have possession, custody, or control of any Documents or Assets of any Defendant, or that may otherwise be subject to any provision of this Order. Service upon any branch or office of any financial institution shall effect service upon the entire financial institution.

DONE AND ORDERED in Chambers at Miami, Florida, this 18th day of August 2015.



EDWIN G. TORRES
United States Magistrate Judge

From Article at GetOutOfDebt.org