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UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION

JUL 25 2011

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

Case No. MJG 11-CV-1483

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

LOMA INTERNATIONAL BUSINESS
GROUP, INC.,

SERVICIOS LATINOAMERICANOS DE
MARYLAND, INC.,

MANUEL E. ALBAN, individually and as
director of LOMA INTERNATIONAL
BUSINESS GROUP, INC. and SERVICIOS
LATINOAMERICANOS DE MARYLAND,
INC., and

LOLA P. ALBAN, an individual,

Defendants.

STIPULATED ORDER OF
PRELIMINARY INJUNCTION
AND OTHER EQUITABLE
RELIEF

On June 1, 2011, Plaintiff, the Federal Trade Commission ("FTC"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), filed its Complaint for Injunctive and Other Equitable Relief, and an *Ex Parte* Application for Temporary Restraining Order, with Asset Freeze, Appointment of a Temporary Monitor, Immediate Access to Business Premises, Order Permitting Limited Expedited Discovery, and Order to Show Cause Why a Preliminary Injunction Should Not Issue ("*Ex Parte* Motion for TRO"), and Supporting Memorandum, pursuant to Rule 65 of the Federal Rules of Civil Procedure. The same day, this Court granted Plaintiff's *Ex Parte* Motion for TRO and entered a Temporary Restraining Order ("TRO") with an Order to Show Cause Why a Preliminary Injunction Should Not Issue against Defendants Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban. On June 13, 2011, the Court issued an Agreed Order extending the TRO until June 27, 2011.

On June 27, 2011, the Court held a Preliminary Injunction hearing and on the record extended the TRO. Present at the Preliminary Injunction hearing were FTC counsel, Defendants' counsel, Manuel Alban, Lola Alban, and the Temporary Monitor. The TRO extension allowed the parties time to negotiate a stipulated Preliminary Injunction in this case.

DISPOSITION

Based upon the agreement of the parties, the Court **GRANTS** the Stipulated Preliminary Injunction against Defendants Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban.

Agreement by Defendants to the Preliminary Injunction is not an admission of any fact or law on the part of any Defendant as alleged in the FTC's Complaint.

IT IS THEREFORE ORDERED as follows:

FINDINGS

1. This Court has jurisdiction over the subject matter of this case, and there is good cause to believe it has jurisdiction over Defendants Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban (collectively, "Defendants").

2. Venue lies properly with this Court.

3. This Court has the authority to grant a preliminary injunction and other appropriate relief pursuant to Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), and Rule 65 of the Federal Rules of Civil Procedure.

4. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), authorizes the issuance of such preliminary relief upon a proper showing that, weighing the equities and considering the FTC's likelihood of ultimate success, such action would be in the public interest.

5. Defendants were properly served with the Temporary Restraining Order.

6. There is good cause to believe that Defendants have engaged in, and are likely to engage in, acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

7. There is good cause to believe that Defendants have provided immigration services and that Defendants are not authorized to provide immigration services under federal regulations.

8. There is good cause to believe that immediate and irreparable damage to the Court's ability to grant effective final relief for consumers – including, but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies – will occur from the sale, transfer, or other disposition or concealment by Defendants of their assets or business records unless Defendants are

preliminarily restrained and enjoined by Order of this Court. There is thus good cause for Defendants' assets to remain frozen.

9. There is good cause to believe that the FTC is likely to prevail on the merits of this action.

10. Weighing the equities and considering the FTC's likelihood of success on the merits, a Preliminary Injunction with asset freeze and other equitable relief is in the public interest.

11. No security is required of any agency of the United States for the issuance of a Preliminary Injunction. Fed. R. Civ. Pro. 65(c).

DEFINITIONS

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

1. "Asset" means any legal or equitable interest in, right to, or claim to, any real or personal property, including, but not limited to, "goods," "instruments," "equipment," "fixtures," "general intangibles," "inventory," "checks," or "notes" (as these terms are defined in the Uniform Commercial Code), lines of credit, chattels, leaseholds, contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts, credits, premises, receivables, funds, and all cash, wherever located.

2. "Assisting others" includes, but is not limited to: (1) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints; (2) formulating or providing, or arranging for the formulation or provision of, any sales script or other marketing material; (3) providing names of, or assisting in the generation of, potential customers; (4) performing or providing marketing or billing services of any kind; (5) acting as an officer or director of a business entity; or (6) providing telemarketing services.

3. **“Customer”** means any person who purchased, agreed to purchase, or was charged for immigration services from any Defendant prior to the date of this Order.

4. **“Defendants”** means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

5. **“Individual Defendants”** means Manuel E. Alban and Lola P. Alban.

6. **“Corporate Defendants”** means Loma International Business Groups, Inc. and Servicios LatinoAmericanos de Maryland, Inc.

7. **“Document”** means any materials listed in Federal Rule of Civil Procedure 34(a) and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, digital records, and other data compilations from which information can be obtained and translated, if necessary, into reasonably usable form through detection devices. A draft or nonidentical copy is a separate Document within the meaning of the term.

8. **“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.

9. **“Immigration services”** means any service provided to a person to aid or purporting to aid that person in any United States immigration matter such as by: (a) appearing in any immigration case, either in person or through the preparation or filing of any brief or other document, paper, application, petition, or other form on behalf of another person before or with any branch of the United States Department of Homeland Security or the United States Department of Justice; (b) selecting or providing which visa, work permit, temporary protected status, residency, or other immigration status or benefit to apply for, or which application or

other form to use, or providing advice regarding these selections; (c) advising a person regarding the requirements for obtaining a visa, a work permit, temporary protected status, residency, or any other immigration status or benefit; or (d) advising a person regarding his or her answers on any immigration related document, paper, application, petition, or other form.

10. “**Mail**” includes, but is not limited to, all envelopes, papers, or other items delivered, whether by United States Mail, United Parcel Service, FedEx, electronic mail, or similar delivery service.

11. “**Monitor**” means the monitor appointed in this Order. The term “monitor” also includes any deputy monitor as may be named by the monitor.

12. “**Person**” means a natural person, an organization or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.

CONDUCT PROHIBITIONS

I. Prohibitions Against Misrepresentations of Immigration Services

IT IS THEREFORE ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them, in connection with the advertising, marketing, promoting, offering for sale, sale, or provision of immigration services are preliminarily restrained and enjoined from misrepresenting, directly or indirectly, expressly or by implication, any material fact, including, but not limited to, that Defendants are authorized to provide immigration services in the United States.

II. Customer Information

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, are preliminarily restrained and enjoined from using, selling, renting, leasing, transferring, or otherwise disclosing or benefitting from the name, address, birth date, telephone number, email address, passport number, Social Security number, credit or debit card number, bank account number, or other financial or identifying personal information of any person from whom or about whom any Defendant obtained such information in connection with activities alleged in the FTC's Complaint.

Provided, however, that Defendants may disclose such financial or identifying personal information to a law enforcement agency or as required by any law, regulation, or court order.

III. Posting Notice of Lawsuit at Defendants' Business Premises

IT IS FURTHER ORDERED that Defendants and their successors, assigns, members, officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with them who receive actual notice of this Order by personal service, facsimile transmission, email, or otherwise, whether acting directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, marketing, promotion, offering for sale, or sale of any immigration service, shall prominently display the following statement at Defendants' business premises:

The Federal Trade Commission has filed a lawsuit against Loma International Business Group, Inc., Servicios LatinoAmericanos de Maryland, Inc., Manuel E. Alban, and Lola P. Alban, alleging that they have engaged in deceptive practices relating to the advertising, marketing, promotion, offering for sale, sale, or provision of immigration services. The United States District Court for the Northern District of Maryland has issued a Preliminary Injunction prohibiting the alleged practices. The Defendants deny that they have violated the law.

You may obtain additional information from the court-appointed Monitor, **H. Mark Stichel, Esq.**, of Gohn, Hankey, & Stichel, LLP, 201 North Charles Street, Suite 2101, Baltimore, Maryland, 21201, at **(410) 752-1658** or the Federal Trade Commission.

The foregoing notice may be supplemented or translated at the direction of the Monitor or by agreement of the parties.

ASSET FREEZE AND DUTIES OF THIRD PARTIES

IV. Asset Freeze

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them, except as provided herein, as stipulated by the parties, or as directed by further order of the Court, are preliminarily restrained and enjoined from:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or security interest or other interest in, or otherwise disposing of any funds, real or personal property, accounts, contracts, shares of stock, lists of customer names, or other assets, or any interest therein, wherever located, including outside the territorial United States, that are:

1. owned, controlled, or held by, in whole or in part, for the benefit of, or subject to access by, or belonging to, any Defendant; or
2. in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, or belonging to, any other corporation, partnership, trust, or any other entity directly or indirectly owned, managed, or controlled by, or under common control with, any Defendant, including, but not limited to, any assets held by or for any Defendant in any account at any bank or savings and loan institution, or with any credit card processing agent, automated clearing house processor, network transaction processor, bank debit processing agent, customer service agent, commercial mail receiving agency, or mail holding or forwarding company, or any credit union, retirement fund custodian, money market or mutual fund, storage company, trustee, or with any broker-dealer, escrow agent, title company, commodity trading company, precious metal dealer, or other financial institution or depository of any kind, either within or outside the territorial United States;

B. Opening or causing to be opened any safe deposit boxes, commercial mail boxes, or storage facilities titled in the name of any Defendant, or subject to access by any Defendant or under any Defendant's control, without providing the FTC prior notice and an opportunity to inspect the contents in order to determine that they contain no assets covered by this Section;

C. Cashing any checks or depositing any payments from immigration services customers or clients of Defendants;

D. Incurring charges or cash advances on any credit card issued in the name, singly or jointly, of any Defendant; or

E. Incurring liens or encumbrances on real property, personal property, or other assets in the name, singly or jointly, of any Defendant or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by any Defendant.

The funds, property, and assets frozen by this Section shall include both existing assets and assets acquired through the effective date of this Order. Provided, however, this Section does not apply to funds, property, or assets acquired exclusively from non-immigration services business or sources after the effective date of this Order.

V. Partial Release of Frozen Assets

A. On June 13, 2011, the Court issued an Order releasing \$2,000 in frozen assets for Manuel and Lola Alban's living expenses for the month of June 2011.

B. On June 30, 2011, the Court issued an Order releasing \$7,748.59 in frozen assets to the Temporary Monitor. The Court Order authorized the Temporary Monitor to: (1) pay \$4,574.09 due in rent on the business premises at 10 N. Calvert Street, Suite 700, Baltimore, Maryland 21202; (2) pay \$50 in wire transfer fees; and (3) distribute \$3,124.50 to Manuel and Lola Alban for their living expenses for the month of July 2011.

C. Beginning August 1, 2011, Defendants' Social Security benefits are not subject to the asset freeze ordered in Section IV. Defendants may use the Social Security benefits to pay ordinary and necessary living expenses. Defendants may open a separate bank account that will be exempt from the provisions of the asset freeze and deposit their Social Security benefits and non-immigration services funds received after July 1, 2011.

D. Defendants may draw additional funds from Defendants' frozen Suntrust Bank account ending in #74150 in the following amounts: (1) \$1,850 on or after August 1, 2011; (2) \$1,850 on or after September 1, 2011; and (3) \$1,850 on or after October 1, 2011.

E. Defendants' request for any additional frozen funds for ordinary and necessary living expenses is subject to approval by this Court. The FTC shall be allowed 10 business days to respond to any request by Defendants for additional frozen funds for ordinary and necessary living expenses.

VI. Legal Fees and Expenses

IT IS FURTHER ORDERED that Defendants may from time to time file a motion with this Court for reasonable legal fees and expenses. Any request for legal fees and expenses is subject to approval by the Court. The FTC shall be allowed 10 business days to respond to any request by Defendants for legal fees and expenses.

VII. Duties of Third Parties

IT IS FURTHER ORDERED that any financial institution, business entity, or person maintaining or having custody or control of any account or other asset of any Defendant, or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with any Defendant, which is served with a copy of this Order, or otherwise has actual or constructive knowledge of this Order, shall:

A. Hold and retain within its control and prohibit the withdrawal, removal, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion, sale, liquidation, or other disposal of any of the assets, funds, documents, or other property held by, or under its control:

1. on behalf of, or for the benefit of, any Defendant or any other party subject to Section IV above;
2. in any account maintained in the name of, or for the benefit of, or subject to withdrawal by, any Defendant or other party subject to Section IV above; and

3. that are subject to access or use by, or under the signatory power of, any Defendant or other party subject to Section IV above;

B. Deny Defendants access to any safe deposit boxes or storage facilities that are either:

1. titled in the name, individually or jointly, of any Defendant, or other party subject to Section IV above; or

2. subject to access by any Defendant or other party subject to Section IV above;

C. Provide the FTC, within five (5) days of the date of service of this Order, a sworn statement setting forth:

1. The identification number of each account or asset titled in the name, individually or jointly, of any Defendant, or held on behalf of, or for the benefit of, any Defendant or other party subject to Section IV above, including all trust accounts managed on behalf of any Defendant or subject to any Defendant's control;

2. The balance of each such account, or a description of the nature and value of such asset;

3. The identification and location of any safe deposit box, commercial mail box, or storage facility that is either titled in the name, individually or jointly, of any Defendant, or is otherwise subject to access or control by any Defendant or other party subject to Section IV above, whether in whole or in part; and

4. If the account, safe deposit box, storage facility, or other asset has been closed or removed, the date closed or removed and the balance on said date;

D. Allow representatives of Plaintiff FTC immediate access to inspect and copy, or upon Plaintiff FTC's request, within five (5) business days of said request, provide the FTC with copies of all records or other documentation pertaining to each such account or asset, including, but not limited to, originals or copies of account applications, account statements, corporate resolutions, signature cards, checks, drafts, deposit tickets, transfers to and from the accounts, all other debit and credit instruments or slips, currency transaction reports, 1099 forms, and safe deposit box logs; and

E. This Section shall apply to existing accounts and assets, assets deposited or accounts opened on or after the effective date of the TRO entered in this matter on June 1, 2011, and any accounts or assets maintained, held or controlled at any time during the 10 years prior to the effective date of the TRO. This Section shall not prohibit transfers in accordance with any provision of this Order, any further order of the Court, or by written agreement of the parties.

VIII. Repatriation of Assets and Documents

IT IS FURTHER ORDERED that Defendants shall:

A. To the extent they have not already done so, within three (3) business days following service of this Order, take such steps as are necessary to repatriate to the territory of the United States of America all documents and assets that are located outside such territory and are held by or for Defendants or are under Defendants' direct or indirect control, jointly, severally, or individually;

B. To the extent they have not already done so, within three (3) business days following service of this Order, provide Plaintiff FTC with a full accounting of all documents and assets that are located outside of the territory of the United States of America or that have been transferred to the territory of the United States of America under Subsection A above and

are held by or for any Defendant or are under any Defendant's direct or indirect control, jointly, severally, or individually, including the addresses and names of any foreign or domestic financial institution or other entity holding the documents and assets, along with the account numbers and balances;

C. Hold and retain all such documents and assets and prevent any transfer, disposition, or dissipation whatsoever of any such documents or assets; and

D. To the extent they have not already done so, within three (3) business days following service of this Order, provide Plaintiff FTC access to Defendants' records and documents held by financial institutions or other entities outside the territorial United States, by signing and delivering to Plaintiff's counsel the Consent to Release of Financial Records attached to this Order as Attachment A.

RECORD KEEPING PROVISIONS

IX. Financial Statements and Accounting

IT IS FURTHER ORDERED that, to the extent they have not already done so, within five (5) business days following the service of this Order:

A. Each Individual Defendant shall prepare and deliver to FTC counsel a completed financial statement on the form captioned "Financial Statement of Individual Defendant," which is attached to this Order as Attachment B;

B. Unless otherwise agreed upon with FTC counsel and the Monitor, Defendants shall also prepare and deliver to FTC counsel a completed financial statement on the form captioned "Financial Statement of Corporate Defendant," which is attached to this Order as Attachment C, for each Corporate Defendant, and for each business entity owned, controlled or

managed by the individual Defendants, regardless of whether it is a defendant in this case. The financial statements shall be accurate as of the date and time of entry of the TRO; and

C. Each Defendant shall also prepare and deliver to FTC counsel a completed statement, verified under oath:

1. specifying the name and address of each financial institution and brokerage firm at which the Defendant has accounts or safe deposit boxes. Said statements shall include assets held in foreign as well as domestic accounts; and
2. listing all persons who have received payments, transfers, or assignment of funds, assets, or property which total \$10,000 or more in any twelve-month period since January 1, 2001. This list shall specify: (a) the amount(s) transferred or assigned; (b) the name of each transferee or assignee; (c) the date of the assignment or transfer; and (d) the type and amount of consideration paid to the Defendant.

X. Records Maintenance and New Business Activity

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them, are preliminarily restrained and enjoined from:

A. Failing to create and maintain books, records, accounts, bank statements, current accountants' reports, general ledgers, general journals, cash receipt ledgers, cash disbursement ledgers and source documents, documents indicating title to real or personal property, and any

other data which, in reasonable detail, accurately, fairly and completely reflect the incomes, disbursements, transactions, dispositions, and uses of the Defendants' assets;

B. Destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any documents, including electronically-stored materials, that relate in any way to the business practices or business or personal finances of Defendants; to the business practices or finances of entities directly or indirectly under the control of Defendants; or to the business practices or finances of entities directly or indirectly under common control with any other Defendant; and

C. Creating, operating, or exercising any control over any new business entity, whether newly formed or previously inactive, including any partnership, limited partnership, joint venture, sole proprietorship, or corporation, without first providing Plaintiff FTC with a written statement disclosing: (1) the name of the business entity; (2) the address and telephone number of the business entity; (3) the names of the business entity's officers, directors, principals, managers, and employees; and (4) a detailed description of the business entity's intended activities.

MONITOR PROVISIONS

XI. Appointment of Monitor

IT IS FURTHER ORDERED that **H. Mark Stichel, Esq.**, of Gohn, Hankey, & Stichel, LLP, 201 North Charles Street, Suite 2101, Baltimore, Maryland, 21201, is appointed as a Monitor for the Corporate Defendants. The Monitor shall be the sole agent of this Court acting under this Order. The Monitor shall be accountable directly to this Court.

XII. Monitor's Duties and Authority

IT IS FURTHER ORDERED that the Monitor shall have the following duties and authority:

- A. Monitor the Defendants' compliance with this Order;
- B. Take exclusive custody, control, and possession of all files related to immigration services in the possession or custody or under the control of Defendants, wherever situated, including without limitation all paper documents and all electronic data and devices that contain or store electronic data pertaining to Defendants' immigration services, including, but not limited to, computers, laptops, data storage devices, back-up tapes, DVDs, CDs, and thumb drives and all other external storage devices and, as to equipment in the possession or under the control of the Defendants, all PDAs, smart phones, cellular telephones, and similar devices issued or paid for by Defendants;
- C. Take all steps necessary to secure all files related to immigration services located at Defendants' business premises, including but not limited to, all such premises located at 10 North Calvert Street, Suite 700, Baltimore, Maryland 21202. Such steps may include, but are not limited to, the following as the Monitor deems necessary or advisable:
 1. serving this Order on any person or entity;
 2. obtaining pertinent information from all employees and other agents of the Defendants, including but not limited to, the name, home address, Social Security number, job description, method of compensation, and all accrued and unpaid FTCs and compensation of each such employee or agent; and

3. requiring any persons present on the business premises at the time this Order to demonstrate to the satisfaction of the Monitor that such persons are not removing from the premises client files related to immigration services;

D. Identify, review, and copy the Defendants' business records and financial transactions as they relate to the immigration services practices alleged in the FTC's Complaint and ensure that all such documents are preserved;

E. Identify and create a contact list of all Defendants' immigration services customers;

F. Provide timely notice to Defendants' immigration services customers of their right to take possession of their own files related to immigration services;

G. Timely return all files related to immigration services to Defendants' customers who request their files related to immigration services;

H. Provide information about authorized immigration service providers in the Baltimore, Maryland area to facilitate any immigration services customer's request for assistance with their immigration applications;

I. Retain exclusive custody, control, and possession of all files related to immigration services not returned to any immigration services customers until such time as the Court directs otherwise;

J. The Monitor shall have immediate, unfettered access to all information or documents the Monitor deems necessary to carry out the Monitor's duties pursuant to this Order, to the same extent as the Defendants themselves are allowed by right, contract, or practice, including but not limited to:

1. Access to all documents, including files related to immigration services, pertaining to Defendants' immigration services activities and finances wherever located and in whomever's custody or control;
2. Access to all property or premises in possession of, owned by, or under the control of Defendants, wherever located;
3. The right to interview any current or former employee of Defendants;
4. The right to interview any of Defendants' current or former officers, managers, independent contractors, subcontractors, financial institutions, vendors, telecommunications providers, agents, service bureaus, or other entities involved in the provision of immigration services from, to, or on behalf of the Defendants; and
5. Access to all documents of any officer, manager, independent contractor, employee, or agent of the Defendants;

K. The Monitor is authorized to choose, engage, and employ attorneys, investigators, accountants, appraisers, and other independent contractors and technical specialists, as the Monitor deems advisable or necessary in the performance of the duties and responsibilities under the authority granted by this Order.

L. The Monitor is permitted to engage in *ex parte* communications with counsel for any party to the extent the Monitor deems appropriate in the exercise of the Monitor's duties and responsibilities under this Order.

XIII. Reporting by the Monitor

IT IS FURTHER ORDERED that no later than 30 days after the date of entry of this Order, the Monitor is authorized and directed to prepare and submit a report to this Court and to the parties describing the Defendants' business activities, including, but not limited to:

- A. The Defendants' compliance with this Order;
- B. A description of the Defendants' structures, including all parents, subsidiaries, (whether wholly or partially owned), divisions (whether incorporated or not), affiliates, branches, charters, joint ventures, partnerships, franchises, operations under assumed names, any entities over which the Defendants exercise supervision or control, and all ownership interests Defendants and any of the entities described above;
- C. A status report detailing the Monitor's efforts to notify immigration services customers and to return their files related to immigration services;
- D. The Monitor through his designated independent contractor shall provide to this Court and to the parties a separate detailed accounting of each immigration service advertised, marketed, promoted, offered for sale, or sold by any Defendant containing the following information:
 1. all gross revenues obtained from the sale of immigration services (broken down by month and year) from January 1, 2001, through the date of the issuance of the TRO;
 2. all refunds paid to consumers related to the sale of immigration services (broken down by month and year) from January 1, 2001, through the date of the issuance of the TRO;

3. all net revenues (gross revenues minus refunds) obtained from the sale of immigration services from January 1, 2001, through the date of the issuance of the TRO;

4. the full name, address, and telephone number of every purchaser or recipient of immigration services from January 1, 2001, through the date of the issuance of the TRO; and

5. This separate detailed accounting shall be provided no later than 60 days from the date of entry of this Order;

E. Preparing and submitting additional reports, observations, and recommendations to the Court, upon reasonable notice to the parties, and seek guidance and instructions from this Court as is necessary; and

F. If the Monitor has any reason to believe that the report would reveal any trade secrets or similarly sensitive business information, the Monitor is granted leave to file his report under seal, or alternatively, to redact the report and to file a key to the sensitive information under seal.

XIV. Defendants' Cooperation with the Monitor

IT IS FURTHER ORDERED that Defendants and all other persons or entities served with a copy of this Order shall fully cooperate with and assist the Monitor and his investigators, accountants, appraisers, independent contractors, and any others the Monitor may employ. This cooperation and assistance shall include, but not be limited to, providing information to the Monitor that the Monitor deems necessary in order to discharge the responsibilities of the Monitor under this Order; and providing any password required to access any computer,

electronic file, or telephone data in any medium. Defendants are preliminarily restrained and enjoined from directly or indirectly:

- A. Transacting any of the immigration services business of Defendants;
- B. Destroying, secreting, defacing, transferring, or otherwise altering or disposing of any files related to immigration services of Defendants including, but not limited to, books, records, accounts, writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations, electronically stored records, or any other papers of any kind or nature;
- C. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any assets owned, controlled, or in the possession or custody of, or in which an interest is held or claimed by, the Defendants or the Monitor;
- D. Drawing on any existing line of credit available to Defendants;
- E. Excusing debts owed to Defendants;
- F. Doing any act that would, or failing to do any act which failure would, interfere with the Monitor's taking custody, control, possession, or management of files related to immigration services subject to this Order; or harassing or interfering with the Monitor in any way; or interfering in any manner with the exclusive jurisdiction of this Court over files related to immigration services; or refusing to cooperate with the Monitor or his duly authorized agents in the exercise of their duties or authority under any Order of this Court; and
- G. Filing, or causing to be filed, any petition on behalf of any Defendant for relief under the United States Bankruptcy Code, 11 U.S.C. §§ 101-1330 (2002), without prior permission from this Court.

XV. Defendants' Reporting to the Monitor

IT IS FURTHER ORDERED that Defendants are preliminarily restrained and enjoined from creating, operating, or exercising any control over any business entity, including any partnership, limited partnership, joint venture, sole proprietorship, limited liability company, or corporation, without first providing the Monitor with a written statement disclosing: (1) the name of the business entity; (2) the address and telephone number of the business entity; (3) the names of the business entity's officers, directors, principals, managers, and employees; and (4) a detailed description of the business entity's intended activities.

XVI. Collection of Defendants' Mail

IT IS FURTHER ORDERED that:

- A. Defendants are preliminarily restrained and enjoined from opening mail addressed to the Defendants, including, but not limited to, mail received at the following address:
1. 10 North Calvert Street, Suite 700, Baltimore, Maryland; and
 2. Any other address used by any of the Defendants related to any immigration service;
- B. The Monitor is authorized to open all mail received at Defendants' business address(es) (The Monitor shall forward non-immigration services mail, if any, to the Individual Defendant's last known personal address);
- C. Any funds related to any immigration service enclosed in any mail shall be maintained and accounted for by the Monitor until further order by the Court; and

D. Any Defendant who receives mail or any delivery addressed to a Defendant related to any immigration service shall promptly deliver it unopened to the Monitor.

XVII. Compensation of the Monitor

IT IS FURTHER ORDERED that the Monitor, and personnel hired by the Monitor to perform the duties under this Order, are entitled to a reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Defendants' assets. To obtain payment, the Monitor shall file with the Court and serve on the parties a request for compensation detailing fees and costs incurred. The Court shall grant the Monitor's request for compensation as it deems reasonable.

XVIII. Monitor's Bond/Liability

IT IS FURTHER ORDERED that no bond shall be required in connection with the appointment of the Monitor. Except for an act of gross negligence, the Monitor and his personnel shall not be liable for any loss or damage incurred by any of the Defendants, their officers, agents, servants, employees, attorneys, or any other person, by reason of any act performed or omitted to be performed by the Monitor or his personnel in connection with the discharge of his duties and responsibilities.

XIX. Expedited Discovery

IT IS FURTHER ORDERED that pursuant to Federal Rules of Civil Procedure 30(a), 31(a), 34, and 45, and notwithstanding the provisions of Federal Rules of Civil Procedure 26(d) and (f), 30(a)(2)(A), and 31(a)(2)(A), Plaintiff FTC is granted leave, at any time after entry of this Order to:

A. Take the deposition of any person or entity, whether or not a party, for the purpose of discovering the nature, location, status, and extent of the assets of Defendants, and Defendants' affiliates and subsidiaries; the nature and location of documents reflecting the business transactions of Defendants, and Defendants' affiliates and subsidiaries; the location of any premises where Defendants, directly or through any third party, conduct business operations; the Defendants' whereabouts; and the applicability of any evidentiary privileges to this action; and

B. Demand the production of documents from any person or entity, whether or not a party, relating to the nature, status, and extent of the assets of Defendants, and Defendants' affiliates and subsidiaries; the nature and location of documents reflecting the business transactions of Defendants, and Defendants' affiliates and subsidiaries; the location of any premises where Defendants, directly or through any third party, conduct business operations; the Defendants' whereabouts; and the applicability of any evidentiary privileges to this action.

Three (3) days notice shall be deemed sufficient for any deposition, five (5) days notice shall be deemed sufficient for the production of any documents, and twenty-four (24) hours notice shall be deemed sufficient for the production of any documents that are maintained or stored only as electronic data. The provisions of this Section shall apply both to parties to this case and to non-parties. The limitations and conditions set forth in Federal Rules of Civil Procedure 30(a)(2)(B) and 31(a)(2)(B) regarding subsequent depositions of an individual shall not apply to depositions taken according to this Section. Any depositions taken according to this Section shall not be counted toward any limit on the number of depositions under the Federal Rules of Civil Procedure including those set forth in Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) or the Local Rules of Civil Procedure for the United States District

Court for the District of Maryland. Service of discovery upon a party, taken according to this Section, shall be sufficient if made through the means described in Section XX of this Order.

XX. Service of this Order

IT IS FURTHER ORDERED that copies of this Order may be distributed by U.S. first class mail, overnight delivery, facsimile, electronic mail, or personally, by agents or employees of Plaintiff FTC, by agents or employees of the Monitor, by any law enforcement agency, or by private process server, upon any person, financial institution, or other entity that may have possession or control of any property, property right, document, or asset of any Defendant, or that may be subject to any provision of this Order. Service upon any branch or office of any financial institution or entity shall effect service upon the entire financial institution or entity.

XXI. Acknowledgment of Receipt of Preliminary Injunction by Defendants

IT IS FURTHER ORDERED that Defendants, within five (5) business days of receipt of this Preliminary Injunction as entered by the Court, must submit to the FTC a truthful sworn statement acknowledging receipt of the Preliminary Injunction.

XXII. Distribution of Order by Defendants

IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of this Order to each of their corporations, subsidiaries, affiliates, divisions, directors, officers, agents, partners, successors, assigns, employees, attorneys, agents, representatives, sales entities, sales persons, telemarketers, independent contractors, and any other persons in active concert or participation with them. Within five (5) calendar days following service of this Order by Plaintiff FTC, each Defendant shall file with this Court and serve on Plaintiff FTC, an affidavit

identifying the names, titles, addresses, and telephone numbers of the persons and entities Defendants have served with a copy of this Order in compliance with this provision.

XXIII. Consumer Reporting Agencies

IT IS FURTHER ORDERED that, pursuant to Section 604 of the Fair Credit Reporting Act, 15 U.S.C. § 1681b, any consumer reporting agency may furnish a consumer or credit report concerning any Defendant to Plaintiff FTC.

XXIV. Correspondence with and Notice to Plaintiff FTC

IT IS FURTHER ORDERED that for purposes of this Order, all correspondence and pleadings to the FTC shall be addressed to:

Eliseo N. Padilla
Federal Trade Commission
1999 Bryan Street, Suite 2150
Dallas, Texas 75201
(214) 979-9382 [telephone]
(214) 953-3079 [facsimile]
epadilla@ftc.gov

XXV. Retention of Jurisdiction

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for all purposes.

SO ORDERED, this nd 22 day of July, 2011.

/s/

Marvin J. Garbis
United States District Judge

STIPULATED by:

WILLARD K. TOM
General Counsel

DEANYA T. KUECKELHAN
Regional Director

Dated: July 19, 2011

/s/ Eliseo N. Padilla

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Date: July 19, 2011

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