

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

FEDERAL TRADE COMMISSION, and  
OFFICE OF THE ATTORNEY GENERAL,  
STATE OF FLORIDA,  
DEPARTMENT OF LEGAL AFFAIRS,

Plaintiffs,

vs.

LIFE MANAGEMENT SERVICES OF ORANGE  
COUNTY, LLC, a Florida limited liability  
company, *et al.*,

Defendants, and

Timothy Woods, individually

Relief Defendant.

**Case No.** 6:16-cv-982-Orl-41TBS

**STIPULATED ORDER FOR MONETARY JUDGMENT AS TO TIMOTHY WOODS**

Plaintiffs, the Federal Trade Commission (“Commission” or “FTC”) and the Office of the Attorney General, State of Florida, Department of Legal Affairs (“State of Florida”) (collectively, “Plaintiffs”), filed their Complaint for Permanent Injunction and Other Relief (“Complaint”), pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §53(b), the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§6101-6108, and the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”), Chapter 501, Part II, Florida Statutes (2016). Through counsel, having filed a joint motion, Plaintiffs and Relief Defendant Timothy Woods (hereinafter

“Settling Relief Defendant”) stipulate to the entry of this Stipulated Order for Monetary Judgment (“Order”) to resolve all matters in dispute in this action between them.

**THEREFORE, IT IS ORDERED** as follows:

**FINDINGS**

1. This Court has jurisdiction over this matter.
2. The Complaint charges that Defendants participated in deceptive and unfair acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. §45(a), various provisions of the Telemarketing Sales Rule (“TSR”), 16 C.F.R. Part 310, and Section 501.204 of FDUTPA, by selling bogus debt-relief services to consumers struggling with credit-card debt.
3. The Complaint charges that Relief Defendants have received, directly or indirectly, funds traceable to Defendants’ unlawful activity, that Relief Defendants have no legitimate claim to those funds, that such assets are subject to a constructive trust, and that Relief Defendants will be unjustly enriched if they are not required to disgorge the assets received as a result of Defendants’ unlawful activity.
4. Settling Relief Defendant neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Order. Only for purposes of this action, Settling Relief Defendant admits the facts necessary to establish jurisdiction.
5. Settling Relief Defendant waives and releases any claims that Settling Relief Defendant may have against Plaintiffs, the Receiver, and their agents that relate to this action. Settling Relief Defendant agrees to bear Settling Relief Defendant’s costs and attorneys’ fees.

6. Settling Relief Defendant waives all rights to appeal or otherwise to challenge or to contest the validity of this Order.

### DEFINITIONS

For purposes of this Stipulated Order for Monetary Judgment, the following definitions apply:

1. **“Corporate Defendants”** means Life Management Services of Orange County, LLC; Loyal Financial & Credit Services, LLC, also d/b/a FOC Credit and Reward Services; IVD Recovery, LLC; KWP Services, LLC; KWP Services of Florida LLC; LPSOFFLA LLC; LPSOFFLORIDA L.L.C.; PW&F Consultants of Florida LLC; UAD Secure Services LLC; UAD Secure Service of FL LLC; URB Management, LLC; YCC Solutions LLC; YFP Solutions LLC, and their successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by these entities.

2. **“Debt-Relief Product or Service”** means any product, service, plan, or program represented, expressly or by implication, to:

a. renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a Person and one or more creditor or debt collector, including, but not limited to, a reduction in balance, interest rate, or fees owed by a Person to any creditor or debt collector;

b. improve, repair, or arrange to improve or repair, any consumer’s credit record, credit history, or credit rating;

c. provide, arrange, or assist any consumer in receiving, credit cards, debit cards, or stored-value cards; or

d. stop, prevent, or postpone any mortgage or deed-of-foreclosure sale for a person's dwelling, any other sale of collateral, any repossession of a person's dwelling or other collateral, or otherwise save a person's dwelling or other collateral from foreclosure or repossession.

3. **"Defendants"** means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

4. **"Financial Institution"** means any bank, savings and loan institution, credit union, or any financial depository of any kind, including any brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer.

5. **"Individual Defendants"** means Kevin W. Guice; Chase P. Jackowski; Linda N. McNealy a/k/a Linda N. Parker; Clarence H. Wahl a/k/a Harry Wahl; Karen M. Wahl, and by whatever other names each may be known.

6. **"Person"** means a natural person, 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.

7. **"Plaintiffs"** means the Federal Trade Commission ("FTC" or "Commission") and Office of the Attorney General, State of Florida, Department of Legal Affairs ("State of Florida").

8. **“Relief Defendants”** means Robert Guice and Timothy Woods, and by whatever other names each may be known.

9. **“Settling Relief Defendant”** means Relief Defendant Timothy Woods, and by whatever other names he may be known.

**ORDER**

**I. MONETARY JUDGMENT AND PARTIAL SUSPENSION**

**IT IS ORDERED** that:

A. Judgment is entered in the amount of Nine-Hundred and Sixty-One Thousand and Two Hundred and Fifty Dollars (\$961,250) in favor of Plaintiffs against Settling Relief Defendant, as equitable monetary relief.

B. Full payment of the foregoing shall be suspended upon satisfaction of the obligations set forth in Subsections C and D, and subject to the conditions set forth in Subsections E and F of this Section.

C. Immediately upon entry of this Order, Settling Relief Defendant is ordered to surrender to the Receiver all control, title, dominion, and interest Settling Relief Defendant has in the following assets.

1. All assets of Settling Relief Defendant in the possession of the Receiver.

2. All assets of Settling Relief Defendant frozen pursuant to the Preliminary Injunction Order entered by the Court on June 30, 2016.

3. “Tag Heuer Watch,” listed in Item 17 of the Federal Trade Commission Financial Statement of Individual Defendant submitted to Plaintiffs, signed by

Timothy Woods on October 12, 2016.

4. “LeVian Ring,” listed in Item 17 of the Federal Trade Commission Statement of Individual Defendant submitted to Plaintiffs, signed by Timothy Woods on March 21, 2017.

D. Settling Relief Defendant is ordered to pay to Plaintiffs the sum of Thirty-One Thousand Dollars (\$31,000), by making payment to the Commission, which, as Settling Relief Defendant stipulates, Settling Relief Defendant’s undersigned counsel holds in escrow for no purpose other than payment to the Commission. Such payment must be made within seven (7) days of entry of this Order. Payment shall be made by electronic fund transfer in accordance with instructions previously provided by a representative of the Plaintiffs.

E. Plaintiffs’ agreement to the suspension of part of the judgment is expressly premised upon the truthfulness, accuracy, and completeness of Settling Relief Defendant’s sworn financial statements and related documents (collectively “financial representations”) submitted to Plaintiffs, namely:

1. Federal Trade Commission Financial Statement of Individual Defendant, signed by Timothy Woods on June 17, 2016, including the attachments;
2. Federal Trade Commission Financial Statement of Individual Defendant, signed by Timothy Woods on October 12, 2016, including the attachments;
3. Declaration of Timothy Woods (titled “Questions for Timothy Woods”), signed November 8, 2016, including the attachments; and
4. Federal Trade Commission Financial Statement of Individual Defendant, signed by Timothy Woods on March 21, 2017, including the attachments.

F. The suspension of part of the judgment will be lifted as to Settling Relief Defendant if, upon motion by any Plaintiff, the Court finds that Settling Relief Defendant failed to disclose any material asset, materially misstated the value of any asset, or made any other material misstatement or omission in the financial representations identified above.

G. If the suspension of part of the judgment is lifted, the entire monetary judgment becomes immediately due as to Settling Relief Defendant in the amount specified in Subsection A above (which the parties stipulate only for purposes of this Section represents the total funds received by Settling Relief Defendant traceable to Defendants' unlawful activity), less any payment previously made pursuant to this Section, plus interest computed from the date of entry of this Order.

## **II. ADDITIONAL MONETARY PROVISIONS**

**IT IS FURTHER ORDERED** that:

A. Settling Relief Defendant relinquishes dominion and all legal and equitable right, title, and interest in all assets transferred pursuant to this Order and may not seek the return of any assets.

B. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of Plaintiffs, including in a proceeding to enforce their rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.

C. The facts alleged in the Complaint establish all elements necessary to sustain an action by Plaintiffs pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. §523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.

D. Settling Relief Defendant acknowledges that Settling Relief Defendant's Taxpayer Identification Numbers or Social Security Number, which was previously submitted to Plaintiffs, may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. §7701.

E. This Order is the result of a government agency action on behalf of injured purchasers of Defendants' Debt-Relief Product or Service and may serve as the basis to recover any surety bond, letter of credit, certificate of deposit, or other form of security filed with the Florida Department of Agriculture and Consumer Services ("DACs"). In addition to the obligations set forth in Section I, Plaintiffs and Settling Relief Defendant agree that restitution may be paid from any such surety bond, letter of credit, certificate of deposit, or other form of security filed with the DACs.

F. All money paid to Plaintiffs pursuant to this Order may be deposited into a fund administered by the Commission or its designee on behalf of both the Commission and the State of Florida. This fund shall be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of any Plaintiff decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Plaintiffs may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to the Defendants' practices alleged in the Complaint. Any money not used for such equitable relief shall be divided between the Commission and the State of Florida to be deposited to the U.S. Treasury as disgorgement and the State of Florida Department of Legal Affairs Revolving Trust Fund for costs, fees, and future

enforcement. Defendants in this proceeding have no right to challenge any actions the Plaintiffs, the Receiver, or their representatives may take pursuant to this Subsection.

### **III. MODIFICATION OF ASSET FREEZE**

**IT IS FURTHER ORDERED** that the freeze on Settling Relief Defendant's assets pursuant to the Preliminary Injunction Order is hereby modified to permit the payments and transfers identified in Section I of this Order. At such time, the asset freeze is dissolved as to the Settling Relief Defendant. A Financial Institution shall be entitled to rely upon a letter from any Plaintiff that the freeze on Settling Relief Defendant's assets has been lifted.

### **IV. COOPERATION**

**IT IS FURTHER ORDERED** that Settling Relief Defendant must fully cooperate with representatives of Plaintiffs and the Receiver in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Settling Relief Defendant must provide truthful and complete information, evidence, and testimony. Settling Relief Defendant must appear for interviews, discovery, hearings, trials, and any other proceedings that a Commission or State of Florida representative may reasonably request upon five (5) days written notice, or other reasonable notice, at such places and times as a Commission or State of Florida representative may designate, without the service of a subpoena.

### **V. ORDER ACKNOWLEDGMENT**

**IT IS FURTHER ORDERED** that Settling Relief Defendant, within seven (7) days of entry of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.

## VI. COMPLIANCE MONITORING

**IT IS FURTHER ORDERED** that, for the purpose of monitoring Settling Relief Defendant's compliance with this Order, including the financial representations upon which part of the judgment was suspended and any failure to transfer any assets as required by this Order:

A. Within fourteen (14) days of receipt of a written request from a representative of any Plaintiff, Settling Relief Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce documents for inspection and copying. Plaintiffs are also authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, Plaintiffs are authorized to communicate directly with Settling Relief Defendant. Settling Relief Defendant must permit representatives of any Plaintiff to interview any employee or other person affiliated with any Defendant who has agreed to such an interview. The person interviewed may have counsel present.

C. Plaintiffs may use all other lawful means, including posing, through its representatives, as consumers, suppliers, or other individuals or entities to Settling Relief Defendant or any individual or entity affiliated with Settling Relief Defendant, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act,

15 U.S.C. §§49, 57b-1.

D. Upon written request from a representative of any Plaintiff, any consumer reporting agency must furnish consumer reports concerning Settling Relief Defendant, pursuant to Section 604(a)(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

**VII. RETENTION OF JURISDICTION**

**IT IS FURTHER ORDERED** that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2017.

---

Carlos E. Mendoza  
United States District Judge

**SO STIPULATED AND AGREED:**

**FOR PLAINTIFFS:**

DAVID C. SHONKA  
Acting General Counsel

  
\_\_\_\_\_

TEJASVI M. SRIMUSHNAM  
JOSHUA A. DOAN  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Mail Stop H-286  
Washington, DC 20580  
Telephone: (202) 326-2969; (202) 326-3187  
Facsimile: (202) 326-3395  
Email: tsrimushnam@ftc.gov; jdoan@ftc.gov

Dated: August 31, 2017

Attorneys for Plaintiff  
FEDERAL TRADE COMMISSION

  
\_\_\_\_\_

JENNIFER HINTON KNUTTON  
DENISE BEAMER  
Assistant Attorneys General  
Florida Bar # 92771 (Knutton) and # 69369 (Beamer)  
Email: Jennifer.Knutton@myfloridalegal.com  
Denise.Beamer@myfloridalegal.com  
Office of the Attorney General  
Consumer Protection Division  
135 W. Central Blvd., Suite 670  
Orlando, Florida 32801  
Telephone: (407) 316-4840  
Facsimile: (407) 245-0365

Dated: August 30, 2017

Attorneys for Plaintiff  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF FLORIDA  
DEPARTMENT OF LEGAL AFFAIRS

**FOR SETTLING RELIEF DEFENDANT:**

  
\_\_\_\_\_  
TIMOTHY WOODS

Dated: 4-10-2017, 2017



Matthew A. Liebert

Matthew A. Liebert  
Counsel for Timothy Woods  
Florida Bar # 0752266  
200 S. Orange Avenue, Ste. 2000  
Orlando, Florida 32801  
Tel: 407.245.8352  
Fax: 407.245.8361  
Email: leibert@urbanthier.com

Dated: July 18, 2017

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

FEDERAL TRADE COMMISSION, and  
OFFICE OF THE ATTORNEY GENERAL,  
STATE OF FLORIDA,  
DEPARTMENT OF LEGAL AFFAIRS,

Plaintiffs,

vs.

LIFE MANAGEMENT SERVICES OF ORANGE  
COUNTY, LLC, a Florida limited liability  
company, *et al.*,

Defendants, and

Robert Guice, individually

Relief Defendant.

**Case No. 6:16-cv-982-Orl-41TBS**

**STIPULATED ORDER FOR MONETARY JUDGMENT AS TO ROBERT GUICE**

Plaintiffs, the Federal Trade Commission (“Commission” or “FTC”) and the Office of the Attorney General, State of Florida, Department of Legal Affairs (“State of Florida”) (collectively, “Plaintiffs”), filed their Complaint for Permanent Injunction and Other Relief (“Complaint”), pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §53(b), the Telemarketing and Consumer Fraud and Abuse Prevention Act (“Telemarketing Act”), 15 U.S.C. §§6101-6108, and the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”), Chapter 501, Part II, Florida Statutes (2016). Through counsel, having filed a joint motion, Plaintiffs and Relief Defendant Robert Guice (hereinafter

“Settling Relief Defendant”) stipulate to the entry of this Stipulated Order for Monetary Judgment (“Order”) to resolve all matters in dispute in this action between them.

**THEREFORE, IT IS ORDERED** as follows:

**FINDINGS**

1. This Court has jurisdiction over this matter.
2. The Complaint charges that Defendants participated in deceptive and unfair acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. §45(a), various provisions of the Telemarketing Sales Rule (“TSR”), 16 C.F.R. Part 310, and Section 501.204 of FDUTPA, by selling bogus debt-relief services to consumers struggling with credit-card debt.
3. The Complaint charges that Relief Defendants have received, directly or indirectly, funds traceable to Defendants’ unlawful activity, that Relief Defendants have no legitimate claim to those funds, that such assets are subject to a constructive trust, and that Relief Defendants will be unjustly enriched if they are not required to disgorge the assets received as a result of Defendants’ unlawful activity.
4. Settling Relief Defendant neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Order. Only for purposes of this action, Settling Relief Defendant admits the facts necessary to establish jurisdiction.
5. Settling Relief Defendant waives and releases any claims that Settling Relief Defendant may have against Plaintiffs, the Receiver, and their agents that relate to this action. Settling Relief Defendant agrees to bear Settling Relief Defendant’s costs and attorneys’ fees.

6. Settling Relief Defendant waives all rights to appeal or otherwise to challenge or to contest the validity of this Order.

**DEFINITIONS**

For purposes of this Stipulated Order for Monetary Judgment, the following definitions apply:

1. **“Corporate Defendants”** means Life Management Services of Orange County, LLC; Loyal Financial & Credit Services, LLC, also d/b/a FOC Credit and Reward Services; IVD Recovery, LLC; KWP Services, LLC; KWP Services of Florida LLC; LPSOFFLA LLC; LPSOFFLORIDA L.L.C.; PW&F Consultants of Florida LLC; UAD Secure Services LLC; UAD Secure Service of FL LLC; URB Management, LLC; YCC Solutions LLC; YFP Solutions LLC, and their successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by these entities.

2. **“Debt-Relief Product or Service”** means any product, service, plan, or program represented, expressly or by implication, to:

a. renegotiate, settle, or in any way alter the terms of payment or other terms of the debt between a Person and one or more creditor or debt collector, including, but not limited to, a reduction in balance, interest rate, or fees owed by a Person to any creditor or debt collector;

b. improve, repair, or arrange to improve or repair, any consumer’s credit record, credit history, or credit rating;

c. provide, arrange, or assist any consumer in receiving, credit cards, debit cards, or stored-value cards; or

d. stop, prevent, or postpone any mortgage or deed-of-foreclosure sale for a person's dwelling, any other sale of collateral, any repossession of a person's dwelling or other collateral, or otherwise save a person's dwelling or other collateral from foreclosure or repossession.

3. **"Defendants"** means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

4. **"Financial Institution"** means any bank, savings and loan institution, credit union, or any financial depository of any kind, including any brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer.

5. **"Individual Defendants"** means Kevin W. Guice; Chase P. Jackowski; Linda N. McNealy a/k/a Linda N. Parker; Clarence H. Wahl a/k/a Harry Wahl; Karen M. Wahl, and by whatever other names each may be known.

6. **"Person"** means a natural person, 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.

7. **"Plaintiffs"** means the Federal Trade Commission ("FTC" or "Commission") and Office of the Attorney General, State of Florida, Department of Legal Affairs ("State of Florida").

8. **“Relief Defendants”** means Robert Guice and Timothy Woods, and by whatever other names each may be known.

9. **“Settling Relief Defendant”** means Relief Defendant Robert Guice, and by whatever other names he may be known.

## ORDER

### I. MONETARY JUDGMENT AND PARTIAL SUSPENSION

**IT IS ORDERED** that:

A. Judgment is entered in the amount of One Million Three Hundred and Thirty-Two Thousand Eight Hundred Dollars (\$1,332,800) in favor of Plaintiffs against Settling Relief Defendant, as equitable monetary relief.

B. Full payment of the foregoing shall be suspended upon satisfaction of the obligations set forth in Subsection C, and subject to the conditions set forth in Subsections D and E of this Section.

C. Immediately upon entry of this Order, Settling Relief Defendant is ordered to surrender to the Receiver all control, title, dominion, and interest Settling Relief Defendant has in the following assets.

1. Bank of America bank accounts ending in x1596 and x1606;
2. Navy Federal Credit Union bank accounts ending in x3778 and x3406;
3. 2014 Infinity Q50, listed in Item 16 of the Federal Trade Commission Financial Statement of Individual Defendant submitted to Plaintiffs, signed by Robert Guice on December 29, 2016 (hereinafter “December 2016 Financial Statement”); and
4. Three (3) Rolex Submariner watches, included in the Category

“Watches,” in Item 17 of the December 2016 Financial Statement.

D. Plaintiffs’ agreement to the suspension of part of the judgment is expressly premised upon the truthfulness, accuracy, and completeness of Settling Relief Defendant’s sworn financial statements and related documents (collectively “financial representations”) submitted to Plaintiffs, namely:

1. Federal Trade Commission Financial Statement of Individual Defendant, signed by Robert Guice on June 17, 2016, including the attachments;
2. Federal Trade Commission Financial Statement of Individual Defendant, signed by Robert Guice on October 19, 2016, including the attachments;
3. Declaration of Bob Guice, signed November 7, 2016, including Annex A & B; and
4. Federal Trade Commission Financial Statement of Individual Defendant, signed by Robert Guice on December 30, 2016, including the attachments and supplemental productions made on February 13, 2017, March 8, 2017, and March 14, 2017.

E. The suspension of part of the judgment will be lifted as to Settling Relief Defendant if, upon motion by any Plaintiff, the Court finds that Settling Relief Defendant failed to disclose any material asset, materially misstated the value of any asset, or made any other material misstatement or omission in the financial representations identified above.

F. If the suspension of part of the judgment is lifted, the entire monetary judgment becomes immediately due as to Settling Relief Defendant in the amount specified in Subsection A above (which the parties stipulate only for purposes of this Section represents the total funds received by Settling Relief Defendant traceable to Defendants’

unlawful activity), less any payment previously made pursuant to this Section, plus interest computed from the date of entry of this Order.

## **II. ADDITIONAL MONETARY PROVISIONS**

**IT IS FURTHER ORDERED** that:

A. Settling Relief Defendant relinquishes dominion and all legal and equitable right, title, and interest in all assets transferred pursuant to this Order and may not seek the return of any assets.

B. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of Plaintiffs in a proceeding to enforce their rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.

C. The facts alleged in the Complaint establish all elements necessary to sustain an action by Plaintiffs pursuant to Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. §523(a)(2)(A), and this Order will have collateral estoppel effect for such purposes.

D. Settling Relief Defendant acknowledges that Settling Relief Defendant's Taxpayer Identification Number or Social Security Number, which was previously submitted to Plaintiffs, may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. §7701.

E. This Order is the result of a government agency action on behalf of injured purchasers of Defendants' Debt-Relief Product or Service and may serve as the basis to recover any surety bond, letter of credit, certificate of deposit, or other form of security filed with the Florida Department of Agriculture and Consumer Services ("DACs"). In addition

to the obligations set forth in Section I, Plaintiffs and Settling Relief Defendant agree that restitution may be paid from any such surety bond, letter of credit, certificate of deposit, or other form of security filed with the DACS.

F. All money paid to Plaintiffs pursuant to this Order may be deposited into a fund administered by the Commission or its designee on behalf of both the Commission and the State of Florida. This fund shall be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. If a representative of any Plaintiff decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Plaintiffs may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to the Defendants' practices alleged in the Complaint. Any money not used for such equitable relief shall be divided between the Commission and the State of Florida to be deposited to the U.S. Treasury as disgorgement and the State of Florida Department of Legal Affairs Revolving Trust Fund for costs, fees, and future enforcement. Defendants in this proceeding have no right to challenge any actions the Plaintiffs, the Receiver, or their representatives may take pursuant to this Subsection.

### **III. MODIFICATION OF ASSET FREEZE**

**IT IS FURTHER ORDERED** that the freeze on Settling Relief Defendant's assets pursuant to the Preliminary Injunction Order is hereby modified to permit the payments and transfers identified in Section I of this Order. At such time, the asset freeze is dissolved as to the Settling Relief Defendant. A Financial Institution shall be entitled to rely upon a letter from any Plaintiff that the freeze on Settling Relief Defendant's assets has been lifted.

#### **IV. COOPERATION**

**IT IS FURTHER ORDERED** that Settling Relief Defendant must fully cooperate with representatives of Plaintiffs and the Receiver in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Settling Relief Defendant must provide truthful and complete information, evidence, and testimony. Settling Relief Defendant must appear for interviews, discovery, hearings, trials, and any other proceedings that a Commission or State of Florida representative may reasonably request upon five (5) days written notice, or other reasonable notice, at such places and times as a Commission or State of Florida representative may designate, without the service of a subpoena.

#### **V. ORDER ACKNOWLEDGMENT**

**IT IS FURTHER ORDERED** that Settling Relief Defendant, within seven (7) days of entry of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.

#### **VI. COMPLIANCE MONITORING**

**IT IS FURTHER ORDERED** that, for the purpose of monitoring Settling Relief Defendant's compliance with this Order, including the financial representations upon which part of the judgment was suspended and any failure to transfer any assets as required by this Order:

A. Within fourteen (14) days of receipt of a written request from a representative of any Plaintiff, Settling Relief Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for

depositions; and produce documents for inspection and copying. Plaintiffs are also authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, Plaintiffs are authorized to communicate directly with Settling Relief Defendant. Settling Relief Defendant must permit representatives of any Plaintiff to interview any employee or other person affiliated with any Defendant who has agreed to such an interview. The person interviewed may have counsel present.

C. Plaintiffs may use all other lawful means, including posing, through its representatives, as consumers, suppliers, or other individuals or entities to Settling Relief Defendant or any individual or entity affiliated with Settling Relief Defendant, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§49, 57b-1.

D. Upon written request from a representative of any Plaintiff, any consumer reporting agency must furnish consumer reports concerning Settling Relief Defendant, pursuant to Section 604(a)(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

## **VII. RETENTION OF JURISDICTION**

**IT IS FURTHER ORDERED** that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

**SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2017.

---

Carlos E. Mendoza  
United States District Judge

**SO STIPULATED AND AGREED:**

**FOR PLAINTIFFS:**

DAVID C. SHONKA  
Acting General Counsel

  
\_\_\_\_\_  
TEJASVI M. SRIMUSHNAM

Dated: August 31, 2017

JOSHUA A. DOAN  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Mail Stop H-286  
Washington, DC 20580  
Telephone: (202) 326-2969; (202) 326-3187  
Facsimile: (202) 326-3395  
Email: tsrimushnam@ftc.gov; jdoan@ftc.gov

Attorneys for Plaintiff  
FEDERAL TRADE COMMISSION

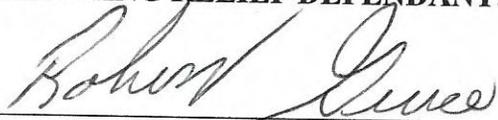
  
\_\_\_\_\_  
JENNIFER HINTON KNUTTON

Dated: August 30, 2017

DENISE BEAMER  
Assistant Attorneys General  
Florida Bar # 92771 (Knutton) and # 69369 (Beamer)  
Email: Jennifer.Knutton@myfloridalegal.com  
Denise.Beamer@myfloridalegal.com  
Office of the Attorney General  
Consumer Protection Division  
135 W. Central Blvd., Suite 670  
Orlando, Florida 32801  
Telephone: (407) 316-4840  
Facsimile: (407) 245-0365

Attorneys for Plaintiff  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF FLORIDA  
DEPARTMENT OF LEGAL AFFAIRS

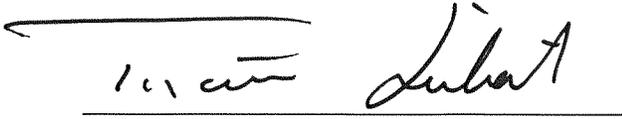
**FOR SETTling RELIEF DEFENDANT:**

---

ROBERT GUICE

Dated: 30 MAR, 2017



---

Dated: July 18, 2017

Matthew A. Liebert  
Counsel for Robert Guice  
Florida Bar # 0752266  
200 S. Orange Avenue, Ste. 2000  
Orlando, Florida 32801  
Tel: 407.245.8352  
Fax: 407.245.8361  
Email: leibert@urbanthier.com