

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

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

**Plaintiffs,**

v.

**Case No: 6:14-cv-8-Orl-41DAB**

**WORLDWIDE INFO SERVICES, INC.,  
ELITE INFORMATION SOLUTIONS  
INC., ABSOLUTE SOLUTIONS GROUP  
INC., GLOBAL INTERACTIVE  
TECHNOLOGIES, INC., GLOBAL  
SERVICE PROVIDERS, INC., LIVE  
AGENT RESPONSE 1 LLC, ARCAGEN,  
INC., AMERICAN INNOVATIVE  
CONCEPTS, INC., UNIQUE  
INFORMATION SERVICES INC.,  
MICHAEL HILGAR, GARY MARTIN,  
JOSEPH SETTECASE, NATIONAL  
LIFE NETWORK INC. and YULUISA  
NIEVES,**

**Defendants.**

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**ORDER AND PERMANENT INJUNCTION**

THIS CAUSE is before the Court on the Joint Motion for Entry of Stipulated Order for Permanent Injunction and Other Equitable Relief (the “Motion for Permanent Injunction”) filed

Florida, Office of the Attorney General, Department of Legal Affairs (“State

- c. Stipulating Defendants neither admit nor deny any of the allegations in the First Amended Complaint, except as specifically stated in this Order. Only for purposes of this action, Stipulating Defendants admit the facts necessary to establish jurisdiction.
- d. Stipulating Defendants waive any claim that they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action through the date of this Order, and agree to bear their own costs and attorney fees.
- e. Stipulating Defendants

Defendants, individually, collectively, or in any combination.

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2. That a good or service is endorsed by any organization or agency;
3. When a consumer will be charged for a good or service; and
4. Any other fact material to consumers concerning any good or service, such as: the total costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

**V. MONETARY JUDGMENT AND PARTIAL SUSPENSION**

A. The Clerk is directed to enter a judgment in favor of Plaintiffs against Stipulating Defendants, jointly and severally, in the amount of \$22,989,609.00.

B. Defendants Hilgar and Settecase are ordered to pay to the Commission \$24,000, which, as Defendants Hilgar and Settecase stipulate, their undersigned counsel holds in escrow for no purpose other than payment to the Commission. Such payment must be made within 7 days of entry of this Order by electronic fund transfer in accordance with instructions previously provided by a representative of the Commission. Upon such payment and the satisfaction of all obligations set forth in Subsections C through E below, the remainder of the judgment

iOrder

BMW for sale through an appropriate broker or automobile listing service;

2. Before placing an ad or otherwise listing the BMW for sale, and before accepting a bid or offer, Defendant Hilgar shall provide to the Commission documentation for the proposed sale price and for any and all bids or

this Court and to pay from the proceeds of the sale any remaining loan balance on the Boat. Defendant Martin is ordered to take all steps necessary to assist the Receiver in the sale of the Boat and shall not add any encumbrances to the Boat. In the event that it is necessary for Defendant Martin to execute documents to facilitate the liquidation of the Boat, Defendant Martin is ordered to execute such documents within three (3) days of a request from the Commission or the Receiver. Defendant Martin is ordered to keep the Boat in good repair and to timely pay all registration fees, loan payments, and all other attendant expenses related to the maintenance and ownership of the Boat until it is liquidated by the Receiver as required by this Subsection V.D.

E. Defendant Settecase is ordered, within seven (7) days of the date of entry of this Order, to transfer possession of the 2004 Mercedes SL-500 (VIN WDBSK75F04F084055) and 2008 Lincoln Navigator (VIN 5LMFU27528LJ21515) (hereinafter, "Vehicles") identified in the January 21, 2014 financial statement provided by Defendant Settecase to the FTC, to the Receiver. The Receiver is authorized and directed to promptly liquidate the Vehicles without further order of this Court and to pay from the proceeds of the sale any remaining loan balance on the Vehicles. Defendant Settecase is ordered to take all steps necessary to assist the Receiver in the sale of the Vehicles and shall not add any encumbrances to the Vehicles.



remit any insurance payment he receives as a result of such loss or damage to the Commission. Defendant Settecase is ordered to keep the Vehicles in good repair and to timely pay all registration fees, loan payments, and all other attendant expenses related to the maintenance and ownership of the Vehicles until they are liquidated by the Receiver as required by this Subsection V.E.

F. to

from the date of entry of this Order.

**VI. SECOND MONETARY JUDGMENT AS TO DEFENDANT JOSEPH SETTECASE**

A. The Clerk is directed to enter a judgment (hereinafter “Settecase Contempt Judgment”) in favor of Plaintiffs against Joseph Settecase in the amount of \$39,300.00.

B. No portion of any funds or assets turned over to Plaintiffs pursuant to Section V will pay down the Settecase Contempt Judgment.

**VII. ADDITIONAL MONETARY PROVISIONS**

A. Stipulating Defendants must relinquish 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 First Amended 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 First Amended 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. Stipulating Defendants acknowledge that their Taxpayer Identification Numbers (Social Security Numbers or Employer Identification Numbers), which Stipulating Defendants 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. 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 the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after redress is completed, the Commission may apply any remaining money for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Stipulating Defendants' practices alleged in the First Amended Complaint, relinquish its authority over any portion of the joint monies not used for equitable relief to the State of Florida, or both. Stipulating Defendants shall have no right to challenge the Commission's choice of remedies under this Section. Stipulating Defendants shall have no right to contest the manner of distribution chosen by the Commission and the State of Florida.

F. All joint funds not used for the equitable relief described in Paragraph M of this

and the sale

custody, or control within thirty (30) days after receipt of written direction to do so from a representative of Plaintiffs.

*Provided, however,* that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

#### **IX. RECEIVERSHIP**

The appointment of Robb Evans & Robb Evans and Associates, LLC, as Permanent Equity Receiver (“Receiver”) for Stipulating Receivership Defendants and any of their affiliates, subsidiaries, divisions, or sales or customer service operations, wherever located, with the full power of an equity receiver, entered on January 7, 2014, is hereby continued in full force and effect except as modified in this Section. The Receiver shall complete liquidation of all assets of Stipulating Receivership Defendants. Once the Receiver has completed liquidation of these assets, and satisfied his obligations under Section V.D and E of this Order, the Receiver shall submit his final report and application for fees and expenses, including such administrative fees incurred pursuant to the Receiver’s performance of his obligations under Section V.D and E, and upon approval of the same by the Court, shall pay any remaining funds to the Commission. Upon the Court’s approval of the Receiver’s final report as to Stipulating Receivership Defendants, and the payment of any remaining funds to the Commission under this Section, the Receivership over Stipulating Receivership Defendants shall be terminated.

#### **X. COOPERATION WITH THE RECEIVER**

Stipulating Defendants, their officers, agents, servants, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, shall fully cooperate with and assist the

Receiver. This

and email address and telephone number, as designated points of

1. Each Stipulating Defendant must report any change in: (a) any designated point of contact; or (b) the structure of any Corporate Defendant or any entity that Stipulating Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each Individual Defendant must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which such Individual Defendant performs services whether as an employee or otherwise and any entity in which such Individual Defendant has any ownership interest, and identify the name, physical address, and Internet address of the business or entity.

C. Each Stipulating Defendant must submit to the Commission notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant within 14 days of its filing.

D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: “I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: \_\_\_\_\_” and supplying the date, signatory’s full name, title (if applicable), and signature.

E. Unless otherwise directed by a Commission representative in writing, all



submissions to the Commission pursuant to this Order must be emailed to [DEbrief@ftc.gov](mailto:DEbrief@ftc.gov) or sent by overnight courier (not the U.S. Postal Service) to:

failure to transfer any assets as required by this Order:

A. Within 14 days of receipt of a written request from a representative of any Plaintiff, each Stipulating 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

**DONE** and **ORDERED** in Orlando, Florida on November 13, 2014.



CARLOS E. MENDOZA  
UNITED STATES DISTRICT COURT

Copies furnished to:

Counsel of Record  
Unrepresented Parties