

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Case No. 14-CV-122S

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FEDERAL CHECK PROCESSING, INC.,

et al.,

Defendants, and

EMPOWERED RACING LLC,

Relief Defendant.

**STIPULATED PRELIMINARY
INJUNCTION**

Plaintiff Federal Trade Commission (“FTC”) commenced this civil action on February 24, 2014, pursuant to Section 13(b) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 53(b) , and Section 814(a) of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692l(a). On motion by the FTC, on February 24, 2014, this Court entered an *ex parte* temporary restraining order (“TRO”) with asset freeze, appointment of a receiver, and other equitable relief against Defendants Federal Check Processing, Inc., Federal Recoveries, LLC, Federal Processing, Inc., Federal Processing Services, Inc., United Check Processing, Inc., Central Check Processing, Inc., Central Processing Services, Inc., Nationwide Check Processing, Inc., American Check Processing, Inc. (a/k/a American Check Processing, Inc.), State Check Processing, Inc., Check Processing, Inc., US Check Processing, Inc., Flowing Streams, F.S., Inc., Mark Briandi, and William Moses, and Relief Defendant Empowered Racing LLC. On March 5, 2014, this Court extended

Processing, Inc., Central Check Processing, Inc., Central Processing Services, Inc., Nationwide Check Processing, Inc., American Check Processing, Inc. (a/k/a American Check Processing, Inc.), State Check Processing, Inc., Check Processing, Inc., US Check Processing, Inc., Flowing Streams, F.S., Inc., Mark Briandi, and William Moses (Stipulating Defendants), and the Receiver have stipulated and agreed to the entry of this preliminary injunction order (“Order”).

FINDINGS OF FACT

By stipulation of the parties, the Court finds as follows:

1. The FTC and the Stipulating Defendants have stipulated and agreed to the entry of this preliminary injunction order without any admission of wrongdoing or violation of law, and without a finding by the Court – either of law or fact – other than that stated below.
2. This Court has jurisdiction over the subject matter of this case, there is good cause to believe it will have jurisdiction over all the parties hereto, and its venue in this district is proper.

6. The FTC asserts there is good cause for continuing the receivership over the Stipulating Receivership Defendants (as defined herein), and continuing the asset freeze as modified below.
7. No security is required of any agency of the United States for issuance of a preliminary injunction. See Fed. R. Civ. P. 65(c).
8. The entry of this Preliminary Injunction is in the public interest.

DEFINITIONS

- A. “**Assets**” means any legal or equitable interest in, right to, or claim to, any real or personal property, including, without limitation, chattels, goods, instruments, equipment, fixtures, general intangibles, leaseholds, mail or other deliveries, inventory, checks, notes, accounts, credits, contracts, receivables, shares of stock, and all cash, wherever located.
- B. “**Consumer**” means any person.
- C. “**Corporate Defendants**” means Federal Check Processing, Inc. (a New York corporation), Federal Recoveries, LLC (a New York limited liability company), Federal Processing, Inc. (a New York corporation), Federal Processing Services, Inc., (a New York corporation), United Check Processing, Inc., (a New York corporation), Central Check Processing, Inc. (a New York corporation), Central Processing Services, Inc., (a New York Corporation), Nationwide Check Processing, Inc., a/k/a National Processing Services (a Co[(C(N)2(e)(.,)-10(a)4(/)-2(k/-2(a)4(N4oot)-2(i)-2a)4(,)-10(F)6(e)4(d)-10(e)4(r)3Aon10(

Streams, F.S., Inc. (a New York corporation), and their successors, assigns, affiliates, or subsidiaries, and each of them by whatever names each might be known.

- D. **“Debt”** means any obligation or alleged obligation to pay money arising out of a transaction, whether or not such obligation has been reduced to judgment.
- E. **“Document”** is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which the information can be obtained and translated, if necessary, through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.
- F. **“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.
- G. **“Individual Defendants”** means Mark Briandi and William Moses.
- H. **“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.
- I. The terms **“and”** and **“or”** shall be construed conjunctively or disjunctively as necessary to make the applicable phrase or sentence inclusive rather than exclusive.
- J. **“Stipulating 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.

- K. **“Stipulating Receivership Defendants”** means the Corporate Defendants, as well as any other business related to the Defendants’ debt collection business and which the Receiver has reason to believe is owned or controlled in whole or in part by any of the Defendants.

ORDER

PROHIBITED REPRESENTATIONS

- I. **IT IS THEREFORE ORDERED** that in connection with the collection or the attempted collection of any debt, Stipulating Defendants and their successors, assigns, officers, agents, servants, employees, and attorneys, and those persons or entities 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 corporation, subsidiary, division, or other device, are enjoined from:

- A. Misrepresenting, or assisting others who are misrepresenting, expressly or by implication, orally or in writing, any of the following:

1. that consumers have committed check fraud or another criminal act;
2. that Stipulating Defendants are affiliated with government entities, including law enforcement agencies;
3. that non-payment of a purported debt will result in a consumer’s arrest, or in the seizure, garnishment, or attachment of a consumer’s property or wages;
4. that any Stipulating Defendant or any other person has taken, intends to take, or has authority to take formal legal action against a consumer who fails to pay any debt; or
5. the character, amount, or legal status of a debt;

- B. Communicating with any person other than the consumer; the consumer's spouse, parent (if the consumer is a minor), guardian, executor, or administrator; the consumer's attorney; a consumer reporting agency if otherwise permitted by law; the creditor; the attorney of the creditor; or the attorney of the debt collector; for purposes other than acquiring location information about a consumer, without having obtained directly the prior consent of the consumer or the express permission of a court of competent jurisdiction, and when not reasonably necessary to effectuate a post-judgment judicial remedy;
- C. Failing to disclose or disclose adequately in the initial communication with a consumer that any Stipulating Defendant or any other person is a debt collector attempting to collect a debt and that any information obtained will be used for that purpose;
- D. Threatening to take action that is not lawful or that any Stipulating Defendant or any other person does not intend to take;
- E. Using any false representation or deceptive means to collect or attempt to collect a debt, or to obtain information concerning a consumer; and
- F.

disputed, Stipulating Defendants will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by Stipulating Defendants; and (5) a statement that, upon the consumer's written request within the thirty-day period, Stipulating Defendants will provide the consumer with the name and address of the original creditor, if different from the current creditor.

ASSET FREEZE

II. IT IS FURTHER ORDERED that:

A. Except as set forth in Section **II. B** of this Order, Stipulating Defendants are hereby restrained and enjoined from directly or indirectly:

1. 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, consumer lists, or any other assets, or any interest therein, wherever located, including outside the United States, that are: (1) owned or controlled, directly or indirectly, by any Stipulating Defendant, in whole or in part, or held, in whole or in part for the benefit of any Stipulating Defendant; (2) in the actual or constructive possession of any Stipulating Defendant; or (3) owned, controlled by, or in the actual or constructive possession of any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with any Stipulating Defendant including but not limited to any

1. At Defendant Briandi's request, RBS Citizens Bank shall transfer up to a total of \$12,500 from bank accounts numbered xxxx [REDACTED], xxxx [REDACTED], xxxx [REDACTED], and xxxx [REDACTED] in the name of Mark Briandi to the law office of Mark D. Grossman for attorneys' fees. Effective immediately, the asset freeze provisions of this Order shall not apply to RBS Citizens Bank account numbered xxxx [REDACTED] in the name of Mark Briandi, for necessary living expenses. Effective April 1, 2014, the asset freeze provisions of this Order shall not apply to RBS Citizens Bank account numbered xxxx [REDACTED] in the names of Mark Briandi and Jennifer Briandi, for necessary living expenses. Effective May 1, 2014, the asset freeze provisions of this Order shall not apply to RBS Citizens Bank accounts numbered xxxx [REDACTED], xxxx [REDACTED], xxxx [REDACTED], and xxxx [REDACTED] in the name of Mark Briandi, for necessary living expenses.

2. At Defendant Moses' request, RBS Citizens Bank shall transfer up to \$12,500 from bank account numbered xxxx [REDACTED] in the name of William Moses to the law office of Mark D. Grossman for attorneys' fees. Defendant Moses may make a transfer of up to \$5,500 from bank account numbered xxxx [REDACTED] in the name of William Moses, for necessary living expenses. Defendant Moses may make an additional transfer of up to \$5,500 on or after April 1, 2014, from bank account numbered xxx [REDACTED] in the name of William Moses, for necessary living expenses. Defendant Moses may make an additional transfer of up to \$5,500 on or after May 1, 2014, from bank account numbered xxxx [REDACTED] in the name of William Moses, for necessary living expenses.

3. The Individual Defendants may retain and spend income received from employment performed after the date of entry of this Order. Further, the Individual Defendants may retain and spend assets acquired by loan or gift after the date of entry of this Order only after identifying such assets to FTC counsel. This notice provision does not apply to loans or gifts valued at less than \$500.

RETENTION OF ASSETS AND RECORDS BY FINANCIAL INSTITUTIONS AND OTHER THIRD PARTIES

III. IT IS FURTHER ORDERED that any financial or brokerage institution or depository, escrow agent, title company, commodity trading company, trust, entity, or person that holds, controls, or maintains custody of any account or asset owned or controlled, directly or indirectly, by any Stipulating Defendant, or has held, controlled, or maintained any account or asset of, or on behalf of, any Stipulating Defendant, upon service with a copy of this Order, shall:

A. Hold and retain within its control and prohibit any Stipulating Defendant from withdrawing, removing, assigning, transferring, pledging, encumbering, disbursing, dissipating, converting, selling, gifting, or otherwise disposing of any accounts, assets, funds, or other property that are owned by, held in the name of, for the benefit of, or otherwise controlled by, directly or indirectly, any

Stipulating Defendant, in whole or in part, except or as d1(s) d1(s) lsis d1(s)CT* [(di.(n w)2(T d

- B. Deny the Stipulating Defendants access to any safe deposit box titled in the name of any Stipulating Defendants, individually or jointly, or subject to access by any Stipulating Defendants, whether directly or indirectly.
- C. Provide counsel for Plaintiff and the Receiver, within three business days after being served with a copy of this Order, a certified statement setting forth:
1. the identification number of each such account or asset titled (1) in the name, individually or jointly, of any Stipulating Defendants; (2) held on behalf of, or for the benefit of, any Stipulating Defendants; (3) owned or controlled by any Stipulating Defendants; or (4) otherwise subject to access by any Stipulating Defendants, directly or indirectly;
 2. the balance of each such account, or a description of the nature and value of such asset as of the close of business on the day on which this Order is served, and, if the account or other asset has been closed or removed, the date closed or removed, the total funds removed in order to close the account, and the name of the person or entity to whom such account or other asset was remitted;
 3. the identification of any safe deposit box that is either titled in the name of any Stipulating Defendants

- D. Provide counsel for Plaintiff and the Receiver, within three (3) business days after being served with a request, copies of all documents pertaining to such account or asset, including but not limited to originals or copies of account applications, account statements, 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; provided that such institution or custodian may charge a reasonable fee.
- E. *Provided*, that a financial institution does not have to provide the information required in this sub-section if (1) the financial institution has complied with the similar provision set forth in the TRO; and (2) the information provided has not changed.

FINANCIAL STATEMENTS AND ACCOUNTING

IV. IT IS FURTHER ORDERED that each Defendant, within three business days of service of this Order, shall prepare and deliver to counsel for the FTC:

- A. For the Individual Defendants, a completed financial statement accurate as of the date of service of this Order upon such Defendant (unless otherwise agreed upon with FTC counsel) on the form of **Attachment A** to this Order captioned, "Form

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- C. For each Stipulating Defendant, a completed statement, verified under oath, of all payments, transfers or assignments of funds, assets, or property worth \$1,000 or more since January 1, 2010. Such statement shall include: (a) the amount transferred or assigned; (b) the name of each transferee or assignee; (c) the date of the transfer or assignment; and (d) the type and amount of consideration paid the Defendant. Each statement shall specify 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.
- D. *Provided*, the Stipulating

(1) by them; (2) for their benefit; (3) in trust by or for them, individually or jointly; or (4) under their direct or indirect control, individually or jointly;

B. Transfer to the territory of the United States all assets, accounts, funds, and documents in forei

NON-INTERFERENCE WITH REPATRIATION

VII. IT IS FURTHER ORDERED that Stipulating Defendants and each of their successors, assigns, members, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, affiliate or other device, are hereby temporarily restrained and enjoined from taking any action, directly or indirectly, which may result in the encumbrance or dissipation of foreign assets, or in the hindrance of the repatriation required by Section VI of this Order, including but not limited to:

- A. Sending any statement, letter, fax, e-mail or wire transmission, telephoning or engaging in any other act, directly or indirectly, that results in a determination by a foreign trustee or other entity that a “duress” event has occurred under the terms of a foreign trust agreement, until such time that all assets have been fully repatriated pursuant to Section VI of this Order; and
- B. Notifying any trustee, protector or other agent of any foreign trust or other related entities of either the existence of this Order, or of the fact that repatriation is required pursuant to a Court Order, until such time that all assets have been fully repatriated pursuant to Section VI.

CONTINUATION OF RECEIVER

VIII. IT IS FURTHER ORDERED that William J. Brown shall continue to serve as Receiver for the business activities of the Stipulating Receivership Defendants with the full power of an equity receiver. The Receiver shall be the agent of this Court and solely the agent of this Court in acting as Receiver under this Order. The Receiver shall be accountable

directly to this Court. The Receiver shall comply with any laws and Local Rules of this Court governing receivers.

DUTIES OF RECEIVER

IX. IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

- A. Assume full control of the Stipulating Receivership Defendants by removing, as the Receiver deems necessary or advisable, any director, officer, independent contractor, employee, or agent of any of the Receivership Defendants, including any named Defendant, from control of, management of, or participation in, the affairs of the Stipulating Receivership Defendants;
- B. Take exclusive custody, control, and possession of all assets, documents, and electronically stored information of, or in the possession, custody, or under the control of, the Stipulating Receivership Defendants, wherever situated. The Receiver shall have full power to divert mail and to sue for, collect, receive, take in possession, hold, and manage all assets and documents of the Receivership Defendants and other persons or entities whose interests are now held by or under the direction, possession, custody, or control of the Receivership Defendants.
Provided, however, that the Receiver shall not attempt to collect or receive any amount from a consumer if the Receiver believes the consumer was a victim of the unlawful conduct alleged in the complaint in this matter;
- C. Take all steps necessary to secure the business premises of the Stipulating Receivership Defendants. Such steps may include, but are not limited to, the following, as the Receiver deems necessary or advisable:

- Receivership Defendants, including, but not limited to, obtaining an accounting of the assets and preventing transfer, withdrawal, or misapplication of assets;
- E. Liquidate any and all securities or commodities owned by or for the benefit of the Stipulating Receivership Defendants that the Receiver deems to be advisable or necessary;
- F. Enter into contracts and purchase insurance as the Receiver deems to be advisable or necessary;
- G. Prevent the inequitable distribution of assets and determine, adjust, and protect the interests of consumers and creditors who have transacted business with the Stipulating Receivership Defendants;
- H. Manage and administer the business of the Stipulating Receivership Defendants until further order of this Court by performing all incidental acts that the Receiver deems to be advisable or necessary, which includes retaining, hiring, or dismissing any employees, independent contractors, or agents;
- I. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;
- J. Make payments and disbursements from funds of any of the Corporate Defendants that are part of the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred by the Stipulating Receivership Defendants prior

to the date of entry of this Order, except payments that the Receiver deems necessary or advisable to secure assets of the Stipulating Receivership Defendants, such as rental payments;

- K. Determine and implement the manner in which the Stipulating Receivership Defendants will comply with, and prevent violations of, this Order and all other applicable laws, including, but not limited to, revising sales materials and implementing monitoring procedures;
- L. Institute, compromise, adjust, appear in, intervene in, or become party to such actions or proceedings in state, federal, or foreign courts that the Receiver deems necessary and advisable to preserve or recover the assets of the Stipulating Receivership Defendants, or that the Receiver deems necessary and advisable to carry out the Receiver's mandate under this Order;
- M. Defend, compromise, adjust, or otherwise dispose of any or all actions or proceedings instituted in the past or in the future against the Receiver in his role as Receiver, or against the Stipulating Receivership Defendants, that the Receiver deems necessary and advisable to preserve the assets of the Stipulating Receivership Defendants or that the Receiver deems necessary and advisable to carry out the Receiver's mandate under this Order;
- N. Continue and conduct the business of the Stipulating Receivership Defendants in such manner, to such extent, and for such duration as the Receiver may in good faith deem to be necessary or appropriate to operate the business profitably and lawfully, if at all; *provided, however*, that the continuation and conduct of the business shall be conditioned upon the Receiver's good faith determination that

COOPERATION WITH RECEIVER

X. IT IS FURTHER ORDERED that:

A. Stipulating

concert or participation with them who receive actual notice of this Order by personal service or otherwise, are hereby temporarily restrained and enjoined

directly or indirectly under the control of the Receivership Defendants;

3. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any assets owned, controlled, or in the possession or

any Order of this Court; and

8. Filing, or causing to be filed, any petition on behalf of the Receivership Defendants for relief under the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, without prior permission from this Court.

DELIVERY OF RECEIVERSHIP PROPERTY

XI. IT IS FURTHER ORDERED that:

- A. Immediately upon service of this Order upon them or upon their otherwise obtaining actual knowledge of this Order, or within a period permitted by the Receiver, Defendants or any other person or entity, including but not limited to financial institutions and electronic data hosts, shall transfer or deliver access to, possession, custody, and control of the following to the Receiver:
 1. All assets of the Stipulating Receivership Defendants;
 2. All documents and electronically stored information of the Stipulating Receivership Defendants, including, but not limited to, books and records of accounts, all financial and accounting records, balance sheets, income statements, bank records (including monthly statements, canceled checks, records of wire transfers, records of ACH transactions, and check registers), client or customer lists, title documents and other papers;
 3. All assets belonging to members of the public now held by the Stipulating Receivership Defendants;

4. All keys, computer and other passwords, entry codes, combinations to locks required to open or gain or secure access to any assets or documents of the Stipulating Receivership Defendants, wherever located, including, but not limited to, access to their business premises, means of communication, accounts, computer systems, or other property; and
 5. Information identifying the accounts, employees, properties, or other assets or obligations of the Stipulating Receivership Defendants.
- B. In the event any person or entity fails to deliver or transfer immediately any asset or otherwise fails to comply with any provision of this Section XI, the Receiver may file *ex parte* with the Court an Affidavit of Non-Compliance regarding the failure. Upon filing of the affidavit, the Court may authorize, without additional process or demand, Writs of Possession or Sequestration or other equitable writs requested by the Receiver. The writs shall authorize and direct the United States Marshal or any sheriff or deputy sheriff of any county (pursuant to Fed. R. Civ. P. 4(c)(1)) to seize the asset, document, or other thing and to deliver it to the Receiver.

COMPENSATION FOR RECEIVER

XII. IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to 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 assets now held by or in the possession or control of, or which may be received by, the Stipulating Receivership Defendants. The Receiver shall file with the Court and serve on the parties periodic

requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court.

RECEIVER'S REPORTS

XIII. IT IS FURTHER ORDERED that the Receiver shall periodically report to this Court regarding:

2. Accelerating the due date of any obligation or claimed obligation; filing or enforcing any lien; taking or attempting to take possession, custody, or control of any asset; attempting to foreclose, forfeit, alter, or terminate any interest in any asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise;

3. Executing, issuing, serving, or causing the execution, issuance or service of, any legal process, including, but not limited to, attachments, garnishments, subpoenas, writs of replevin, writs of execution, or any other form of process whvi2(on, 3w(x)-10(4(c)4(hm)-2((md ()Tj /TT0 1 Tf 12 -0 0 12

deficiency; and

- C. Except as otherwise provided in this Order, all persons and entities in need of documentation from the Receiver shall in all instances first attempt to secure such information by submitting a formal written request to the Receiver, and, if such request has not been responded to within thirty (30) days of receipt by the Receiver, any such person or entity may thereafter seek an Order of this Court with regard to the relief requested.

SERVICE OF THIS ORDER

XVII. IT IS FURTHER ORDERED that copies of this Order may be served by facsimile transmission, personal or overnight delivery, or U.S. Express Mail, by agents and employees of the FTC or any state or federal law enforcement agency or by private process server, on Defendants or any other persons or entities that may be subject to any provision of this Order.

DISTRIBUTION OF ORDER BY DEFENDANTS

XVIII. IT IS FURTHER ORDERED that within three calendar days after service of this Order, Stipulating Defendants shall provide a copy of this Order to each of their agents, employees, directors, officers, subsidiaries, affiliates, attorneys, independent contractors, representatives, franchisees, and all persons in active concert or participation with Stipulating Defendants. Within five calendar days following this Order, Stipulating Defendants shall provide the FTC with an affidavit identifying the names, titles, addresses, and telephone numbers of the persons that Stipulating Defendants have served with a copy of this Order in compliance with this provision

CORRESPONDENCE WITH PLAINTIFF

XIX. IT IS FURTHER ORDERED that, for the purposes of this Order, because mail addressed to the FTC is subject to delay due to heightened security screening, all correspondence and service of pleadings on Plaintiff shall be sent either via electronic transmission or via Federal Express to: Katherine M. Worthman, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Room NJ-3158, Washington, DC 20580. Email: kworthman@ftc.gov; Telephone: (202) 326-2929; Facsimile: (202) 326-3768.

EXPIRATION OF ORDER

XX. IT IS FURTHER ORDERED that this Order shall expire upon entry of a final judgment in this case.

JURISDICTION

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

IT IS SO ORDERED, this 24th day of March, 2014, at 5:38 o'clock p.m.

/s/William M. Skretny
William M. Skretny
Chief Judge
United States District Court