

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

-

1
2
3
4
5
6
7
8
9
10
11
12
13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MEMORANDUM OF POINTS AND AUTHORITIES

Thomas W. McNamara, in his capacity as the Counsel for Defendants American Financial Benefits Center, Inc. & Ameritech Financial Education Benefits Center

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 . . . to purge the contempt and obtain his release by compliance with an affirmative act. See United
2 States v. United Mine Workers, 330 US. 258, 305 (1947). See also Hicks v. Feiock, 485 US. 624,
3 632. [A] fine that would be payable to the court is remedial when the defendant can
4 avoid paying it.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

in the possession or custody of, or in which an interest is held or claimed by, the Corporate Defendants; or

D. Refusing to cooperate with the Receiver in the exercise of their duties or authority under any order of this Court.

Id. § X.

7 KH 3, 2 UGHU GLUHFW take exclusive custody, control, and possession of all Assets and Documents of the Corporate Defendants, or in the possession, custody, or under the control of, any Corporate Defendant, wherever situated, for, collect, and receive all Assets of the Corporate Defendants and of other persons whose interests are now under the direction, possession, custody, or control of the Corporate Defendants. Id. § VI.B-C.

Frereviolated these provisions of the Order. As is described above, the bank accounts belonging to AFBC and FEBolds, or held, money that belongs to the Receivership. Once appointed, the Receiver gained (and continues to have) access to and control over those accounts.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of December, 2018, the foregoing document (5 (& (, 9 (5) EX PARTE APPLICATION SEEKING COMPLIANCE WITH PRELIMINARY INJUNCTION AND ORDER TO SHOW CAUSE AS TO WHY DEFENDANT BRANDON FRERE SHOULD NOT BE HELD IN CIVIL CONTEMPT; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF) was electronically transmitted to the Clerk of Court, U.S. District Court for the District of Columbia, at the following email address: [211LFH.XVLQJ.WKH@0\(&\)6\VWHP](mailto:211LFH.XVLQJ.WKH@0(&)6\VWHP) in accordance with the transmittal of a Notice of Electronic Filing to all counsel of record who are deemed to have FRQVHQWHG WR HOHFWURQLF VHUYLFLH YLD WKH &RXUW

/s/ Sanjay Bhandari
Sanjay Bhandari