
239; Doc. 2391.)

Upon the joint motion of the FTC and Settling Defendant, the Court makes the following findings and enters judgment in this action as set forth below.

I. STIPULATED FACTS

1. This Court has jurisdiction over this matter.
2. The Complaint charges that Whitney participated in deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. §45(a).
3. On or about June 5, 2018, the Court entered a temporary restraining order appointing Mark J. Bernet, Esq. as a temporary receiver of the Receivership Entities with full powers of an equity receiver (“ Receiver”).
- 4.

this action, Settling Defendant admits the facts necessary to establish jurisdiction.

7. Settling Defendant waives any claim that she may have under the Equal Access to Justice Act, 28 U.S.C. § 412, concerning the prosecution of this action through the date of this Order, and agrees to bear her own costs and attorneys fees.
8. Settling Defendant and the FTC waive all rights to appeal or otherwise challenge or contest the validity of this Order.

II. ORDER

It is ORDERED AND ADJUDGED as follows:

1. Immediately upon entry of this Order, Settling Defendant is ORDERED to surrender to the FTC all control, title, dominion, and interest she has to the following assets:
 - a. All funds in any accounts in the name of the corporate Defendants.
 - b. All funds in any accounts in the name of all other Receivership Entities;
 - c. All cash or funds transferred to and held by the Receiver, including approximately \$406,262 repatriated from Costa Rica by Whitney and transferred to the receiver on or around July 30, 2018, and approximately \$208,068 transferred by Edward Jones to the Receiver on or about September 4, 2018;

- d. All funds in the JPMorgan Chase Bank accounts xxxxxx2099, xxxxxx9775, xxxxxx8359, xxxxxx2188, and xxxxxx7977, held in the name of Shark Speaker LLC, Weath Building Technologies (formerly known as Expert Media Agency) and Expert Sales Agency, totaling approximately \$438,377, that were transferred to the Receiver on or about June 25, 2018;
 - e. All reserve funds or any other accounts held, controlled, or serviced by Esquire Bank, N.A. and/or Maverick Bankcard, Inc. and associated with any payments processed by, or on behalf of Whitney, Settling Defendant, or Wealth Building Technologies (formerly known as Expert Media Agency, LLC d/b/a YGP Events), including the merchant settlement account or merchant reserve account with the MID ending in 0059 (approximately \$102,880 as of Maverick Bankcard Inc.'s receipt of the Court's temporary restraining order).
2. Within seven (7) days upon entry of this Order, Settling Defendant is ORDERED to assign, transfer, or convey to the Receiver any claim, interest, or right to payment she has to the \$45,000 loan made by Whitney and Shark

including promptly signing any document necessary to transfer such funds held by these persons or entities to the Commission. Upon the transfer of all funds in the above accounts to the Receiver, the Settling Defendant's obligations with regard to this paragraph shall be deemed completed.

8. Settling 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.
9. Upon the Settling Defendant's completion of her performance of obligations required under paragraphs 1, 2, and 7, the FTC shall within seven (7) days of such time withdraw its statement of claim in the Probate Action .
10. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the FTC, including in a proceeding to enforce its rights to any payment or monetary judgment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.
11. The facts alleged in the Complaint establish all elements necessary to sustain an action by the Commission 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.
- 12.

Number (Social Security Number), which Whitney previously submitted to the FTC, may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. § 7701.

13. All money paid to the Commission pursuant to this Order may be deposited into a fund administered by the Commission or its designees to 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 ilueoed0mas

