

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

FEDERAL TRADE COMMISSION,

2. The Complaint charges that Defendants participated in deceptive acts

B. “Business Opportunity” means a commercial arrangement in which:

1. A Seller solicits a prospective Purchaser to enter into a new business; and

2. The prospective Purchaser makes a required payment; and

3. The Seller, expressly or by implication, orally or in writing, represents that the Seller or one or more Designated Persons will:

i. Provide locations for the use or operation of equipment, displays, vending machines, or similar devices, owned, leased, controlled, or paid for by the Purchaser; or

ii. Provide outlets, accounts, or customers, including Internet outlets, accounts, or customers, for the Purchaser’s goods or services; or

iii. Buy back any or all of the goods or services that the Purchaser makes, produces, fabricates, grows, breeds, modifies, or provides, including providing payment for such services as, for example, stuffing envelopes from the Purchaser’s home.

C. “Credit Repair Service” means any service, in return for payment of money or other valuable consideration, for the express or implied purpose of: 1) improving any consumer’s credit report, credit record, credit history, credit profile, credit score, or credit rating; or 2) providing any advice or assistance to any consumer with regard to any activity or service the purpose of which is to improve a consumer’s credit report, credit record, credit history, credit profile, credit score, or credit rating.

D. "Defendants" means Elite Customer Services, LLC, and Resource Management Investments, LLC, and each of their subsidiaries, affiliates, successors, and assigns, individually, collectively, or in any combination.

E. "Designated Person" means any Person, other than the Seller, whose goods or services the Seller suggests, recommends, or requires that the Purchaser use in establishing or operating a new business.

F. "Document" is synonymous in meaning and equal in scope to the usage of "document" and "electronically stored information" in Federal Rule of Civil Procedure 34(a), Fed. R.Civ. P. 34(a), and includes writings, drawings, graphs, charts, photographs, sound and video recordings, images, Internet sites, web pages, websites, electronic correspondence, including e-mail and instant messages, contracts, accounting data, advertisements, FTP Logs, Server Access Logs, books, written or printed records, handwritten notes, telephone logs, telephone scripts, receipt books, ledgers, personal and business canceled checks and check registers,

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G. “Investment Opportunity ” means anything, tangible or intangible, that is offered, offered for sale, sold, or traded based wholly or in part on representations, either express or implied, about past, present, or future income, profit, or appreciation.

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. “Providing locations, outlets, accounts, or customers” means furnishing the prospective Purchaser with existing or potential locations, outlets, accounts, or customers; requiring, recommending, or suggesting one or more

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Defendants currently in the possession of the Receiver; (b) all the funds, property, premises, accounts, documents, mail, and all other Assets of, or in the possession or under the control of, the Defendants, wherever situated, the income and profits therefrom, all sums of money now or hereafter due or owing to the Defendants, and any other Assets or property belonging or owed to the Defendants; (c) any Assets of the Defendants held in Asset protection trusts; (d) any reserve funds or other

any material aspect of its performance, efficacy, nature, or central characteristics.

III.

IT IS FURTHER ORDERED

2. the Financial Statement of Defendant Resource Management Investments, LLC, signed by Deborah Rando on May 26, 2022, including the attachments and other submitted Documents;

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

F. If the suspension of the judgment is lifted, the judgment becomes immediately due as to that Defendant in the amount specified in Subsection A above (which the parties stipulate only for purposes of this Section represents the consumer injury alleged in the Complaint), less any payment previously made pursuant to this Section, plus interest computed from the date of entry of this Order.

V. ADDITIONAL MONETARY PROVISIONS

IT IS FURTHER ORDERED that:

A. Defendants relinquish dominion and all legal and equitable right, title, and interest in all Assets transferred pursuant to this Order identified in Section IV.B of this Order and may not seek the return of any of those Assets.

B.

the Commission requests in writing any information related to redress, Defendants must provide it, in the form prescribed by the Commission, within 14 days.

B. Disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that any Defendant obtained prior to entry of this Order in connection with the sale of Credit Repair Services, Business Opportunities, or Investment Opportunities; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within 30 days after receipt of written direction to do so from a representative of the Commission.

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.

VII. COOPERATION

IT IS FURTHER ORDERED that Defendants must fully cooperate with representatives of the Commission in this case and in any investigation related to or associated with the transactions or the occurrences that are the subject of the Complaint. Defendants must provide truthful and complete information, evidence,

D. Take all steps necessary or advisable, including issuing subpoenas, to locate and liquidate all other Assets of the Defendants, cancel the Defendants' contracts, collect on amounts owed to the Defendants, and take such other steps as may be necessary to wind-up the Defendants efficiently.

E.

out the Receiver's mandate under this Order, including actions challenging fraudulent or voidable transfers.

I. Defend any or all actions or proceedings instituted against the Defendants, as the Receiver deems necessary and advisable to preserve the Assets of the Defendants.

J. Continue to maintain accurate records of all receipts and expenditures incurred as the Receiver.

K. Perform all acts necessary or advisable to complete an accurate accounting of Assets of the Receivership Estate, and prevent unauthorized transfer, withdrawal, or misapplication of said Assets.

L. Continue to be entitled to reasonable compensation for the performance of the Receiver's duties pursuant to this Order, including duties performed by the Receiver's agents, including accountants and lawyers, and for the cost of actual out-of-pocket expenses incurred by them, from the Assets of the Receivership Estate, at the hourly rate previously agreed to by the Receiver and used as the bases for prior fee applications approved by the Court.

M. Prepare and file, within 120 days of entry of this Order, a written report describing (1) the steps taken to implement the terms of this Order; (2) the value of all Assets and liabilities of the Receivership Estate; (3) whether there exists a need for the Receivership to continue; and (4) any other matters which the Receiver believes should be brought to the Court's attention.

A. One year after entry of this Order, Defendants must submit a compliance report, sworn under penalty of perjury. Each Defendant must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission may use to communicate with Defendant; (b) identify all of that Defendant's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales; (d) describe in detail whether and how that Defendant is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.

B. For 20 years after entry of this Order, each Defendant must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following: (a) any designated point of contact; or (b) the corporate structure of Defendant or any entity that 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.

C. Each 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

B. Personnel records showing, for each Person providing services, whether

B. For matters concerning this Order, the Commission is authorized to communicate directly with Defendants. Defendants must permit representatives of the Commission to interview any employee or other Person affiliated with Defendants who has agreed to such an interview. The Person interviewed may have counsel present.

C. The Commission may use all other lawful means, including posing, through its representatives as consumers, suppliers, or other individuals or entities, to Defendants or any individual or entity affiliated with Defendants, 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.

that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

, this ____ day of _____, 2022.

TIMOTHY J. CORRIGAN
United States District Judge

SO STIPULATED AND AGREED

FOR PLAINTIFF, FEDERAL TRADE

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