

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FEDERAL TRADE COMMISSION
et al.,

Plaintiffs,

v.

CASE NO. 8:15-cv-1417-T-23EAJ

E.M. SYSTEMS & SERVICES, LLC,
et al.,

Defendants.

ORDER

The plaintiffs' unopposed motion (Doc. 23) for a stipulated preliminary injunction is **GRANTED**. Accordingly, the July 1 hearing is cancelled, and the temporary restraining order (Doc. 18) is **DISSOLVED**.

This Court has jurisdiction over the subject matter of this case; good cause supports the belief in probable jurisdiction over the parties. The Tampa Division of the Middle District of Florida is a proper venue for this case. Good cause supports the belief that One Easy Defendants and E.M. Systems Defendants have engaged in, and are likely to engage in the future in, acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a); Sections 310.3(a)(2)(x), 310.3(a)(2)(iv), and 310.4(a)(5)(i) of the Telemarketing Sales Rules, 16 C.F.R. Part 310; and Section 501.204(1) of the Florida Deceptive and Unfair Trade Practices Act, Part II,

Florida Statutes (2014); and that Plaintiffs are therefore likely to succeed on the merits of this action. Good cause supports the belief that this preliminary injunction order is in the public interest and that no private interest of One Easy Defendants or E.M. Systems Defendants outweighs the public interest. Good cause supports the belief that continuation of an asset freeze and appointment of a receiver over One Easy Solution, LLC; E.M. Systems & Services, LLC; Administrative Management & Design, LLC; KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC; Empirical Data Group Technologies, LLC; and Epiphany Management Systems, LLC, is necessary to preserve the Court's ability to grant complete relief at the conclusion of this action, and to prevent the dissipation of assets and destruction of evidence.

DEFINITIONS

In this Order, the following definitions apply:

A. "Asset" means anything, or any interest in anything, of economic value or that may be the subject of ownership, whether real or personal, tangible or intangible, legal or equitable, existing before or acquired after the date of entry of this Order, including any account, account receivables, bond, cash, certificate of deposit, chattel, check, contract, credit, currency, document, equipment, fixture, fund, good, income, inventory, instrument, investment, leasehold, line of credit, list of consumer names, mail or other deliverable, note, premises, property, receivable, revenue, security, share of stock, or trust.

B. "Debt Relief Service" means any plan, product, program or service represented, directly or by implication, to renegotiate, settle, or in any way alter the terms of payment or other terms of

the debt between a Person and one or more creditor, debt collector, or lender, including a reduction in the balance, interest rate, or fees owed by a person to a creditor, debt collector, or lender.

C. “Defendants” means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

1. “Individual Defendants” means Steven B. Short, Karissa L. Dyar, and Christopher C. Miles, and by whatever other names each may be known.

2. “Corporate Defendants” means E.M. Systems & Services, LLC; Administrative Management & Design, LLC; KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC; Empirical Data Group Technologies, LLC; Epiphany Management Systems, LLC; and One Easy Solution, LLC; and their successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by these entities, including: Applied Budgeting; Bigger Budget; Competitive Budgeting; Complete Budgeting; Conserved Budgeting; Consigned Savings; Containing Expenses; Debt Smart Solutions, Decisive Budgeting; Efficient Budgeting; Insightful Budgeting; Intuitive Budgeting; Less Costly Living; Living Competitively; Lowered Expenses; Prepared Budgeting; Reduced Expenses; Resourceful Budgeting; Sensible Budgeting; Skilled Budgeting; Spend Less Monthly; Total Budgeting; Today’s Financial Living; Your Household Budget; and Your Next Financial Step.

D. “Document” means and includes writings, drawings, graphs, charts, photographs, audio and video recordings, images, electronically stored information, and other data or data compilations from which information can be obtained and translated, if necessary, into a reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.

E. “E.M. Systems Defendants” means E.M. Systems & Services, LLC; Administrative Management & Design, LLC; KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC; Empirical Data Group Technologies, LLC; Epiphany Management Systems, LLC; Steven D. Short; Karissa L. Dyar, individually, collectively, or in any combination.

1. “Karissa L. Dyar” means Karissa L. Dyar, and by whatever names she may be known.

2. “Steven D. Short” means Steven D. Short, and by whatever names he may be known.

3. “KLS” means KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

4. “E.M. Systems & Services, LLC” means E.M. Systems & Services, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

5. “Administrative Management & Design, LLC” means Administrative Management & Design, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

6. “Empirical Data Group Technologies, LLC” means Empirical Data Group Technologies, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

7. “Epiphany Management Systems, LLC” means Epiphany Management Systems, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

F. “One Easy Defendants” means One Easy Solution, LLC, and Christopher C. Miles, individually or collectively.

1. “One Easy Solution, LLC” means One Easy Solution, LLC, and its successors and assigns, as well as any subsidiaries, and any fictitious business entities or business names created or used by this entity.

2. “Christopher C. Miles” means Christopher C. Miles, and by whatever names he may be known.

G. “Financial Institution” means any establishment dealing with financial transactions of any kind, including any automated clearing house processor, bank, bank debit processing agent, brokerage house, broker-dealer, commercial mail receiving agency, commodity trading company, credit card payment processor or agent, credit union, customer service agent, escrow agent, mail holding or forwarding company, merchant service provider, money market or mutual fund, network transaction processor, precious metal dealer, retirement fund custodian, savings and loan institution, storage company, trustee, title company, or other financial institution or depository of any kind.

H. “Person” means an individual, group, unincorporated association, limited or general partnership, corporation, or entity.

I. “Receivership Defendant” means One Easy Solution, LLC; E.M. Systems & Services, LLC; Administrative Management & Design, LLC; KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC; Empirical Data Group Technologies, LLC; Epiphany Management Systems, LLC, and any affiliates or other entities owned or controlled, in whole or in part, by One Easy Solution, LLC; Christopher C. Miles; Karissa L. Dyar; Steven D. Short; E.M. Systems & Services, LLC; Administrative Management & Design, LLC; KLS Industries, LLC, d/b/a Satisfied Service Solutions, LLC; Empirical Data Group Technologies, LLC; or Epiphany Management Systems, LLC, that assist in the provision of Debt Relief Services.

J. “Receiver” means the individual appointed as receiver in Section VIII (Appointment of Receiver) of this Order, and agents

(including representatives, attorneys, investigators, paralegals, or contractors) acting under the direction and control of that individual.

K. The words “and” and “or” are to be given both conjunctive and disjunctive meanings as necessary to make the applicable phrase or sentence inclusive rather than exclusive.

L. The words “includes” and “including” mean “including (or includes) without limitation.”

I. PROHIBITED BUSINESS ACTIVITIES

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants’ and E.M. Systems Defendants’ officers, agents, employees, and attorneys; and all other persons 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 indirectly, in connection with the sale of any good or service, are restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

- A. That Defendants are affiliated, or have established business relationships, with consumers’ lenders;
- B. That consumers who purchase a Debt Relief Service will have their credit card interest rates reduced;
- C. That consumers who purchase a Debt Relief Service will save thousands of dollars in a short time period;
- D. That Defendants will provide full refunds if consumers do not save thousands of dollars in a short time period; or
- E. Any other material fact related to Debt Relief Services.

II. ASSET FREEZE

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other persons 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 indirectly, are restrained and enjoined from:

A. Alienating, assigning, concealing, converting, disbursing, dissipating, encumbering, granting a lien or security interest or other interest in, liquidating, loaning, pledging, removing, selling, spending, transferring, withdrawing, or otherwise disposing of any Asset, or any interest therein, that is:

1. Owned or controlled, directly or indirectly, in whole or in part, by Defendants;
2. Owned or controlled by any other Person for the benefit of Defendants, including any bond, deposit, retainer, reserve account (including reserve accounts controlled or held by any payment processor or merchant service provider related to any merchant account used to process transactions in conjunction with Defendants' Debt Relief Services), surety, or trust that is held for the benefit of Defendants;
3. In the actual or constructive possession of Defendants;
4. Owned, controlled by, or in the actual or constructive possession of any Person that is, directly or indirectly, owned or controlled, or under the common control of, Defendants; or
5. Identifiable from the list attached as Attachment A to this Order.

B. Counseling, demanding, encouraging, instructing, or requesting any Person to take an action described in sub-paragraph (A);

C. Abetting, aiding, assisting in, facilitating, or participating in an action described in sub-paragraph (A) or (B);

D. Opening or causing to be opened any commercial mail box, safe deposit box, or storage facility titled in the name of Defendants, or subject to access by Defendants or under Defendants' control, without providing the FTC and Florida Attorney General prior notice and an opportunity to inspect the contents in order to determine that they contain no Asset covered by this Section;

E. Cashing any check or depositing or processing any payment from a customer of Defendants;

F. Obtaining a loan; and

G. Incurring cash advances or charges on any credit card issued in the name, singly or jointly, of Defendants.

Upon compliance with Section VI (Financial Statements and Accounting), and upon prior written agreement by Plaintiffs, Karissa L. Dyar and Steven D. Short may (1) pay from their personal funds reasonable and necessary living expenses; (2) open new lines of credit; and (3) obtain loans from any Person who was and is not involved in Defendants' activities as described in the Plaintiffs' Ex Parte Motion For A Temporary Restraining Order, Asset Freeze, Immediate Access, And Other Equitable Relief.

The provisions in Paragraphs A–E of this Section (Asset Freeze) do not apply to Assets of Karissa L. Dyar and Steven D. Short that are obtained after the time this

Order is entered and that are not derived, directly or indirectly, from (1) Defendants' activities as described in the Plaintiffs' Ex Parte Motion For A Temporary Restraining Order, Asset Freeze, Immediate Access, And Other Equitable Relief; (2) other Defendants; or (3) any Person who was or is involved in Defendants' activities as described in the Plaintiffs' Ex Parte Motion For A Temporary Restraining Order, Asset Freeze, Immediate Access, And Other Equitable Relief.

This Section prohibits neither transfers to the Receiver as required in Section XII (Delivery of Receivership Property) nor the repatriation of foreign Assets as required in Section IV (Repatriation of Foreign Assets).

III. DUTIES OF THIRD PARTIES HOLDING DEFENDANTS' ASSETS

Any Financial Institution or other Person that is served with a copy of this Order or that otherwise has actual or constructive knowledge of this Order must:

A. Hold and retain within its control and prohibit the alienation, assignment, concealment, conversion, disbursement, dissipation, encumbrance, granting of a lien or security interest or other interest therein, liquidation, loan, pledge, removal, sale, spending of, transfer, withdrawal, or other disposal of any Asset, or any interest therein, held by or under its control that is:

1. Owned or controlled, directly or indirectly, in whole or in part, by One Easy Defendants or E.M. Systems Defendants;
2. Owned or controlled by any other Person for the benefit of One Easy Defendants or E.M. Systems Defendants, including any bond, deposit, retainer, reserve account (including reserve accounts controlled or held by any payment processor or merchant service provider

related to any merchant account used to process transactions in conjunction with Defendants' Debt Relief Services), surety, or trust that is held for the benefit of One Easy Defendants or E.M. Systems Defendants;

3. In the actual or constructive possession of One Easy Defendants or E.M. Systems Defendants;

4. Owned, controlled by, or in the actual or constructive possession of any Person that is, directly or indirectly, owned or controlled, or under the common control of, One Easy Defendants or E.M. Systems Defendants; or

5. Identifiable from the list attached as Attachment A to this Order.

B. Deny One Easy Defendants and E.M. Systems Defendants access to any safe deposit boxes or storage facilities that, as of the date this Order is entered, are either:

1. Titled in the name, individually or jointly, of One Easy Defendants, E.M. Systems Defendants, or other Person subject to Section III above; or

2. Subject to access by One Easy Defendants, E.M. Systems Defendants, or other Person subject to Section III above;

C. Within three days after a written request from either of Plaintiffs, provide to Plaintiffs a sworn statement setting forth:

1. The identification number of each account or other Asset that, at any time since January 2013, has been titled in the name, individually or jointly, of One Easy Defendants or E.M. Systems Defendants, or held on behalf of, or for the benefit of, One Easy Defendants or E.M. Systems Defendants or other Person subject to Section III above, including all trust accounts managed on behalf of One Easy Defendants or E.M. Systems Defendants or subject to One Easy Defendants' or E.M. Systems Defendants' control;

2. The balance of each such account, or a description of the nature and value of such Asset;
3. The identification and location of any safe deposit box, commercial mail box, or storage facility that is either titled in the name, individually or jointly, of One Easy Defendants or E.M. Systems Defendants, or is otherwise subject to access or control by One Easy Defendants, E.M. Systems Defendants, or other Person subject to Section III above, whether in whole or in part; and
4. If the account, safe deposit box, storage facility, or other Asset has been closed or removed, the date closed or removed and the balance on said date.

D. Within five days after a written request from either of Plaintiffs, provide to Plaintiffs copies of all records or other Documents pertaining to each such account or other Asset, including originals or copies of account applications, account statements, audits, chargeback reports, corporate resolutions, correspondence, notes, notifications, reports, summaries, underwriting files, 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.

This Section prohibits neither transfers to the Receiver as required in Section XII (Delivery of Receivership Property) nor the repatriation of foreign Assets as required in Section IV (Repatriation of Foreign Assets). A Financial Institution or another Person may unfreeze any Asset covered by this Section upon prior written authorization by Plaintiffs. Plaintiffs must promptly file notice of any such written authorization with this Court.

IV. REPATRIATION OF FOREIGN ASSETS

One Easy Defendants and E.M. Systems Defendants must, if they have not already done so:

A. Within three business days after service of this Order, take such steps as are necessary to repatriate to the territory of the United States of America all Documents and Assets held by or for Defendants or under Defendants' direct or indirect control, jointly, severally, or individually, that were transferred outside the territory of the United States from within the territory of the United States.

B. Within three business days after service of this Order, provide Plaintiffs with a full accounting of all Documents and Assets that are located outside of the territory of the United States of America or that have been transferred to the territory of the United States of America under Sub-section A above and are held by or for Defendants or are under Defendants' direct or indirect control, jointly, severally, or individually, including the addresses and names of any foreign or domestic financial institution or other entity holding the Documents and Assets, along with the account numbers and balances.

C. Hold and retain all such Documents and Assets and prevent any disposition, dissipation, or further transfer of any such Documents or Assets.

V. INTERFERENCE WITH REPATRIATION

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other persons 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 indirectly, are restrained and enjoined from taking any action that may result in the

encumbrance or dissipation of Assets held by or for Defendants or under Defendants' direct or indirect control, jointly, severally, or individually, that were transferred outside the territory of the United States from within the territory of the United States, or in the hindrance of the repatriation required by the preceding Section IV (Repatriation of Foreign Assets) of this Order, including:

A. Sending any e-mail, facsimile, letter, statement, or wire transmission, or 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 all Assets have been fully repatriated under Section IV (Repatriation of Foreign Assets) of this Order.

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 under a court order, until all Assets have been fully repatriated under Section IV (Repatriation of Foreign Assets) of this Order.

VI. FINANCIAL STATEMENTS AND ACCOUNTING

No later than three business days after service of this Order, each One Easy Defendant and each E.M. Systems Defendant must serve upon Plaintiffs, if they have not already done so:

A. For Defendants Karissa L. Dyar and Steven D. Short:

1. a completed financial statement, accurate as of the date of service of this Order and verified under oath, in the form of Attachment B to this Order captioned "Financial Statement for Individual Defendant";

2. an executed and notarized authorization to access financial records, in the form of Attachment C to this Order captioned "Consent to Release of Individual Financial Records";

B. For One Easy Solution, LLC, and E.M. Systems Corporate Defendants, a completed financial statement, accurate as of the date of service of this Order and verified under oath, in the form of Attachment D to this Order captioned "Financial Statement for Business Entity Defendant"; and

C. For each One Easy Defendant and each E.M. Systems Defendant, a statement, verified under oath, of all payments, transfers, or assignments since January 2013 of any Assets worth \$5,000 or more. Such statements must include (1) the amount transferred or assigned; (2) the name of each transferee or assignee; (3) the date of the assignment or transfer; and (4) the type and amount of consideration paid by or to Defendants.

VII. CONSUMER REPORTING AGENCIES

Under Section 604 of the Fair Credit Reporting Act, 15 U.S.C. § 1681b, any consumer reporting agency must furnish a consumer or credit report concerning One Easy Defendants or E.M. Systems Defendants to Plaintiffs upon request by either Plaintiff.

VIII. APPOINTMENT OF RECEIVER

The appointment of Burton W. Wiand as Receiver for the business activities of the Receivership Defendants with the full power of an equity receiver is continued for the pendency of this action, or until further Order by this Court. The Receiver is the agent of this Court and solely the agent of this Court in acting as Receiver under this

Order. The Receiver is accountable directly to this Court. The Receiver must comply with all laws and Local Rules of this Court governing receivers.

IX. DUTIES OF RECEIVER

The Receiver is directed and authorized to accomplish the following:

A. Assume full control of the Receivership Defendants by removing, as the Receiver deems necessary or advisable, any director, officer, independent contractor, employee, or agent of the Receivership Defendants, including Defendants, from control of, management of, or participation in, the affairs of the Receivership Defendants;

B. Take exclusive custody, control, and possession of all Assets and Documents of, or in the possession, custody, or under the control of, the Receivership Defendants. The Receiver has 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. The Receiver may 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 Receivership Defendants as the Receiver deems necessary or advisable, including:

1. serving and filing this Order;
2. completing a written inventory of all Receivership Assets;
3. obtaining pertinent information from all employees and other agents of the Receivership Defendants, including the name, home address, social security number, job description, method of compensation, and all accrued and

unpaid commissions and compensation of each such employee or agent, and all computer hardware and software passwords;

4. videotaping all portions of the location;

5. securing the location by changing the locks and disconnecting any computer modems or other means of access to the computer or other records maintained at that location;

6. requiring any persons present on the premises at the time this Order is served to leave the premises, to provide the Receiver with proof of identification, or to demonstrate to the satisfaction of the Receiver that such persons are not removing from the premises Documents or Assets of the Receivership Defendants; and

7. requiring all employees, independent contractors, and consultants of the Receivership Defendants to complete a questionnaire submitted by the Receiver;

D. Conserve, hold, and manage all Assets in the possession, custody, or under the control of, the Receivership Defendants, and perform all acts necessary or advisable to preserve the value of those Assets, in order to prevent any irreparable loss, damage, or injury to consumers or to creditors of the Receivership Defendants, including obtaining an accounting of the Assets and preventing transfer, withdrawal, or misapplication of Assets;

E. Liquidate securities or commodities owned by or for the benefit of the 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 Receivership Defendants;

H. Manage and administer the business of the Receivership Defendants until further order of this Court by performing all incidental acts that the Receiver deems to be advisable or necessary, including 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 the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order. The Receiver must apply to the Court for prior approval of any payment of any debt or obligation incurred by the Receivership Defendants before the date of entry of this Order, except payments that the Receiver deems necessary or advisable to secure Assets of the Receivership Defendants, such as rental payments;

K. Determine and implement the manner in which the Receivership Defendants will comply with, and prevent violations of, this Order and all other applicable laws, including 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 Receivership Defendants, or that the Receiver deems necessary and advisable to carry out the Receiver's mandate under this Order; however, before taking any of the actions contemplated under this sub-section, the Receiver must provide Plaintiffs with notice of its intent to take such action at least five business days before taking the action;

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 the role as Receiver, or against the

Receivership Defendants, that the Receiver deems necessary and advisable to preserve the Assets of the Receivership Defendants or to carry out the Receiver's mandate under this Order;

N. Continue and conduct the business of the 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. The continuation and conduct of the business are conditioned upon the Receiver's good faith determination that the businesses can be lawfully operated at a profit using the Assets of the receivership estate;

O. Take depositions and issue subpoenas to obtain Documents pertaining to the receivership estate and compliance with this Order. Subpoenas may be served by agents or attorneys of the Receiver and by agents of any process server retained by the Receiver;

P. Open one or more bank accounts in the Middle District of Florida as designated depositories for funds of the Receivership Defendants. The Receiver must deposit all funds of the Receivership Defendants in such a designated account and must make all payments and disbursements from the receivership estate from such account(s);

Q. Maintain accurate records of all receipts and expenditures that the Receiver makes as Receiver;

R. Co-operate with reasonable requests for information or assistance from any state or federal law enforcement agency; and

S. Be responsible for maintaining the chain of custody of all of Defendants' records in the Receiver's possession.

X. RECEIVER'S AND PLAINTIFFS' CONTINUED ACCESS TO BUSINESS PREMISES AND RECORDS

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, directors, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, affiliates, successors, and assigns; and all other persons or entities in active concert or participation with them, who receive actual notice of this Order by personal service or otherwise, must continue to:

A. Immediately identify to Plaintiffs' counsel and the Receiver:

1. All of Defendants' business premises;
2. Any other premises where Defendants conduct business related to Debt Relief Services;
3. Any premises where Documents related to the business operations of Defendants are maintained, including the name and location of any electronic data hosts; and
4. Any premises where Assets belonging to Defendants are stored or maintained;

B. Allow Plaintiffs and the Receiver (including their agents, attorneys, investigators, paralegals, and contractors) immediate access to:

1. Any non-residence premises where One Easy Defendants or E.M. Systems Defendants conduct business or maintain Documents or Assets related to Debt Relief Services, including (i) 9365 U.S. Highway 19 North, Suite A, Pinellas Park, Florida 33782; and (ii) 7441 114th Avenue, Suite 601, Largo, Florida 33773;

2. Any other non-residence premises where Receivership Defendants conduct business or maintain Documents or Assets;

3. Any Documents located at any of the locations described in this Section; and

C. Provide Plaintiffs and the Receiver with any necessary means of access to, copying of, and forensic imaging of Documents related to the business activities of Receivership Defendants, including, the locations of Receivership Defendants' business premises, keys and combinations to business premises locks, computer access codes of all computers used to conduct Receivership Defendants' business, access to (including execution of any documents necessary for access to and forensic imaging of) any data stored, hosted or otherwise maintained by an electronic data host, and storage area.

The Receiver and Plaintiffs (including their agents, attorneys, investigators, paralegals, and contractors) have the right to remove any Documents related to Defendants' business practices from the premises in order that they may be inspected and copied. The materials so removed must be returned within five business days after completing said copying. Plaintiffs and the Receiver (including their agents, attorneys, investigators, paralegals, and contractors) may also photograph or videotape the inside and outside of all premises to which they are permitted access by this Order, and all Documents and other items found on such premises.

If any Documents relating to Receivership Defendants' finances or business practices are located in the residence(s) of Steven D. Short or Karissa L. Dyar or are otherwise in the custody or control of Steven D. Short or Karissa L. Dyar, then they must, if they have not already done so, produce them to the Receiver within

twenty-four hours after service of this Order. To prevent the destruction of electronic data, upon service of this Order upon Defendants, any computing device (including computers, tablets, and smartphones) with such Documents must be powered down (turned off) in the normal course for the operating systems used on such computing device and may not be powered up or used again until produced for copying and inspection, along with any codes needed for access.

The Receiver has the discretion to determine the time, manner, and reasonable conditions of access under this Section. Plaintiffs' access under this Order to Documents Order does not provide grounds for Defendants to object to any subsequent request for Documents served by Plaintiff.

XI. CO-OPERATION WITH RECEIVER

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other Persons 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 indirectly, must fully co-operate with and assist the Receiver in the performance of the Receiver's duties under this Order (unless the Receiver's request is subject to the assertion of a valid privilege held by an individual), including by:

A. Providing information to the Receiver that the Receiver deems necessary to exercising the authority and discharging the responsibilities of the Receiver under this Order, including

allowing the Receiver to inspect Documents and Assets and to partition office space;

B. Providing passwords and executing documents required to access Documents, including information maintained by an electronic data host;

C. Assisting the Receiver to operate, access, and understand the files, computers, servers, and systems used by Defendants in conducting the business of the Receivership Defendants; and

D. Advising all persons who owe money to the Receivership Defendants that all debts should be paid directly to the Receiver.

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other Persons 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 indirectly, are restrained and enjoined from:

A. Transacting any of the business of the Receivership Defendants without the express written permission of the Receiver;

B. Interfering with the Receiver in the performance of the Receiver's duties under this Order; and

C. Filing 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.

XII. DELIVERY OF RECEIVERSHIP PROPERTY

Immediately upon service of this Order upon them or upon their otherwise obtaining actual notice of this Order, or within a period permitted by the Receiver,

One Easy Defendants, E.M. Systems Defendants, or any other Person, including Financial Institutions and electronic data hosts, must transfer or deliver access to, possession, custody, and control of the following to the Receiver:

- A. All Assets and Documents of or relating to the Receivership Defendants;
- B. All Assets and Documents belonging to members of the public now held by the Receivership Defendants;
- C. 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 Receivership Defendants; and
- D. Information identifying the accounts, employees, properties, or other Assets or obligations of the Receivership Defendants.

If any Person fails to deliver or transfer immediately any Asset, Document, or other thing required by this Order, or otherwise fails to comply with any provision of this Section, 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.

XIII. COMPENSATION FOR RECEIVER

The Receiver is entitled to reasonable compensation for the performance of duties under this Order, and for the cost of actual out-of-pocket expenses incurred, from the Assets now held by or in the possession or control of, or which may be

received by, the Receivership Defendants. The Receiver must file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation. The Receiver may not increase the hourly rates used as the bases for such fee applications without prior approval of the Court.

XIV. RECEIVER'S REPORTS

The Receiver must continue to report to this Court periodically, at least every ninety days, regarding (1) the steps taken by the Receiver to implement the terms of this Order; (2) the value of all liquidated and unliquidated Assets of the Receivership Defendants; (3) the sum of all liabilities of the Receivership Defendants; (4) the steps the Receiver intends to take in the future to (a) prevent any diminution in the value of Assets of the Receivership Defendants, (b) pursue receivership Assets from third parties, and (c) adjust the liabilities of the Receivership Defendants, if appropriate; (5) whether the business of the Receivership Defendants can be operated lawfully and profitably; and (6) any other matters that the Receiver believes should be brought to the Court's attention.

If any of the required information would hinder the Receiver's ability to pursue receivership Assets, the portions of the Receiver's report containing such information may be filed under seal and not served on the parties.

XV. RECEIVER'S BOND

The Receiver must maintain the bond previously filed with the Clerk of this Court in the sum of \$150,0000, conditioned that the Receiver will well and truly perform the duties of the office and abide by and perform all acts the Court directs.

XVI. STAY OF ACTIONS

Except by leave of this Court, during the pendency of the Receivership under this Order, the Receivership Defendants and all customers, principals, investors, creditors, stockholders, lessors, and other Persons seeking to establish or enforce any claim, right, or interest against or on behalf of the Receivership Defendants, and all others acting for or on behalf of such persons, including attorneys, trustees, agents, sheriffs, constables, marshals, and other officers and their deputies, and their respective attorneys, agents, and employees, are hereby stayed from:

- A. Commencing, prosecuting, continuing, entering, or enforcing any suit or proceeding, except that such actions may be filed to toll any applicable statute of limitations;
- B. 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;
- C. Executing, issuing, serving, or causing the execution, issuance or service of, any legal process, including garnishments, subpoenas, writs of replevin, writs of execution or any other form of process, whether specified in this Order or not; or

D. Doing any act or thing to interfere with the Receiver's taking custody, control, possession, or management of the Assets or Documents subject to this receivership; or to harass or interfere with the Receiver in any way; or to interfere in any manner with the exclusive jurisdiction of this Court over the Assets or Documents of any Receivership Defendant.

This Section does not stay:

A. The commencement or continuation of a criminal action or proceeding;

B. The commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power;

C. The enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or

D. The issuance of a notice of tax deficiency to a Receivership Defendant.

XVII. LIMITED EXPEDITED DISCOVERY

Plaintiffs and the Receiver are granted leave to conduct limited expedited discovery, and that, commencing with the time and date of this Order, in lieu of the time periods, notice provisions, and other requirements of Rules 26, 30, 34, and 45 of the Federal Rules of Civil Procedure and this Court's Local Rules, expedited discovery will proceed as follows:

A. Plaintiffs and the Receiver may, upon three days' notice, take the deposition of any Person, in any judicial district, for the purpose of discovering (1) the Assets of Defendants; (2) the location of Documents related to this action; and (3) compliance

with this Order. Depositions may be conducted telephonically or in person.

B. Plaintiffs and the Receiver may serve interrogatories on Defendants for the purpose of discovering (1) the Assets of Defendants; (2) the location of Documents related to this action; and (3) compliance with this Order. Defendants must respond within five days after service of such interrogatories.

C. Plaintiffs and the Receiver may, upon five days' notice, including through a Rule 45 subpoena, demand the production of Documents from any Person relating to (1) the Assets of Defendants; (2) the location of Documents related to this action; and (3) compliance with this Order.

None of the discovery conducted under this Section (Limited Expedited Discovery) may count towards any of the discovery limits set forth in the Federal Rules of Civil Procedure, this Court's Local Rules, or in any subsequent case management order by the Court.

XVIII. PRESERVATION OF DOCUMENTS

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other persons 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 indirectly, are restrained and enjoined from altering, concealing, destroying, erasing, mutilating, transferring, or otherwise disposing of, in any manner, directly or indirectly, any Documents that relate to the finances or business practices of Defendants.

XIX. PROHIBITION ON DISCLOSING CONSUMER INFORMATION

One Easy Defendants; E.M. Systems Defendants; One Easy Defendants' and E.M. Systems Defendants' officers, agents, employees, and attorneys; and all other persons 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 indirectly, are restrained and enjoined from:

A. Leasing, renting, selling, or otherwise disclosing the address, bank account number, birth date, credit card number, e-mail address, name, Social Security number, telephone number, or other financial or identifying personal information of any Person from whom or about whom Defendants obtained such information in connection with the offering for sale or sale of Debt Relief Services; and

B. Benefitting from or using the address, bank account number, birth date, credit card number, e-mail address, name, Social Security number, telephone number, or other financial or identifying personal information of any Person from whom or about whom Defendants obtained such information in connection with the offering for sale or sale of Debt Relief Services.

One Easy Defendants and E.M. Systems Defendants may disclose such financial or identifying personal information to a law enforcement agency or as required by any law, regulation, or court order.

XX. DISTRIBUTION OF ORDER BY E.M. SYSTEMS DEFENDANTS

One Easy Defendants and E.M. Systems Defendants must immediately provide a copy of this Order to each of their corporations, subsidiaries, affiliates,

partners, divisions, sales entities, successors, assigns, members, officers, directors, employees, independent contractors, agents, attorneys, spouses, representatives, and any other Persons in active concert or participation with them. Within five business days after service of this Order, One Easy Defendants and E.M. Systems Defendants must serve on Plaintiffs a statement sworn under oath identifying the name, title, addresses, telephone numbers, date of service, and manner of service of the Persons One Easy Defendants and E.M. Systems Defendants have served with a copy of this Order in compliance with this provision.

XXI. SERVICE OF ORDER

Copies of this Order may be served by facsimile transmission, personal or overnight delivery, first class mail, electronic mail, or personally, by agents and employees of Plaintiffs or any state, provincial, federal, or international law enforcement agency, by the Receiver, or by private process server, on (1) Defendants; (2) any Financial Institution or Person that holds, controls, or maintains custody of any Documents or Assets of any Defendant; or (3) any other Financial Institution or Person that may be subject to any provision of this Order. Service upon any branch or office of any Financial Institution or entity constitutes service upon the entire Financial Institution or entity.

XXII. SERVICE UPON PLAINTIFFS

Any correspondence, papers, and pleadings related to this Order must be served upon Plaintiffs by overnight mail, electronic mail, courier delivery, or facsimile to:

Federal Trade Commission
Attn: Nicholas M. May
225 Peachtree Street NE, Ste 1500
Atlanta, GA 30303
E-mail: nmay@ftc.gov
Fax: 404-656-1390

Office of The Attorney General
Attn: Amanda Sansone
3507 East Frontage Road #325
Tampa, Florida 33607
E-mail: amanda.sansone@myfloridalegal.com
Fax: 813-281-5515

ORDERED in Tampa, Florida, on June 30, 2015.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE