

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	Case No.
)	
v.)	08-22922-CIV-JORDAN/MCALILEY
)	
CLEAN CREDIT REPORT SERVICES, INC.,)	
RICARDO A. MIRANDA,)	
DANIEL R. MIRANDA, AND)	
RUTHY VILLABONA)	
Defendants.)	

~~PROPOSED~~ *John*
**TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE
AND OTHER EQUITABLE RELIEF AND ORDER TO SHOW CAUSE
WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

Plaintiff, the Federal Trade Commission ("Commission" or "FTC"), having filed its Complaint for Injunctive and Other Equitable Relief pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b) and 57b, and Section 410(b) of the Credit Repair Organizations Act ("CROA"), 15 U.S.C. § 1679h(b), and having moved for a temporary restraining order and preliminary injunction under Rule 65 of the Federal Rules of Civil Procedure, Fed. R. Civ. P. 65, and the Court, having considered the complaint, declarations, exhibits, and memorandum of law in support of the temporary restraining order filed in support thereof, and now being advised in the premises, finds that:

1. This Court has jurisdiction over the subject matter of this case, and there is good cause to believe that the Court will have jurisdiction over all of the parties;
2. There is good cause to believe venue properly lies with this Court;

3. There is good cause to believe that Defendants have engaged in and are likely to continue to engage in acts and practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the Credit Repair Organizations Act ("CROA"), 15 U.S.C. §§ 1679-1679j, and that Plaintiff is therefore likely to prevail on the merits of this action;

4. There is good cause to believe that immediate and irreparable damage to the Court's ability to grant effective final relief in the form of monetary restitution, rescission of contracts or disgorgement will occur from the sale, transfer, or other disposition or concealment by Defendants of their assets or corporate and/or business records unless the Defendants are immediately restrained and enjoined by Order of this Court.

5. The evidence contained in the Commission's complaint, declarations, exhibits, and memorandum in support of the temporary restraining order shows that Defendants have engaged in a concerted course of prohibited activity designed to take money from consumers nationwide based upon false and deceptive acts and practices in connection with the sale of credit repair services in violation of Section 5 of the FTC Act and the CROA. Thus, there is good cause to believe that Defendants are likely to attempt to conceal the scope of their illegal actions to avoid returning their ill-gotten gains to consumers injured by their unlawful practices, unless Defendants are restrained and enjoined from doing so by Order of this Court. Accordingly, a freeze of Defendants' assets is reasonably necessary in order to preserve this Court's ability to award complete and meaningful relief at the conclusion of this litigation.

6. There is good cause for this Court to order the immediate production of

certain business and financial records. In particular, there is good cause to believe that immediate and irreparable injury, loss, or damage will result from any disposition or concealment of the Defendants' business and financial records. The evidence submitted to the Court in support of this action shows that Defendants business practices are permeated by deception. Defendants are likely to attempt to conceal the scope of their illegal actions by concealing or destroying business and financial records, unless Defendants are restrained and enjoined by Order of this Court. Accordingly, the immediate production of certain business and financial records is reasonably necessary in order to preserve the Commission's ability to identify victims, quantify injury to consumers, and access essential business records that demonstrate the breath and depth of Defendants' illegal business.

7. Weighing the equities and considering Plaintiff's likelihood of success, a TRO with an asset freeze and other equitable relief is in the public interest.

8. No security is required of any agency of the United States for issuance of a temporary restraining order. Fed. R. Civ. P. 65(c).

DEFINITIONS

For purposes of this Temporary Restraining Order ("Order"), the following definitions shall apply:

1. "Asset" or "assets" mean any legal or equitable interest in, right to, or claim to, any real or personal property, including, but not limited to, "goods," "instruments," "equipment," "fixtures," "general intangibles," "inventory," "checks," or "notes," (as these terms are defined in the Uniform Commercial Code), lines of credit, chattels' leaseholds,

contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts, credits, premises, receivables, funds, and all cash, wherever located.

2. **"Assisting others"** means knowingly providing any of the following goods or services to another entity: (1) performing customer service functions, including, but not limited to, receiving or responding to consumer complaints; (2) formulating or providing, or arranging for the formulation or provision of, any marketing material; (3) providing names of, or assisting in the generation of, potential customers; or (4) performing marketing or billing services of any kind.

3. **"Individual Defendants"** means Ricardo A. Miranda, Daniel R. Miranda, and Ruthy Villabona, or any alias of these individuals.

4. **"Corporate Defendant"** means Clean Credit Report Services, Inc. ("CCRS"), and its successors and assigns or any fictitious "doing business as" name.

5. **"Defendants"** mean all of the Individual Defendants and the Corporate Defendant, individually, collectively, or in any combination.

6. **"Credit repair organization"** means any person or entity that uses any instrumentality of interstate commerce or the mails to sell, provide, or perform (or represent that such person or entity can or will sell, provide, or perform) any credit repair service.

7. **"Credit repair service"** means any service, in return for payment of money or other consideration, for the express or implied purpose of: (1) improving any consumer's credit record, credit history, or credit rating; or (2) providing advice or assistance to any consumer with regard to any activity or service the purpose of which is to improve a

consumer's credit record, credit history, or credit rating.

8. **"Document"** is synonymous in meaning and equal in scope to the term as defined in Federal Rule of Civil Procedure 34(a), and includes both documents and electronically stored information, including, but not limited to, writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations, stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form. A draft or nonidentical copy is a separate document within the meaning of this term.

9. **"Material"** means likely to affect a person's choice of, or conduct regarding, goods or services.

10. **"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.

12. **"Plaintiff"** means the Federal Trade Commission ("Commission" or "FTC").

13. The term **"and"** also means **"or,"** and the term **"or"** also means **"and."**

ORDER

PROHIBITED BUSINESS ACTIVITIES

I. INJUNCTION AGAINST MISREPRESENTATIONS IN VIOLATION OF THE FEDERAL TRADE COMMISSION ACT

IT IS HEREBY ORDERED that, in connection with the advertising, marketing, promotion, offering for sale, or sale of any goods or services, including, but not limited to, credit repair services, Defendants and each of their officers, agents, directors,

servants, 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, are hereby temporarily restrained and enjoined from making any false or misleading representation, or assisting others in making any false or misleading representation, either orally or in writing, expressly or by implication, any material fact, including, but not limited to:

- A. that Defendants can permanently remove negative information from consumers' credit reports or profiles, even where such information is accurate and not obsolete;
- B. that Defendants or any other credit repair organization can improve substantially consumers' credit reports, credit profiles, or credit scores; and
- C. any fact material to a consumer's decision to purchase any good or service from any Defendant.

II. INJUNCTION AGAINST VIOLATIONS OF THE CREDIT REPAIR ORGANIZATIONS ACT

IT IS FURTHER ORDERED that, in connection with the advertising, marketing, promotion, offering for sale, or sale of credit repair services to consumers, Defendants and their officers, agents, directors, servants, 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, are hereby temporarily restrained and enjoined from

violating or assisting others in violating the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j, as presently enacted or as it may hereafter be amended, by including, but not limited to:

- A. Violating 15 U.S.C. § 1679b(a)(3) by making or using untrue or misleading representations to induce consumers to purchase their services, including, but not limited to, misrepresenting that a credit repair organization can improve substantially consumers' credit reports, credit profiles, or credit scores by permanently removing negative information from consumers' credit reports, even where such information is accurate and not obsolete; and
- B. Violating 15 U.S.C. § 1679b(b) by charging or receiving money or other valuable consideration for the performance of credit repair services that Defendants have agreed to perform before such services are fully performed.

III. ASSET FREEZE

IT IS FURTHER ORDERED that Defendants and their officers, agents, directors, servants, 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, are hereby restrained and enjoined from:

- A. Assigning, concealing, converting, disbursing, dissipating, encumbering, liquidating, loaning, pledging, selling, spending, transferring, withdrawing, granting a lien or security interest or other interest in, or otherwise disposing of any funds, real

or personal property, accounts, artwork, automobiles, coins, consumer lists, contracts, precious metals, shares of stock, uncashed checks, or other assets, wherever located, that are:

1. owned or controlled by, or in the actual or constructive possession of any Defendant;
 2. owned or controlled by, or held for the benefit of, directly or indirectly, any Defendant, in whole or in part;
 3. held by an agent of any Defendant as a retainer for the agent's provision of services to any Defendant; or
 4. owned or controlled by, or in the actual or constructive possession of, or otherwise held for the benefit of, any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with, any Defendant, including, but not limited to, any asset held by or for any Defendant in any account at any bank or savings and loan institution, credit card processing agent, or with any broker-dealer, escrow agent, title company, commodity trading company, precious metal dealer, merchant account processor, check processor, money broker, or other financial institution or organization of any kind;
- B. Opening or causing to be opened any safe deposit boxes or commercial mail boxes titled in the name of any Defendant, or subject to access by any Defendant;

C. Incurring charges or cash advances on any credit card, debit card, or lines of credit issued in the name, individually or jointly, of any Defendant or any entity directly or indirectly owned, managed, or controlled by any Defendant;

D. Obtaining a personal or secured loan encumbering the assets of any Defendant, or subject to access to any Defendant; and

E. Incurring liens or other encumbrances on real property, personal property, or other asset held in the name, individually or jointly, of any Defendant, or any entity directly or indirectly owned, managed or controlled by any Defendant.

IT IS FURTHER ORDERED that the assets affected by this Section shall include both existing assets and assets acquired after the effective date of this Order.

IV. DUTIES OF ASSET HOLDERS

IT IS FURTHER ORDERED that, effective immediately upon notification of this Order, any financial or brokerage institution, escrow agent, money market or mutual fund, title company, commodity trading company, common carrier, storage company, trustee, commercial mail receiving agency, merchant account processor, mail holding or forwarding company, creditor or credit card issuer, or any other person or entity having possession, custody or control of any assets or documents of any Defendant, or of any account, safe deposit box, or other asset of any Defendant, either individually or jointly, or held on behalf of or for the benefit of any Defendant, at any time since May 6, 2004, shall:

A. Hold and retain within its control and prohibit the assignment, dissipation, encumbrance, pledge, removal, sale, transfer, withdrawal, or other disposal of any of

the assets or other property held by, under its control, or on behalf of any Defendant in any account maintained in the name of, or for the benefit or use of, any Defendant, in whole or in part, except as directed by further order of this Court, or by written agreement of Plaintiff and the parties claiming an interest in such account or asset;

B. Deny Defendants access to any safe deposit boxes, commercial mail boxes, or storage facilities that are titled in the name, individually or jointly, of any Defendant, or otherwise subject to access by any Defendant;

C. Provide to counsel for the Commission, within ~~five~~ ^{seven (-)} *of* ^{five} business days of notice of this Order, a sworn statement setting forth:

1. The identification number of each account or asset titled in the name, individually or jointly, of any Defendant, or to which any Defendant is a signatory, or which is held on behalf of, or for the benefit or use of, any Defendant or subject to any Defendant's control, including all trust accounts on behalf of any Defendant or subject to any Defendant's control;
2. The balance of each such account, or a description and appraisal of the value of such asset, as of the close of business on the day on which notice of this Order is received, and, if the account or asset has been closed or removed, or more than \$1,000 withdrawn or transferred from it within the last ninety (90) days, the date of the closure or removal of funds, the total funds removed or transferred, and the name and

account number of the person or entity to whom such account, funds, or other asset was remitted; and

3. The identification and location of any safe deposit box, commercial mail box, or storage facility that is titled in the name, either individually or jointly, of any Defendant, or is otherwise subject to access by any Defendant.

D. Upon request by the Commission, provide copies of all records or other documents pertaining to each such account or asset, including, but not limited to, originals or copies of account applications, corporate resolutions, 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, within ^{seven (7) business} ~~five (5)~~ days of said request. For the purposes of this Section, the Commission may properly serve this Order on any financial or brokerage institution, business entity or person that holds, controls or maintains custody of any account or asset of any Defendant or has held, controlled or maintained custody of any account or asset of any Defendant at any time since May 6, 2004, by facsimile transmission, hand delivery, or overnight carrier. The assets affected by this Section shall include both existing assets and assets acquired after the effective date of this Order.

V. REPATRIATION OF FOREIGN ASSETS AND DOCUMENTS

IT IS FURTHER ORDERED that, within ^{seven (7)} ~~five (5)~~ business days following service

of this Order, each Defendants and their officers, agents, directors, servants, 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, shall:

- A. Repatriate to the United States all funds, documents or assets in foreign countries held either: (1) by any Defendant; (2) for the benefit of any Defendant; or (3) under the direct or indirect control, jointly or individually, of any Defendant;
- B. The same business day as any repatriation, (1) notify counsel for the Commission of the name and location of the financial institution or other entity that is the recipient of such funds, documents or assets; and (2) serve this Order on any such financial institution or other entity; and
- C. Provide the Commission with a full accounting of all funds, documents, and assets outside of the territory of the United States held either: (1) by the Defendant; (2) for the Defendant's benefit; or (3) under the Defendant's direct or indirect control, individually or jointly.

VI. INTERFERENCE WITH REPATRIATION

IT IS FURTHER ORDERED that each Defendant and their officers, agents, directors, servants, 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, is 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 the preceding Section of this Order, including, but not limited to:

A. Sending any statement, letter, fax, e-mail 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 such time as all assets have been fully repatriated pursuant to the preceding Section 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 as all assets have been fully repatriated pursuant to the preceding Section of this Order.

VII. IMMEDIATE PRODUCTION OF DOCUMENTS

IT IS FURTHER ORDERED that Defendants shall produce to Plaintiff within ~~five~~ ^{seven (7)} ~~(5)~~ business days of entry of this Order, documents and records contained therein that refer or relate to: (a) all consumer complaints, (b) all sales scripts and any other scripts used by Defendant or on behalf of Defendants, (c) the names, addresses, and telephone numbers of all customers of Defendants and how much each customer paid to Defendants for Defendants' credit repair services, and (d) Defendants' financial status, including, but not limited to the nature or location of any bank account, safe deposit box or any other assets of Defendants and all tax returns and documents showing annual sales volume of Defendants

for each year in business.

VIII. PROHIBITION ON RELEASE OF CUSTOMER INFORMATION OR CUSTOMER LISTS

IT IS FURTHER ORDERED that, Defendants officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, 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, whether acting directly or through any trust, corporation, subsidiary, division, or other device, or any of them, are hereby temporarily restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, credit card number, bank account number, email address, or other identifying information of any person who paid money to any of the Defendants for purchase of any good or service or who were contacted; provided that Defendants may disclose such identifying information to a law enforcement agency or as required by any law, regulation, or court order.

IX. FINANCIAL REPORTS

IT IS FURTHER ORDERED that each Defendant shall, with ^{business} ~~five (5)~~ ^{seven (7)} days of service of this Order, prepare and provide to counsel for the Commission:

- A. A completed financial statement, accurate as of the date of service of this Order upon Defendants, which shall include all financial information requested by the Financial Statement of Individual Defendant, appended as Attachment A, and Financial Statement of Corporate Defendant, appended as Attachment B, for each business entity under which each conducts business, or of which each is an officer or

member, and for each trust of which each is a trustee. The financial statements shall be accurate as of the date of entry of this Order and shall be verified under oath; and

B. The name, address and telephone number of each accountant, financial planner, investment advisor, stock broker or other individual, corporation, or partnership whom they hired for financial, business or tax advice or services, since May 6, 2004.

X. CREDIT REPORTS

IT IS FURTHER ORDERED that the Commission may obtain credit reports concerning Defendants Ricardo A. Miranda, Daniel R. Miranda, and Rithy Villabona pursuant to Section 604(a)(1) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(1), and that, upon written request, any credit reporting agency from which such report is requested shall provide it to the Commission.

XI. PRESERVE RECORDS AND REPORT NEW BUSINESS ACTIVITY

IT IS FURTHER ORDERED that Defendants and their officers, agents, directors, servants, 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, are hereby restrained and enjoined from:

A. Destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any books, records, tapes, discs, accounting data, checks (fronts and backs), correspondence, forms,

advertisements, website designs and texts, telemarketing scripts or outlines, brochures, manuals, banking records, customer lists, customer files, customer payment histories, invoices, telephone records, ledgers, payroll records, or other documents of any kind, including electronically stored information, in their possession, custody, or control that relate to the business practices or business or personal finances of any Defendant from May 6, 2004, to the present;

B. Failing to create and maintain books, records, accounts, bank statements, accountants' reports, cash disbursement ledgers, cash receipt ledgers, general journals, general ledgers, documents indicating title to real or personal property, and any other data which, in reasonable detail, accurately, completely, and fairly reflect the Defendants' incomes, disbursements, transactions, and use of funds; and

C. Creating, operating, or exercising any control over any new business entity, whether newly formed or previously inactive, including any partnership, limited partnership, joint venture, sole proprietorship, or corporation, without first providing Plaintiff with a written statement disclosing: (1) the name of the business entity; (2) the address and telephone number of the business entity; (3) the names of the business entity's officers, directors, principals, managers, and employees; and (4) a detailed description of the business entity's intended activities.

XII. DISTRIBUTION OF ORDER BY DEFENDANTS

IT IS FURTHER ORDERED that Defendants shall immediately provide a copy of this Order to each affiliate, agent, partner, division, sales entity, successor, assignee, officer,

director, employee, independent contractor, spouse, Internet web host or master, agent, attorney, and/or representative of Defendants and shall, within ten (10) days from the date of entry of this Order, serve upon counsel for the Commission a sworn statement that the Defendants have complied with this provision of this Order, which statement shall include the names and addresses of each such person or entity who has received a copy of the Order.

XIII. SERVICE OF ORDER

IT IS FURTHER ORDERED that copies of this Order may be served by any means, including facsimile transmission, email, and overnight delivery service, upon any financial institution or other entity or person that may have possession, custody, or control of any documents or assets of any Defendant, or that may be subject to any provision of this Order. Pursuant to Fed. R. Civ. P. 4(c)(2), this Order and the initial papers filed in this matter may be served on the Defendants, upon the business premises of the Defendants, and upon any financial institution or other entity or person that may have possession, custody or control of any documents or assets of any Defendant, or that may be subject to any provision of this Order, by employees of the Commission, by employees of any other law enforcement agency, by any agent of Plaintiff or by any agent of any process service retained by Plaintiff.

XIV. STAY OF ACTIONS

IT IS FURTHER ORDERED that except by leave of the Court, during the pendency of this action before the Court, the Defendants and all other persons and entities hereby are stayed from taking any action to establish or enforce any claim, right or interest for, against, on behalf of, in, or in the name of the Corporate Defendant, including, but not

limited, to the following actions:

~~A. Commencing, prosecuting, litigating or enforcing any suit, except that actions may be filed to toll any applicable statute of limitations;~~

~~B. A~~ Accelerating the due date of any obligation or claimed obligation, enforcing any lien upon, or taking or attempting to take possession of, or retaining possession of, property of the Corporate Defendant or any property claimed by the Corporate Defendant, or attempting to foreclose, forfeit, alter or terminate any of the Corporate Defendants' respective interests in property, whether such acts are part of a judicial proceeding or otherwise;

~~C. B~~ Using any form of set-off, alleged set-off, or any form of self-help or executing or issuing, or causing the execution or issuance of any court attachment, subpoena, replevin, execution or other process for the purpose of impounding or taking possession of or interfering with, or creating or enforcing a lien upon any property, wherever located, owned by or in the possession of the Corporate Defendant; and

~~D. C~~ Doing any act or thing to interfere with the exclusive jurisdiction of this Court over the property and assets of the Corporate Defendant.

This Section does not stay the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

XV. CORRESPONDENCE WITH AND NOTICE TO PLAINTIFF

IT IS FURTHER ORDERED that, for purposes of this Order, all correspondence

and pleadings to the Commission shall be addressed to:

Robin L. Rock, Esq.
Federal Trade Commission
225 Peachtree Street, Suite 1500
Atlanta, Georgia 30303
(404) 656-1368 (telephone)
(404) 656-1379 (facsimile)

Notice may be provided by email to rock@ftc.gov.

XVI. WITNESS IDENTIFICATION

IT IS FURTHER ORDERED that, if the Defendants intend to present the testimony of any witness at the hearing to show cause in this matter, they shall, at least forty-eight (48) hours prior to the scheduled date and time of hearing, serve on counsel for the Plaintiff a statement of the name, address, and telephone number of any such witness.

XVII. ORDER TO SHOW CAUSE REGARDING PRELIMINARY INJUNCTION

IT IS FURTHER ORDERED, pursuant to Federal Rule of Civil Procedure 65(b), that Defendants shall appear before this Court, at 466 W. Miami Avenue, Courtroom 10-1 on the 27th day of October, 2008, at 10:00 o'clock a.m., to show cause, if there is any reason why this Court should not enter a preliminary injunction, pending final ruling on the complaint against Defendants, enjoining them from further violations of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j, continuing the freeze of their assets and imposing such additional relief as may be appropriate. Defendants shall serve answering pleadings or materials on counsel for the Commission not later than 4:00 p.m. EST on October 24, 2008 ~~less than~~ business days prior to ~~the hearing on the Commission's request for a preliminary injunction.~~ Plaintiff may submit

* If the Defendants wish to have more time to prepare, they can file a motion to continue the preliminary injunction hearing.

reply pleadings or materials ^{on the day of the hearing.} not less than ~~—~~ days prior to the hearing.

XVIII. DURATION OF TEMPORARY RESTRAINING ORDER

IT IS FURTHER ORDERED that, the Temporary Restraining Order granted herein shall continue until ruling on the request for a preliminary injunction, or upon entry of a stipulated preliminary injunction, not to exceed ten (10) days after the entry of this Order.

XIX. RETENTION OF JURISDICTION

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

IT IS SO ORDERED.

DATED, this 22nd day of October, 2008, at 2:42 p.m. EST.

Robert J. ...
UNITED STATES DISTRICT JUDGE