

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 06-61851-CIV-UNGARO/O'SULLIVAN

FILED by \_\_\_\_\_ D.C.  
MAY 05 2008  
STEVEN M. LARMORE  
CLERK U. S. DIST. CT.  
S. D. of FLA. - MIAMI

FEDERAL TRADE COMMISSION,  
  
Plaintiff,  
  
v.  
  
RANDALL L. LESHIN,  
RANDALL L. LESHIN, P.A., also d/b/a EXPRESS CONSOLIDATION,  
EXPRESS CONSOLIDATION, INC.,  
CHARLES FERDON,  
CONSUMER CREDIT CONSOLIDATION, INC.,  
and MAUREEN A. GAVIOLA,  
  
Defendants.

**STIPULATED INJUNCTION AND JUDGMENT AS TO DEFENDANTS CONSUMER CREDIT CONSOLIDATION, INC. AND MAUREEN GAVIOLA**

This matter comes before the Court on the stipulation of Plaintiff Federal Trade Commission ("FTC" or "Commission") and Defendants Consumer Credit Consolidation, Inc. and Maureen Gaviola (hereinafter "Defendants").<sup>1</sup>

The Commission and Defendants submit the following Stipulated Judgment to resolve this action with respect to Consumer Credit Consolidation, Inc. and Maureen Gaviola. The

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<sup>1</sup> The remaining four defendants named in the Amended Complaint, Randall L. Leshin, Randall L. Leshin, P.A., Express Consolidation, Inc., and Charles Ferdon, are not parties to this Stipulated Injunction and Order and, with the exception of the caption, references to Defendants herein do not include these parties.

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Commission and Defendants consent to the entry of this Stipulated Injunction and Judgment (“Stipulated Judgment”) as a settlement of this action, and agree that entry of this Stipulated Judgment shall constitute a full, complete and final settlement of all claims that were or could have been brought by the Commission against Defendants Consumer Credit Consolidation, Inc. and Maureen Gaviola arising from the conduct alleged in the Amended Complaint. Defendants deny any wrongdoing or liability.

Upon the joint motion of the Commission and Defendants Consumer Credit Consolidation, Inc. and Maureen Gaviola, the Court makes the following findings and enters judgment in this action as follows:

**FINDINGS OF FACT**

1. This Court has jurisdiction over the subject matter of this case and Defendants Consumer Credit Consolidation, Inc. and Maureen Gaviola admit that this Court has subject matter jurisdiction of this action.
2. The activities of Defendants, as alleged in the Amended Complaint, are in or affecting commerce within the meaning of the FTC Act, 15 U.S.C. §§ 44, 45.
3. The Amended Complaint states a claim upon which relief may be granted against Defendants under Sections 5(a), 13(b), and 19 of the FTC Act, 15 U.S.C. §§ 45(a), 53(b), and 57b, and the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101-6108.
4. No provision of this Stipulated Judgment should be construed as an admission that any Defendant engaged in unlawful or deceptive conduct alleged in the Amended Complaint or that Defendants’ conduct violated the FTC Act, 15 U.S.C. §§ 45(a), or the

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Telemarketing Sales Rule, 16 C.F.R. Part 310. No provision of this Stipulated Judgment should be construed as an admission by the Commission that Defendants Consumer Credit Consolidation, Inc., Maureen Gaviola, Randall L. Leshin, Randall L. Leshin, P.A., Express Consolidation, Inc., or Charles Ferdon are qualified to provide debt consolidation services under state law, that Express Consolidation, Inc. has been operated as a not-for-profit corporation or that it qualifies as a tax-exempt organization under 26 U.S.C. § 501(c)(3), or that any of the claims alleged in the Amended Complaint lack merit.

5. Defendants acknowledge that they have read and understand the provisions of this Stipulated Judgment, and are prepared to abide by them. At all times, Defendants have been represented by counsel, including during the negotiations that led to this Stipulated Judgment. Defendants voluntarily consent to entry of this Stipulated Judgment in the interest of settling this litigation.
6. The Commission and Defendants waive all rights to seek appellate review or otherwise challenge or contest the validity of this Stipulated Judgment.
7. Defendants waive and release any claim they may have against the Commission and its employees, representatives or agents arising from this action to date. The Commission waives and releases any claim it may have against the Defendants and their employees, representatives or agents arising from this action to date.
8. Each party shall bear its own costs and attorneys' fees. Defendants waive all rights that may arise under the Equal Access to Justice Act, 28 U.S.C. § 2412, arising from the Amended Complaint.

