IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

***In re* SANCTUARY BELIZE LITIGATION**	* * * * * * * * * *	Civil No. **PJM 18-3309**

FINAL
ORDER OF CONTEMPT AGAINST ANDRIS PUKKE, PETER BAKER, AND JOHN USHER, ENTERING JUDGMENT AGAINST THEM AS COMPENSATORY RELIEF, ORDERING THAT THEY TAKE CERTAIN ACTIONS OR BE SUBJECT TO COERCIVE RELIEF UNTIL THEY DO SO

The Federal Trade Commission ("FTC") has filed motions seeking to hold Andris Pukke, Peter Baker, and John Usher in contempt for violating previous orders of this Court. Specifically, the FTC filed motions alleging that: (1) Andris Pukke, Peter Baker, and John Usher deceptively telemarketed lots in a development known variously as Sanctuary Bay, Sanctuary Belize, and the Reserve (for ease, "Sanctuary Belize") (the "Telemarketing Contempt"); (2) Andris Pukke, Peter Baker, and John Usher violated previous orders of this Court requiring that they turn over the land comprising Sanctuary Belize (the "Sanctuary Parcel") to the Receiver by conspiring to withhold the land, including through the use of straw purchasers and nominees (the "Parcel Contempt"); and (3) Andris Pukke violated a previous order of this Court by repaying a loan to his friend and associate, John Vipulis, before fully satisfying his debt to the FTC.

The Court consolidated trial on these motions with the trial on the Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15

U.S.C. §§ 6101-6108, that the FTC has also filed. Following trial on the merits, which commenced on January 22, 2020 and concluded on February 12, 2020, the Court has found Pukke, Baker, and Usher in contempt on the first and third allegations, as specified in its Memorandum Opinion, ECF No. 1020, as well as liable on certain counts in the Amended Complaint. The Court hereby incorporates its Memorandum Opinion detailing its findings of fact and conclusions of law following that trial. Pukke, Baker, and Usher were provided ample notice of the contempt allegations against them, an opportunity to be heard as to the allegations, and in fact did respond to said allegations of contempt at trial and in post-trial filings. Additionally, the Court notes that this Order is in addition to, and in no way supersedes (or is itself superseded by) the following issued orders: the Order for Permanent Injunction and Monetary Judgment against Defendants Andris Pukke, Peter Baker, and Luke Chadwick ("De Novo Order"); and Order for Permanent Injunction and Monetary Judgment against Defaulting Defendants John Usher, Global Property Alliance Inc., Sittee River Wildlife Reserve, Buy Belize LLC, Buy International Inc., Foundation Development Management Inc., Eco Futures Development, Eco-Futures Belize Limited, Power Haus Marketing, Prodigy Management Group LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, Sanctuary Belize Property Owners' Association, and The Estate of John Pukke ("Default Order"). The Court notes, however, that the monetary judgment associated with the Telemarketing Contempt is joint and several with the Equitable Monetary Judgment contained in the De Novo Order.

As a result of Andris Pukke's, Peter Baker's, and John Usher's contumacious conduct,

IT IS THEREFORE ORDERED:

1. Because Pukke did not cooperate with the FTC in connection with the Monetary Relief and turnover provisions of the Court's prior order in *AmeriDebt*, No. 03-cv-3317 (May 17, 2006), ECF No. 473 (the "Telemarketing Order"), Pukke is ordered to pay the FTC $172 million

within thirty (30) days of entry of this Order (as reduced by the amounts credited to him and increased by any applicable interest).

2. Andris Pukke must, within thirty (30) days, transfer to the FTC all amounts he, any of the Receivership Entities (as defined in the De Novo Order), or any other person or entity acting on his behalf, at his direction, or under his control, have paid to John Vipulis since May 31, 2007 in excess of $4,112,000.00. Because these are funds that Pukke was otherwise required to pay to the FTC previously, and his contumacious conduct resulted in these funds being diverted to John Vipulis, this remedy is a compensatory contempt remedy.

3. Within thirty (30) days of this Order, Pukke must submit an accounting to the FTC detailing all such payments he, any of the Receivership Entities (as defined in the De Novo Order), or any other person or entity acting on his behalf, at his direction, or under his control, have paid to John Vipulis since May 31, 2007. The accounting ordered in this paragraph shall include the dates of, amounts, and reasons for any such payments, and Pukke shall sign the accounting under penalty of perjury.

4. Pukke, Baker and Usher must, within thirty (30) days, transfer to the FTC $120.2 million (as reduced by the amounts, if any, already distributed to consumers by the FTC and increased by any applicable interest), which represents the total consumer loss their contumacious conduct caused. Specifically, this sum represents consumer loss caused by their violation of the Telemarketing Order, which prohibited any false or misleading representation in connection with "telemarketing," as it defined. For Pukke, this $120.2 million sum is in addition to the $172 million he owes the FTC because of his non-cooperation with the FTC in the context of the Telemarketing Order's Monetary Relief and turnover provisions.

5. For clarity only, and without implying that the FTC's post-judgment discovery would otherwise be limited by any other section of this order, the De Novo Order, or the Default Order, the FTC may make use of the reporting provisions in the De Novo Order and Default

Order, as well as engage in judgment collection discovery pursuant to this Order to determine compliance with this Order's turnover and accounting provisions.

6. Based on this Order, Pukke, Baker, and Usher have ongoing obligations to make the payments and transfers identified above. Their failure to comply, in whole or in part, may subject them to additional coercive contempt remedies until they shall have complied or taken appropriate steps to comply.

SO ORDERED, this 12 day of JAN, 2021.

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE