

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

_____		)	
FEDERAL TRADE COMMISSION,		)	
		)	
Plaintiff,		)	
		)	
v.		)	Civil Action No. H-13-106
		)	
GOLDMAN SCHWARTZ INC, a corporation,		)	
also d/b/a Goldman, Schwartz, Lieberman & Stein,		)	
		)	
DEBTCOM, INC., a corporation, also d/b/a		)	
Cole, Tanner, & Wright,		)	
		)	
HARRIS COUNTY CHECK RECOVERY INC.,		)	<b>UNDER SEAL</b>
a corporation,		)	
		)	
THE G. WRIGHT GROUP INC., a corporation,		)	
also d/b/a The Wright Group,		)	
		)	
GERALD WRIGHT, a/k/a Barry Schwartz,		)	
		)	
STARLETTE FOSTER, a/k/a Star Foster, and		)	
		)	
JENNIFER ZAMORA,		)	
		)	
Defendants.		)	
_____		)	

**ORDER GRANTING MOTION FOR TEMPORARY RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE**

Plaintiff Federal Trade Commission (Commission), having filed its Complaint for a Permanent Injunction and Other Equitable Relief in this matter, under Section 13(b) of the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 53(b), and having moved for an *ex parte* Temporary Restraining Order and other relief 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 filed in support, finds that:

**FINDINGS OF FACT**

1. This Court has jurisdiction over the subject matter of this case and there is good cause to believe it will have jurisdiction over Defendants.
2. Venue lies properly with this Court.
3. There is good cause to believe that Defendants Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a Cole, Tanner, & Wright; Harris County Check Recovery Inc.; The G. Wright Group Inc., d/b/a The Wright Group; Gerald Wright, a/k/a Barry Schwartz; Starlette Foster, a/k/a Star Foster; and Jennifer Zamora have engaged in, and are likely to engage in, acts and practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and multiple sections of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §§ 1692-1692p, and that the Commission is 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 for consumers – including rescission or reformation of contracts, restitution, refund of monies paid, and disgorgement of ill-gotten monies – will occur from the sale, transfer, or other disposition or concealment by Defendants of assets or records if Defendants are provided with advance notice of this Order, and that therefore in accordance with Fed. R. Civ. P. 65(b), the interests of justice require that this Order be granted without prior notice to Defendants.
5. There is good cause to relieve the Commission of the duty to provide Defendants with prior notice of the Commission's motion.
6. There is good cause to appoint a Temporary Monitor over Corporate Defendants Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a

Cole, Tanner, & Wright; Harris County Check Recovery Inc.; and The G. Wright Group Inc., d/b/a The Wright Group.

7. Considering the Commission's likelihood of ultimate success and weighing the equities, granting a Temporary Restraining Order with an asset freeze, appointment of a Temporary Monitor, 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, the following definitions shall apply:

A. **"Corporate Defendants"** means Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a Cole, Tanner, & Wright; Harris County Check Recovery Inc.; and The G. Wright Group Inc., d/b/a The Wright Group; and their successors and assigns.

B. **"Defendants"** means all of the Individual Defendants and the Corporate Defendants, individually, collectively, or in any combination.

C. **"Electronic data host"** means any person or entity that stores, hosts, or otherwise maintains electronically stored information or computer equipment.

D. **"Financial institution"** means any bank, savings and loan institution, credit union, or any financial depository of any kind, including, but not limited to, any brokerage house, trustee, broker-dealer, escrow agent, title company, commodity trading company, or precious metal dealer.

E. **"Individual Defendants"** means Gerald Wright, a/k/a Barry Schwartz; Starlette Foster, a/k/a Star Foster; and Jennifer Zamora.

F. “**Mail**” includes, but is not limited to, all envelopes, papers, or other items delivered, whether by United States Mail, United Parcel Service, FedEx, email, or similar delivery service.

G. “**Monitored Defendants**” means the Corporate Defendants, as well as any affiliates and subsidiaries that conduct any business related to the Corporate Defendants’ debt collection services and that the Temporary Monitor has reason to believe are owned or controlled in whole or in part by any of the Defendants.

H. “**Temporary Monitor**” refers to the Monitor identified in Paragraph XVI.

## ORDER

### PROHIBITIONS AND CONDUCT REQUIREMENTS

#### I. PROHIBITIONS AGAINST MISREPRESENTATIONS

**IT IS THEREFORE ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, in connection with collecting debts, are temporarily restrained and enjoined from participating, or assisting others in participating, in the following conduct:

A. misrepresenting that Defendants are a law firm, or persons engaged as attorneys work at Defendants’ office;

B. misrepresenting that Gerald Wright, a/k/a Barry Schwartz, is an attorney;

C. misrepresenting that Defendants’ collectors are detectives, officers of the court, affiliated with a police or sheriff’s department, or working in coordination with a district attorney’s office;

D. misrepresenting that consumers have committed a crime by having an unpaid debt or by issuing a post-dated non-sufficient funds check;

E. misrepresenting that consumers will be arrested or jailed if they fail to promptly pay Defendants, and if arrested the consumers' minor children will be taken into the custody of the state by police or child protective services;

F. misrepresenting that consumers' driver licenses will be suspended or "flagged" if they fail to promptly pay Defendants;

G. misrepresenting that Defendants intend to take formal legal action, including seeking criminal prosecution, obtaining a warrant for arrest, or filing a lawsuit against consumers if they fail to promptly pay Defendants;

H. misrepresenting that the amount of the debt owed is the amount stated by Defendants; and

I. misrepresenting, expressly or by implication, any material fact.

## **II. PROHIBITIONS AGAINST DECEPTIVE, UNFAIR, AND ABUSIVE CONDUCT**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, in connection with collecting debts, are temporarily restrained and enjoined from participating, or assisting others in participating, in the following conduct:

A. falsely representing or implying that Defendants were vouched for or affiliated with the United States or any State, such as claiming to be officers or detectives of the court,

affiliated with a police or sheriff's department, or working in conjunction with prosecuting attorneys' offices;

B. falsely representing the character, amount, or legal status of a debt, or any services rendered or compensation which may be lawfully received by a debt collector for collection of a debt, such as adding unauthorized late fees and attorney's fees;

C. falsely representing or implying that Defendants are attorneys or representatives of an attorney or that a communication is from an attorney;

D. falsely representing or implying that that nonpayment of a debt will result in the arrest or imprisonment of any person, when Defendants have no intention of taking the asserted action or such action is not lawful;

E. threatening to take action that cannot be legally taken or that is not intended to be taken, such as threatening to file a lawsuit, seek criminal prosecution, obtain warrants for arrest, and disclose the existence of a debt to third parties;

F. falsely representing or implying that a consumer committed a crime or other conduct in order to disgrace the consumer;

G. falsely representing or using deceptive means to collect or attempt to collect a debt or to obtain information concerning a consumer, such as claiming that a consumer's minor child will be taken by police or by child protective services, and claiming that a consumer's driver license will be suspended or "flagged" if the consumer fails to promptly pay Defendants;

H. communicating with third parties for purposes other than acquiring location information about consumers, without obtaining directly the prior consent of the consumer or the express permission of a court of competent jurisdiction, and when not reasonably necessary to effectuate a postjudgment judicial remedy;

I. using unfair or unconscionable means to collect or attempt to collect a debt, including collecting amounts such as any interest, fee, charge, or expense incidental to the principal obligation not expressly authorized by the agreement creating the debt or permitted by law;

J. engaging in conduct the natural consequence of which is to harass, oppress, or abuse a person, including using obscene or profane language or language the natural consequence of which is to abuse the hearer, or causing a telephone to ring or engaging a person in telephone conversation repeatedly or continuously with the intent to annoy, abuse, or harass;

K. failing to notify consumers of their right to dispute the debts, to obtain verification of their debts, and to obtain the name of the original creditor, either in Defendants' initial communication with consumers or within five days thereafter;

L. communicating with a consumer at a time or place that Defendants know or should know to be inconvenient for the consumer, including times before 8:00 a.m. or after 9:00 p.m. local time at the consumer's location; and

M. violating any provision of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692p.

### **III. DISABLEMENT OF DEFENDANTS' WEBSITES**

**IT IS FURTHER ORDERED** that, immediately upon service of this Order upon them, Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, in connection with collecting debts, shall:

A. Immediately do whatever is necessary to ensure that the existing content of any website used by Defendants in connection with collecting debts, including, but not limited to, the websites whose addresses are listed on Attachment A, and containing statements or representations prohibited by this Order, cannot be accessed or modified by the public, except as permitted by Paragraph IV, below;

B. Prevent the destruction or erasure of any website used by Defendants in connection with collecting debts, including, but not limited to, the websites whose addresses are listed on Attachment A, by preserving such websites in the format in which they are maintained currently; and

C. Immediately notify counsel for the Commission of any other websites operated or controlled by Defendants.

#### **IV. POSTING NOTICE OF LAWSUIT ON WEBSITES**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, in connection with collecting debts, shall immediately take whatever action is necessary to ensure that any website covered by Paragraph III.A. of this Order, shall prominently display only of the following statement:

The Federal Trade Commission (Commission) has filed a lawsuit against Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a Cole, Tanner, & Wright; Harris County Check Recovery Inc.; The G. Wright Group Inc., d/b/a The Wright Group; Gerald Wright, a/k/a Barry Schwartz; Starlette Foster, a/k/a Star Foster; and Jennifer Zamora, alleging that they have engaged in deceptive, abusive, and unfair collection practices relating to their debt collection business. The U. S. District Court for the Southern District of Texas has issued a Temporary Restraining Order prohibiting the alleged acts and



practices. You may obtain additional information directly from the Temporary Monitor, Charlene Koonce, Scheef & Stone, L.L.P. 500 N. Akard Street, Suite 2700, Dallas, TX 75201-3306, or the Commission.

Each website carrying this message shall also provide a hypertext link to the Commission's web page at [www.ftc.gov](http://www.ftc.gov), or other web page designated by counsel for the Commission.

**V. PROHIBITION ON RELEASE OF CUSTOMER INFORMATION**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, are temporarily restrained and enjoined from selling, renting, leasing, transferring, or otherwise disclosing the name, address, telephone number, Social Security number, credit card number, bank account number, email address, or other identifying information of any person Defendants contacted in an attempt to collect a debt. Provided, however, that Defendants may disclose the identifying information to a law enforcement agency or as required by any law, regulation, or court order.

**ASSET FREEZE AND REPATRIATION OF ASSETS**

**VI. ASSET FREEZE**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, or any of them, except as provided herein, as stipulated by parties, or as directed by further order of the Court, are temporarily restrained and enjoined from:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, spending, withdrawing, granting a lien or security interest or other interest in, or otherwise disposing of any funds, real or personal property, accounts, contracts, shares of stock, lists of consumer names, or other assets, or any interest therein, wherever located, including outside the territorial United States, that are:

1. owned, controlled, or held by, in whole or in part, for the benefit of, subject to access by, or belonging to, any Defendant;
2. in the actual or constructive possession of any Defendant; or
3. in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, or belonging to, any other corporation, partnership, trust, or any other entity directly or indirectly owned, managed, or controlled by, or under common control with, any Defendant, including, but not limited to, any assets held by or for any Defendant in any account at any bank or savings and loan institution, or with any credit card processing agent, automated clearing house processor, network transaction processor, bank debit processing agent, customer service agent, commercial mail receiving agency, or mail holding or forwarding company, or any credit union, retirement fund custodian, money market or mutual fund, storage company, trustee, or with any broker-dealer, escrow agent, title company, commodity trading company, precious metal dealer, or other financial institution or depository of any kind, either within or outside the territorial United States;

B. Opening or causing to be opened any safe deposit boxes, commercial mail boxes, or storage facilities titled in the name of any Defendant, or subject to access by any Defendant or under any Defendant's control, without providing the Commission prior notice and an

opportunity to inspect the contents in order to determine that they contain no assets covered by this Paragraph;

C. Cashing any checks or depositing any payments from customers or clients of Defendants;

D. Incurring charges or cash advances on any credit card issued in the name, singly or jointly, of any Defendant; or

E. Incurring liens or encumbrances on real property, personal property, or other assets in the name, singly or jointly, of any Defendant or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by any Defendant.

The funds, property, and assets affected by this Paragraph shall include both existing assets and assets acquired after the effective date of this Order.

## **VII. DUTIES OF ASSET HOLDERS**

**IT IS FURTHER ORDERED** that any financial institution, business entity, or person maintaining or having custody or control of any account or other asset of any Defendant, or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by, or under common control with any Defendant, that is served with a copy of this Order or otherwise has actual or constructive knowledge of this Order, shall:

A. Hold and retain within its control and prohibit the withdrawal, removal, assignment, transfer, pledge, hypothecation, encumbrance, disbursement, dissipation, conversion, sale, liquidation, or other disposal of any of the assets, funds, documents, or other property held by, or under its control:

1. on behalf of, or for the benefit of, any Defendant or any other party subject to Paragraph VI., above;

2. in any account maintained in the name of, or for the benefit of, or subject to withdrawal by, any Defendant or other party subject to Paragraph VI., above; and

3. that are subject to access or use by, or under the signatory power of, any Defendant or other party subject to Paragraph VI., above;

B. Deny Defendants access to any safe deposit boxes or storage facilities that are either:

1. titled in the name, individually or jointly, of any Defendant, or other party subject to Paragraph VI., above; or

2. subject to access by any Defendant or other party subject to Paragraph VI., above;

C. Provide the Commission, within 5 days of the date of service 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 held on behalf of, or for the benefit of, any Defendant or other party subject to Paragraph VI., above, including all trust accounts managed on behalf of any Defendant or subject to any Defendant's 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 any Defendant, or is otherwise subject to access or control by any Defendant or other party subject to Paragraph VI., above, whether in whole or in part;

4. the identification of any Defendant or other party subject to Paragraph VI., above, that has attempted to access any account, safe deposit box, storage facility, or other asset, since the date of this Order; and

5. 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. Allow representatives of the Commission immediate access to inspect and copy, or upon the Commission's request, within 5 business days of said request, provide the Commission with copies of, all records or other documentation pertaining to each such account or asset, including, but not limited to, originals or copies of account applications, account statements, corporate resolutions, 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.

E. This Paragraph shall apply to existing accounts and assets, assets deposited or accounts opened after the effective date of this Order, and any accounts or assets maintained, held or controlled 2 years prior to the effective date of this Order. This Paragraph shall not prohibit transfers in accordance with any provision of this Order, any further order of the Court, or by written agreement of the parties.

#### **VIII. REPATRIATION OF ASSETS AND DOCUMENTS**

**IT IS FURTHER ORDERED** that Defendants shall:

A. Within 3 business days following 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 that are located outside such territory and are held by or for Defendants or are under Defendants' direct or indirect control, jointly, severally, or individually;

B. Within 3 business days following service of this Order, provide the Commission 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 Subparagraph A, above, and are held by or for any Defendant or are under any Defendant's 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 transfer, disposition, or dissipation whatsoever of any such documents or assets; and

D. Within 3 business days following service of this Order, provide the Commission access to Defendants' records and documents held by financial institutions or other entities outside the territorial United States, by signing and delivering to the Commission's counsel the Consent to Release of Financial Records attached to this Order as Attachment B.

#### **IX. INTERFERENCE WITH REPATRIATION**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, are temporarily restrained and enjoined from taking any action that may result in the encumbrance or dissipation of foreign assets, or in the hindrance of the repatriation required by Paragraph VIII. of this Order, including, but not limited to:

A. Sending any statement, letter, fax, email or wire transmission, 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 according to Paragraph VIII. of this Order; or

B. Notifying any trustee, protector, or other agent of any of the Defendants of the existence of this Order, or of the fact that repatriation is required under a Court Order, until such time as all assets have been fully repatriated according to Paragraph VIII. of this Order.

#### **FINANCIAL STATEMENTS AND ACCESS TO RECORDS**

#### **X. FINANCIAL STATEMENTS AND ACCOUNTING**

**IT IS FURTHER ORDERED** that within 5 business days following the service of this Order:

A. Each Individual Defendant shall prepare and deliver to Commission counsel a completed financial statement on the form captioned “Financial Statement of Individual Defendant,” that is attached to this Order as Attachment C;

B. Each Defendant shall also prepare and deliver to Commission counsel a completed statement, verified under oath:

1. specifying the name and address of each financial institution and brokerage firm at which the Defendant has accounts or safe deposit boxes. The statements shall include assets held in foreign as well as domestic accounts; and

2. listing all persons who have received payments, transfers, or assignment of funds, assets, or property that totals \$10,000 or more in any 12-month period since January 1, 2008. This list shall specify: (a) the amount(s) transferred or assigned; (b) the name of each transferee or assignee; (c) the date of the assignment or transfer; and (d) the type and amount of consideration paid to the Defendant; and

C. Unless otherwise agreed upon with Commission counsel and the Temporary Monitor, Defendants shall also prepare and deliver to Commission counsel:

1. a completed financial statement on the form captioned "Financial Statement of Corporate Defendant," that is attached to this Order as Attachment D, for each Corporate Defendant, and for each business entity owned, controlled or managed by Individual Defendants, regardless of whether it is a defendant in this case. The financial statements shall be accurate as of the date and time of entry of this Order; and

2. a detailed accounting, verified under oath, for each Corporate Defendant listing:

a. gross revenues obtained from debt collection activities (broken down by month and year) from January 1, 2008, through the date of the issuance of this Order;

b. all revenues obtained from debt collection activities attributable to fees added by Defendants, including attorneys fees and late fees (broken down by type of fee, month, and year) from January 1, 2008, through the date of the issuance of this Order;

c. net profits obtained from debt collection activities (broken down by month and year) from January 1, 2008, through the date of the issuance of this Order;

d. all amounts obtained from debt collection activities that were forwarded to the original creditor, or the successor or assignee of the original creditor (broken down by recipient, month, and year); and

e. the full name, address, and telephone number of every consumer from whom Defendants collected a debt, and the amount paid by each (broken down by principal, interest, and fees) from January 1, 2008, through the date of the issuance of this Order.

#### **XI. RECORDS MAINTENANCE AND NEW BUSINESS ACTIVITY**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, or any of them, are temporarily restrained and enjoined from:



A. Failing to create and maintain books, records, accounts, bank statements, current accountants' reports, general ledgers, general journals, cash receipt ledgers, cash disbursement ledgers and source documents, documents indicating title to real or personal property, electronically stored information, and any other data which, in reasonable detail, accurately, fairly and completely reflect the incomes, disbursements, transactions, dispositions, and uses of Defendants' assets;

B. Destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any documents, including electronically stored information, that relate in any way to the business practices or business or personal finances of Defendants; to the business practices or finances of entities directly or indirectly under the control of Defendants; or to the business practices or finances of entities directly or indirectly under common control with any other Defendant; 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 the Commission 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. CONSUMER CREDIT REPORTS**

**IT IS FURTHER ORDERED** that, under Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(1), any consumer reporting agency may furnish to the Commission and the Temporary Monitor a consumer report concerning any of the Defendants.

## **XIII. PRESERVATION OF EXISTING RECORDS**

**IT IS FURTHER ORDERED** that Defendants, their members, officers, agents, servants, 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, facsimile transmission,

email, or otherwise, whether acting directly or indirectly, are temporarily restrained and enjoined from destroying, erasing, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, any contracts, accounting data, correspondence, email, advertisements, computer tapes, discs, electronically stored information, or other computerized storage media, books, written or printed records, handwritten notes, telephone logs, telephone scripts, recordings, receipt books, ledgers, personal and business cancelled checks and check registers, bank statements, appointment books, copies of federal, state or local business or personal income or property tax returns, and other documents or records of any kind related to the business practices or business or personal finances of Defendants, individually and jointly.

#### **XIV. DUTIES OF ELECTRONIC DATA HOSTS**

**IT IS FURTHER ORDERED** that pending determination of the Commission's request for a Preliminary Injunction, any electronic data host for Defendants shall:

A. Discontinue the provision of products and services to any Defendant or any other person using a Defendant's account, and take no step to provide products or services to any Defendant except as authorized by further order of this Court;

B. Disconnect any such computer equipment from the Internet and from any other means of remote access by Defendants or any other person, and take no step to reconnect the computer equipment except as authorized by further order of this Court;

C. Deny Defendants and any other person access to Defendants' accounts for computer products and services except as authorized by further order of this Court;

D. Deny Defendants and any other person access to the computer equipment except as authorized by further order of this Court;

E. Prevent the modification or removal of Defendants' electronically stored information or computer equipment from its present location except as authorized by further order of this Court; and

F. Provide counsel for the Commission, within 5 business days of receipt of a copy of this Order, with a sworn statement disclosing the identity of any electronic data host, and the

location of the computer equipment, and describing, to the extent known, the make(s) and model(s) of the computer equipment, as well as the operating system(s) in use, and the number, size, and capacity of any mass storage arrays or devices, in order that the Commission may arrange for imaging of the contents of any of the mass storage arrays or devices.

**XV. IMMEDIATE ACCESS TO BUSINESS PREMISES AND RECORDS**

**IT IS FURTHER ORDERED** that:

A. Defendants and their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, shall immediately identify for the Commission's counsel and the Temporary Monitor:

1. All of Defendants' business premises;
2. Any non-residence premises where any Defendant conducts business, sales operations, or customer service operations;
3. Any non-residence premises where documents or electronically stored information related to the business, sales operations, or customer service operations of any Defendant are hosted, stored, or otherwise maintained, including, but not limited to, the name and location of any electronic data hosts; and
4. Any non-residence premises where assets belonging to any Defendant are stored or maintained; and

B. Defendants and their members, officers, agents, servants, 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, facsimile transmission, email, or otherwise, whether acting directly or indirectly, shall allow the Commission's representatives, agents, and assistants immediate access to the business premises, mail drops, storage facilities, electronically stored information, and all other business locations owned, controlled, or used by Defendants, including, but not limited to, business premises at or in the vicinity of the following street

addresses: 10333 Harwin Drive, Suites 100 and 150, Houston, Texas 77036, and 11152 Westheimer, Suite 116, Houston, Texas 77042. The purpose of the access shall be to effect service and to inspect and copy materials relevant to this action. The Commission shall have the right to remove documents from Defendants' premises in order that they may be inspected, inventoried, and copied. The Commission shall return any removed documents within 5 business days, or such time period that is agreed upon by the Commission and Defendants. Defendants, to the extent they are in possession of documents and electronically stored information relevant to this action, shall provide the Commission with the means necessary to access these documents and electronically stored information, including ,without limitation, keys and combinations to locks, computer passwords and access codes, and storage area access information; and

C. If, at the time of service of this Order, any records, electronically stored information, or property relating to Monitored Defendants, or to any Defendant's assets are located in the personal residence of any Individual Defendant, or in any other non-business location under the personal control of any Individual Defendant, then such Defendant(s) shall, within 48 hours of service of this Order, produce to the Commission, at a location designated by the Commission, the following:

1. all contracts, accounting data, written or electronic correspondence, advertisements, computer tapes, discs, electronically stored information, or other computerized or electronic records, books, written or printed records, handwritten notes, telephone logs, telephone scripts, telephone bills, receipt books, ledgers, customer records and lists, refund records, receipts, ledgers, bank records (including personal and business monthly statements, canceled checks, records of wire transfers, and check registers), appointment books, copies of federal, state, and local business or personal income or property tax returns, 1099 forms, title records, and other documents or records of any kind related to Defendants' business and assets; and

2. all computers, electronically stored information, and data in whatever form, used by Defendants, in whole or in part, relating to Defendants' business and assets.

### **MONITORSHIP PROVISIONS**

#### **XVI. APPOINTMENT OF TEMPORARY MONITOR**

**IT IS FURTHER ORDERED** that Charlene Koonce, Esq. is appointed as Temporary Monitor for the Monitored Defendants and any of their affiliates, subsidiaries, divisions, and telephone sales or customer service operations, wherever located. The Temporary Monitor shall be the agent of this Court, and solely the agent of this Court, in acting as Temporary Monitor under this Order. The Temporary Monitor shall be accountable directly to this Court.

#### **XVII. TEMPORARY MONITOR'S DUTIES AND AUTHORITY**

**IT IS FURTHER ORDERED** that the Temporary Monitor shall have the following duties and authority:

A. Monitor the Monitored Defendants' compliance with this Order by: (1) identifying and reviewing the Monitored Defendants' Marketing Materials, call logs, call detail records, collection records, reports, or other documents that reflect the Monitored Defendants' business activities; (2) ensuring the Monitored Defendants provided actual notice of this Order, by personal service or otherwise, to their employees, affiliates, or independent contractors, including, but not limited to, collectors, telemarketers, sales agents, and any other entities or persons who participate in third party debt collection, and have taken appropriate steps to ensure their compliance with the conduct prohibitions provided in this Order; and (3) whatever other means the Temporary Monitor finds appropriate;

B. Identify and review the Corporate Defendants' corporate records and financial transactions as they relate to the practices charged in the Commission's complaint and ensure that all related documents are preserved;

C. Identify and review the individual Defendants' financial records and financial transactions as they relate to the practices charged in the Commission's complaint and ensure that all related documents are preserved;

D. Identify and inventory all assets of the Monitored Defendants, including, but not limited to:

1. conducting an accounting of the Monitored Defendants' assets; and
2. open and inventory any safe deposit boxes, commercial mail boxes, or storage facilities titled in the name of any Defendant, either individually or jointly, or subject to access by any Defendant;

E. Review and recommend to the Court, as appropriate, any Monitored Defendants' request to make payments necessary to preserve the assets subject to freeze or to maintain legitimate business operations not in violation of this Order.

F. Maintain accurate records of all receipts and expenditures of the Monitored Defendants;

G. Maintain accurate records of all receipts and expenditures incurred as Monitor;

H. The Temporary Monitor shall have immediate, unfettered access to all information or documents the Temporary Monitor deems necessary to carry out the Temporary Monitor's duties under this Order, to the same extent as the Corporate Defendants themselves are allowed by right, contract, or practice, including, but not limited to:

1. Access to all documents pertaining to the Corporate Defendants' business activities and finances wherever located and in whomever's custody or control;

2. Access to all property or premises in possession of, owned by, or under the control of the Corporate Defendants, wherever located;

3. The right to interview any current or former employee of the Corporate Defendants and other representatives of the Corporate Defendants to obtain and copy pertinent information, including, but not limited to, the name, home address, Social Security Number, job description, company history, passwords or access codes, method of compensation, and all accrued and unpaid commissions and compensation of each such employee or representative;

4. The right to interview any current or former officer, manager, independent contractor, subcontractor, financial institution, vendor, telecommunications provider, agent, service bureau, or other entity involved in the provision of any services from, to, or on behalf of the Monitored Defendants;

5. Access to all documents of any officer, manager, independent contractor, employee, or agent of the Corporate Defendant that are related to the practices charged in the Commission's complaint;

6. The right to copy or image all documents that the Monitor deems necessary to carry out the Monitor's duties under this Order; and

7. The right to issue subpoenas to obtain documents and records pertaining to the Monitored Defendants, and conduct discovery in this action; and

I. The Temporary Monitor is authorized to choose, engage, and employ attorneys, investigators, accountants, appraisers, and other independent contractors and technical specialists as the Temporary Monitor deems advisable or necessary in the performance of duties and

responsibilities under the authority granted by this Order. The Temporary Monitor, and the Monitor's representatives, agents, and assistants, are also authorized to obtain the assistance of the Harris County Constable, Precinct 5, and other federal, state, and local law enforcement officers as they deem necessary to fulfill the duties set forth in this Section, if requested by the Temporary Monitor, the Harris County Constable, Precinct 5 will provide appropriate and necessary assistance to the Temporary Monitor to implement this Order and is authorized to use any necessary and reasonable force to do so.

#### **XVIII. REPORTING BY THE TEMPORARY MONITOR**

**IT IS FURTHER ORDERED** that, prior to the hearing scheduled on the Commission's motion for an order to show cause why a preliminary injunction should not issue, the Temporary Monitor is directed to report to this Court on the Temporary Monitor's findings, including:

- A. The Defendants' compliance with this Order;
- B. An accounting of the Corporate Defendants' financial transactions as they relate to the practices charged in the Commission's complaint;
- C. An accounting of the Individual Defendants' financial transactions as they relate to the practices charged in the Commission's complaint;
- D. A description of the Corporate Defendants' corporate structures, including all parents, subsidiaries (whether wholly or partially owned), divisions (whether incorporated or not), affiliates, branches, charters, joint ventures, partnerships, franchises, operations under assumed names, any entities over which the Individual Defendants exercise supervision or control, and all ownership interests of the Corporate Defendants and any of the entities described above; and
- E. The Monitor's recommendation about the need to appoint a receiver.

#### **XIX. PROVISION OF INFORMATION TO TEMPORARY MONITOR**



**IT IS FURTHER ORDERED** that Defendants shall provide to the Temporary Monitor immediately upon request, without need of any subpoena or further order, the following:

A. A list of all assets and property of the Monitored Defendants, including assets of the Monitored Defendants that are held in any name other than the name of a Monitored Defendant, or by any person or entity other than a Monitored Defendant;

B. A list of all assets and documents belonging to other persons or entities whose interests are under the direction, possession, custody, or control of the Monitored Defendants;

C. A list of all locations where documents of the Monitored Defendants are located, and the means to access such documents within five hours of the Temporary Monitor's request;

D. Access to all documents of the Monitored Defendants, including, but not limited to, books and records of accounts, all financial and accounting records, balance sheets, income statements, bank records (including monthly statements, canceled checks, records of wire transfers, and check registers), client lists, title documents and other papers;

E. Access to all computers, electronic devices, and machines and data in whatever form used to conduct the business of the Monitored Defendants;

F. Copies of all keys, codes, user names, and passwords necessary to gain or to secure access to any assets or documents of the Monitored Defendants, including, but not limited to, access to their business premises, means of communication, accounts, computer systems, or other property.

G. A list of all agents, employees, officers, servants or those persons in active concert and participation with the Monitored Defendants who have been associated or done business with the Monitored Defendants; and

H. A list of all telecommunications providers that the Defendants have utilized to conduct the practices alleged in the Commission's complaint. In the event that any person or entity fails to comply with any provision of this Section, the Temporary Monitor may file *ex parte* 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 Temporary Monitor. The writs shall authorize and direct the Harris County Constable, Precinct 5 or any sheriff or deputy sheriff of any county, or any other federal or state law enforcement officer, to seize the asset, document, or other item covered by this Section and to deliver it to the Temporary Monitor.

**XX. COOPERATION WITH THE TEMPORARY MONITOR**

**IT IS FURTHER ORDERED** that Defendants, their representatives, and all other persons or entities served with a copy of this Order shall fully cooperate with and assist the Temporary Monitor. This cooperation and assistance shall include, but not be limited to, providing information to the Temporary Monitor that the Temporary Monitor deems necessary in order to discharge the responsibilities of the Temporary Monitor under this Order; providing any password required to access any computer, electronic file, or telephone data in any medium; informing the Temporary Monitor of all persons who owe money to the Monitored Defendants; and producing records related to the assets and sales of the Monitored Defendants. The entities obligated to cooperate with the Temporary Monitor under this provision include, but are not limited to, banks, broker-dealers, savings and loans, escrow agents, title companies, commodity trading companies, precious metals dealers, credit card processors, payment processors, merchant banks, acquiring banks, independent sales organizations, third party processors, payment gateways, insurance companies and other financial institutions and depositories of any

kind, as well as all common carriers, telecommunications companies, and third-party billing agents.

**XXI. INTERFERENCE WITH THE TEMPORARY MONITOR**

**IT IS FURTHER ORDERED** that Defendants and their representatives, whether acting directly or through any entity, corporation, subsidiary, division, director, manager, member, affiliate, independent contractor, accountant, financial advisor, or other device, except as provided herein, as stipulated by the parties, or as directed by further order of the Court, are hereby restrained and enjoined from:

A. Destroying, secreting, defacing, transferring, or otherwise altering or disposing of any documents of the Monitored Defendants;

B. Interfering with the Temporary Monitor's efforts to inventory or review the assets or documents subject to the duties of the Temporary Monitor;

C. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any assets owned, controlled, or in the possession or custody of, or in which an interest is held or claimed by, the Monitored Defendants;

D. Creating, operating, or exercising any control over any business entity, including any partnership, limited partnership, joint venture, sole proprietorship, limited liability company, or corporation, without first providing the Temporary Monitor 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.

E. Refusing to cooperate with the Temporary Monitor or the Temporary Monitor's duly authorized agents in the exercise of their duties or authority under any order of this Court;

and failing to provide any assistance or information requested by the Temporary Monitor in connection with the performance of the Temporary Monitor's duties under this Order.

## **XXII. COMPENSATION OF TEMPORARY MONITOR**

**IT IS FURTHER ORDERED** that the Temporary Monitor and all personnel hired by the Temporary Monitor, including counsel to the Temporary Monitor and accountants, are entitled to reasonable compensation for the performance of duties under this Order and for the cost of actual out-of-pocket expenses incurred by them from the assets of the Monitored Defendants. The Temporary Monitor shall file with the Court and serve on the parties a request for the payment of such reasonable compensation from Monitored Defendants' assets following the Preliminary Injunction hearing in this case.

## **XXIII. BANKRUPTCY PETITIONS**

**IT IS FURTHER ORDERED** that:

A. In light of the asset freeze and appointment of the Temporary Monitor, Defendants are prohibited from filing, or causing to be filed, on behalf of any Monitored Defendant, a petition for relief under the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, without prior permission from this Court.

B. In light of the asset freeze, Individual Defendants must give 21 days' notice to the Commission prior to filing, or causing to be filed, on behalf of any Individual Defendant, a petition for relief under the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.*

## **XXIV. STAY OF ACTIONS**

**IT IS FURTHER ORDERED** that:

A. Except by leave of this Court, during pendency of the monitorship, Defendants and all other persons and entities (except for the Commission) 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: (a) Monitored Defendants, or (b) any of assets of Monitored Defendants, or (c) the Temporary

Monitor or the Temporary Monitor's duly authorized agents acting in their capacities as such, including, but not limited to, the following actions:

1. commencing, prosecuting, continuing, entering, or enforcing any suit or proceeding, except that the actions may be filed to toll any applicable statute of limitations;

2. 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;

3. executing, issuing, serving, or causing the execution, issuance, or service of, any legal process, including, but not limited to, attachments, garnishments, subpoenas, writs of replevin, writs of execution, or any other form of process whether specified in this Order or not; and

4. doing any act or thing whatsoever to interfere with the Temporary Monitor taking custody, control, possession, or management of the assets or documents subject to this monitorship, or to harass or interfere with the Temporary Monitor in any way, or to interfere in any manner with the exclusive jurisdiction of this Court over the assets or documents of Monitored Defendants.

B. Subparagraph A of this Paragraph does not stay:

1. the commencement or continuation of a criminal action or proceeding;

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

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

4. the issuance to Monitored Defendants of a notice of tax deficiency.

C. Except as otherwise provided in this Order, all persons and entities who need documentation from the Temporary Monitor shall in all instances first attempt to secure the

information by submitting a formal written request to the Temporary Monitor, and, if the request has not been responded to within 30 days of receipt by the Temporary Monitor, any person or entity may thereafter seek an order of this Court with regard to the relief requested.

**XXV. TEMPORARY MONITOR'S ACCESS TO PREMISES AND RECORDS**

**IT IS FURTHER ORDERED** that:

A. The Temporary Monitor, and her representatives, agents, contractors, or assistants, are permitted, and Defendants shall allow, immediate access to any business premises, mail drops, and storage facilities of Monitored Defendants. These locations include, but are not limited to, the offices and facilities of Monitored Defendants at or in the vicinity of: 10333 Harwin Drive, Suites 100 and 150, Houston, Texas 77036 and 11152 Westheimer, Suite 116, Houston, Texas 77042.

B. The Temporary Monitor is authorized to employ the assistance of law enforcement officers, including, but not limited to, the Harris County Constable Precinct 5, to effect service, to implement peacefully the provisions of this Order, and to keep the peace. The Temporary Monitor may exclude Defendants and their agents and employees from the business premises and facilities.

C. Defendants and all agents or employees of Defendants shall provide the Temporary Monitor with any necessary means of access to documents, including, without limitation, the locations of Monitored Defendants' business premises, keys and combinations to business premises locks, computer access codes of all computers used to conduct Monitored Defendants' business, and storage area access information.

D. The Temporary Monitor is authorized to copy any documents related to Defendants' business practices, including by forensic imaging of electronically stored information. The Temporary Monitor is authorized to remove any documents related to Defendants' business practices from the premises in order that they may be inspected, inventoried, and copied. The materials removed shall be returned within 5 business days of completing inventory and copying.

**NOTIFICATION AND MONITORING PROVISIONS**

**XXVI. DISTRIBUTION OF ORDER BY DEFENDANTS**

**IT IS FURTHER ORDERED** that Defendants shall immediately provide a copy of this Order to each affiliate, sales entity, successor, assign, member, officer, employee, agent, servant, attorney, subsidiary, division, and representative of any of the Defendants, and shall, within 3 days from the date of entry of this Order, provide the Commission with a sworn statement that Defendants have complied with this provision of the Order. This statement shall include the names and addresses of each person or entity who received a copy of this Order.

**XXVII. 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. Under Fed. R. Civ. P. 4(c)(2), this Order and the initial papers filed in this matter may be served on Defendants, upon the business premises of 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 of the Defendants, 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 the Commission, or by any agent of any process service retained by the Commission.

**XXVIII. MONITORING BY THE COMMISSION**

**IT IS FURTHER ORDERED** that agents or representatives of the Commission may contact Defendants or their agents or representatives directly and anonymously for the purpose of monitoring compliance with this Order, and may record any oral communications that occur in the course of the contacts.

**PRELIMINARY INJUNCTION PROCEEDINGS**

**XXIX. ORDER TO SHOW CAUSE**

**IT IS FURTHER ORDERED** that, under Fed. R. Civ. P. 65(b), Defendants Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a Cole, Tanner, & Wright; Harris County Check Recovery Inc.; The G. Wright Group, Inc., d/b/a The Wright Group, Gerald Wright, a/k/a Barry Schwartz; Starlette Foster, a/k/a Star Foster; and Jennifer Zamora; shall appear before this Court, located at United States District Court for the Southern District of Texas, United States Courthouse, Courtroom 700, 515 Rusk Avenue, Houston, Texas, 77002, on Tuesday the 22nd day of January, 2013, at 9:00 a.m. CST, to show cause why this Court should not enter a preliminary injunction, pending final ruling on the Complaint, against Defendants enjoining them from violations of the FTC Act and the FDCPA, and imposing additional relief as may be appropriate, and appointing a permanent receiver over Defendants Goldman Schwartz Inc, d/b/a Goldman, Schwartz, Lieberman & Stein; Debtcom, Inc., d/b/a Cole, Tanner, & Wright; Harris County Check Recovery Inc.; and The G. Wright Group Inc., d/b/a The Wright Group.

**IT IS FURTHER ORDERED** that, in support of its motion for a preliminary injunction, the Commission may submit supplemental evidence discovered subsequent to the filing of its motion for a TRO, as well as a supplemental memorandum. The Commission shall file and serve any supplemental evidence and memorandum by no later than 4:30 p.m. CST on the third court day prior to the preliminary injunction hearing as scheduled above. The documents may be served on each Defendant by email, or fax, or by delivering the document(s) to the attorney(s) for Defendants, or, if Defendants are not represented by counsel, to a fax number or email address previously designated by Defendants in writing to counsel for the Commission; if Defendants have not so designated a fax number or email address, service may be effected by mailing the documents to an address designated in writing by Defendants to counsel for the Commission; if no address has been so designated, service shall be complete upon filing of the documents with this Court.

**IT IS FURTHER ORDERED** that Defendants shall file and serve any opposition to the issuance of a preliminary injunction and the appointment of a permanent receiver over



Monitored Defendants, including any declarations, exhibits, memoranda or other evidence upon which they intend to rely, and objections to any evidence submitted by the Commission, by no later than 4:30 p.m. CST of the third court day prior to the hearing on the preliminary injunction.

**IT IS FURTHER ORDERED** that the Commission shall file and serve any reply to Defendants' opposition by no later than the second court day prior to the preliminary injunction hearing.

**XXX. SERVICE OF PLEADINGS**

**IT IS FURTHER ORDERED** that service on the Commission shall be performed by delivery to:

Thomas B. Carter  
Federal Trade Commission  
Southwest Region  
1999 Bryan Street, Suite 2150  
Dallas, Texas 75201-6808  
Fax: (214) 953-3079  
email: tcarter@ftc.gov

**XXXI. EXPEDITED ASSET DISCOVERY**

**IT IS FURTHER ORDERED** that, in anticipation of the preliminary injunction hearing set herein, the Commission is granted leave to conduct expedited discovery regarding Defendants' assets. The Commission may depose any witness about Defendants' assets at any time after the date of this Order upon 3 business days' notice. Defendants shall respond to any asset-related interrogatories, requests for admissions, or requests for production of documents within 3 business days after service of the discovery request. Any discovery taken or propounded by the Commission under this Paragraph is in addition to, and not subject to, any limits on the quantity of permissible discovery provided for in the Federal Rules of Civil Procedure or the rules of this Court. Any limitations and conditions set forth in the Federal Rules of Civil Procedure or the rules of this Court regarding subsequent depositions of an individual shall not apply to depositions taken under this Paragraph.

**XXXII. DURATION OF TEMPORARY RESTRAINING ORDER**

**IT IS FURTHER ORDERED** that this Temporary Restraining Order shall expire on January 22, 2013, at 5:00 p.m. CST, unless before such time, the Order is extended for good cause shown, or by consent of the parties.

**XXXIII. ACKNOWLEDGMENT OF RECEIPT OF TEMPORARY RESTRAINING ORDER**

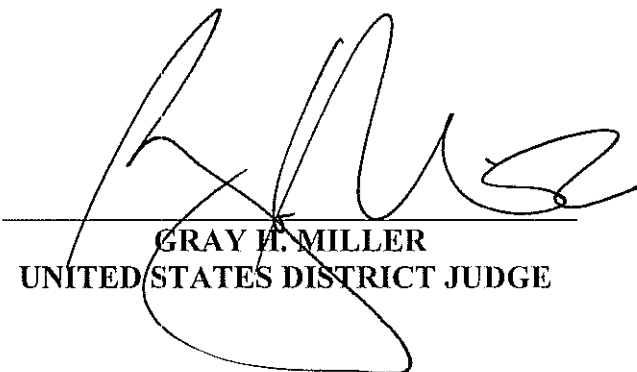
**IT IS FURTHER ORDERED** that each Defendant, within 5 business days of receipt of this Temporary Restraining Order as entered by the Court, must submit to the Commission a truthful sworn statement acknowledging receipt of the Temporary Restraining Order.

**XXXIV. RETENTION OF JURISDICTION**

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

**IT IS SO ORDERED.**

Houston, Texas on January 16, 2013.



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**GRAY H. MILLER**  
**UNITED STATES DISTRICT JUDGE**