

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FRANK ROMERO, individually and also
d/b/a Trend Deploy, Trendemploy, trendemploy,
trendemploy.com, Frank Romero Advertising,
and Uvenux,

Defendant.

CASE NO. 5:21-cv-343

**[PROPOSED] STIPULATED ORDER TRANSFERRING ASSETS AND
PARTIALLY MODIFYING THE COURT’S ORDERS AT
DOCKET ENTRIES 63 AND 104**

On June 29, 2021, Plaintiff, the Federal Trade Commission (“Commission” or “FTC”), filed its Complaint for Civil Penalties, Permanent Injunction and Other Relief, pursuant to Sections 5(a), 5(m)(1)(A), 12, 13(b), 16(a)(1), and 19 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(a), 45(m)(1)(A), 52, 53(b), 56(a)(1), 57b, the FTC’s Trade Regulation Rule Concerning the Sale of Mail, Internet, or Telephone Order Merchandise (“MITOR” or the “Rule”), 16 C.F.R. Part 435, and the COVID-19 Consumer Protection Act, Public Law 116-260, 134 Stat. 1182, Title XIV, Section 1401 (“CCPA”). Defendant Frank Romero waived service of the summons. On May 15, 2023, the Court issued its Final Judgment and Order for Permanent Injunction, Doc. 63 (the “*De Novo* Order”). *Inter alia*, the Court entered a monetary judgment under Section 19 of the FTC Act against Defendant Romero in the amount of \$989,483.69 for his MITOR violations. Doc. 63 § VII.

On July 26, 2024, the FTC moved for a temporary restraining order with an asset freeze to halt the dissipation of Defendant Romero's assets. *See* Doc. 100. The Court entered the TRO, and ordered Defendant Romero to show cause why a preliminary injunction should not issue. *See* Doc. 101. On August 13, 2024, the Court held a preliminary injunction hearing. Later that day, it entered a preliminary injunction continuing the asset freeze, *see* Doc. 104 (the "Preliminary Injunction").

On September 3, 2024, on Docket 5:24-cv-00473 (the "Fraudulent Transfer Action"), the FTC filed its Complaint to Avoid Fraudulent Transfers of Real and Personal Property Pursuant to 28 U.S.C. § 3304 *et seq.*; to Avoid Fraudulent Conversions of Real and Personal Property Pursuant to Florida Statute § 222.30; and for Declaratory Relief Pursuant to 28 U.S.C. § 2201. *See* Fraudulent Transfer Action, Doc. 1. The FTC filed its Notice of Related Action on September 5, 2024. *See* Fraudulent Transfer Action, Doc. 4. Defendants Frank Romero, Patricia Martinez, and ARPA Real Estate LLC were served with this complaint. *See* Fraudulent Transfer Action, Docs. 5-7. On December 20, 2024, the FTC amended its complaint, releasing ARPA Real Estate LLC as a defendant. *See* Fraudulent Transfer Action, Doc. 15. Romero and Martinez (together, "Subject Defendants") filed an answer on January 27, 2025. *See* Fraudulent Transfer Action, Doc. 20.

The Commission and Subject Defendants stipulate to entry of this Order Partially Modifying the Court's Order at Docket Entries 63 and 104 to resolve all outstanding matters in dispute between them in this action and the Fraudulent Transfer Action.

IT IS THEREFORE ORDERED:

All of the Court's prior orders in this case remain in full force and effect and are not modified unless expressly specified herein. For clarity, the provisions of this Order are in addition to and not in lieu of any prior order or section of any prior order.

FINDINGS

In addition to the findings contained in the *De Novo* Order and the Preliminary Injunction, the Court finds as follows:

- A. The Court has jurisdiction over this matter, and venue is proper in this district. *See* Doc. 63 at 2.
- B. Defendant owes a debt to the United States, namely the Monetary Judgment in Section VII of the *De Novo* Order.
- C. Subject Defendants waive any claims they may have under the Equal Access to Justice Act, 28 U.S.C. § 2412, concerning the prosecution of this action and the Fraudulent Transfer Action through the date of this Order, and agree to bear their own costs and attorney fees.
- D. Subject Defendants waive all rights to appeal or otherwise challenge or contest the validity of this Order.

DEFINITIONS

For the purpose of this Order, the following definitions apply:

- A. **“Asset”** means any legal or equitable interest in, right to, or claim to,

any property, wherever located and by whomever held, whether tangible, intangible, digital, intellectual property, or otherwise.

B. **“De Novo Order”** means the Final Judgment and Order for Permanent Injunction, Doc. 63, entered on this docket.

C. **“Defendant”** means Frank Romero.

D. **“Fraudulent Transfer Action”** means the action initiated by the FTC’s Complaint to Avoid Fraudulent Transfers of Real and Personal Property Pursuant to 28 U.S.C. § 3304 *et seq.*; to Avoid Fraudulent Conversions of Real and Personal Property Pursuant to Florida Statute § 222.30; and for Declaratory Relief Pursuant to 28 U.S.C. § 2201, docketed at 5:24-cv-00473 in the Middle District of Florida.

E. **“Preliminary Injunction”** means the Preliminary Injunction, Doc. 104, entered on this docket.

F. **“Subject Defendants”** mean Frank Romero and Patricia Martinez.

ORDER

I. TRANSFER OF ASSETS

IT IS ORDERED that:

A. Defendant is ordered to pay to the Commission \$38,398.09, which, as Defendants and the Commission stipulate, the Commission holds for no purpose other than to satisfy this provision. If entry of this Order is denied, the Commission agrees to return this \$38,398.09 to Defendant.

B. Fidelity Workplace Services, LLC shall, within ten (10) business days of

receipt of a copy of this Order, transfer to the FTC all Assets, minus any fees or applicable taxes caused by this transfer, held in the name of Frank Romero.

C. Wells Fargo Bank, N.A. shall, within ten (10) business days of receipt of a copy of this Order, transfer to the FTC all Assets, if any, held in the account:

- i. ending in -6329 in the name of Frank Romero and Patricia Martinez;
- ii. ending in -4960 in the name of Frank Romero and Patricia Martinez; and
- iii. ending in -5939 in the name of Frank Romero DBA Frank Romero Advertising.

D. Citizens Bank, N.A. shall, within ten (10) business days of receipt of a copy of this Order, transfer to the FTC all Assets, if any, held in the account ending in -3338 in the name of Frank Romero.

II. ADDITIONAL MONETARY PROVISIONS

IT IS FUTHER ORDERED that:

A. Subject Defendants relinquish dominion and all legal and equitable right, title, and interest in all Assets transferred pursuant to this Order and may not seek the return of any of those Assets.

B. Any entity or person, including Subject Defendants or any financial institution holding Subject Defendants' Assets identified in Section I of this Order, must transfer those Assets to the Commission in accordance with instructions provided by a representative of the Commission.

C. Subject Defendants must fully cooperate with the Commission as to the asset freeze instituted by the Order Granting Plaintiff's *Ex Parte* Motion for a Temporary Restraining Order, Doc. 101, and the Preliminary Injunction, Doc. 104. Subject Defendants must take all steps reasonable or necessary to assist in the transfer of each Asset identified in Section I of this Order. If requested to execute appropriate documents, such as to liquidate, transfer, or assign any frozen asset, Subject Defendants must execute such documents within three (3) days of a written request from a representative of the Commission.

D. The extant asset freeze is modified to permit the payments and transfers identified in Section I of this Order. Upon completion of those payments and transfers, the asset freeze is dissolved.

E. Section VIII.C of the *De Novo* Order and Section II.B of the Stipulated Order Modifying Asset Freeze and Appointing Liquidator, Doc. 112, shall no longer apply and are superseded by this provision. All money received by the Commission pursuant to the Monetary Judgment in Section VII of the *De Novo* Order may be deposited into a fund administered by the Commission or its designee to be used for consumer relief, such as redress and any attendant expenses for the administration of any redress fund. If a representative of the Commission decides that direct redress to consumers is wholly or partially impracticable or money remains after such redress is completed, the Commission may apply any remaining money for such related relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Complaint. If a representative of the

Commission decides that direct redress to consumers or related relief (including consumer information remedies) is wholly or partially impracticable or money remains after such redress or related relief is completed, the Commission shall so-notify the Court and Defendant. Defendant may seek a return of remaining funds at that time.

F. Defendant acknowledges that Defendant's Employer Identification Number, Social Security Number, or other Taxpayer Identification Number ("TIN"), including all TINs that Defendant previously provided, may be used by the Commission for reporting and other lawful purposes, including collecting on any delinquent amount arising out of this Order in accordance with 31 U.S.C. §7701.

III. DISMISSAL OF FRAUDULENT TRANSFER ACTION

IT IS FURTHER ORDERED that, upon receipt of all funds specified in Section I of this Order, the Commission shall immediately move to dismiss with prejudice the Fraudulent Transfer Action, docketed as Case No. 5:24-cv-00473 in the Middle District of Florida.

IV. SATISFACTION OF MONETARY JUDGMENT FILING

IT IS FURTHER ORDERED that, upon receipt of all funds specified in Section I of this Order and receipt of all funds due to the Commission from the Liquidator appointed by the Stipulated Order Modifying Asset Freeze and Appointing Liquidator, Doc. 112, and in light of the previously transferred and collected Assets in this matter, the Commission shall file the necessary

documentation to provide notice that the Monetary Judgment imposed by the *De Novo* Order has been satisfied.

V. RETENTION OF JURISDICTION

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

DONE and **ORDERED** in Jacksonville, Florida, this ____ day of _____, 2025.

BRIAN J. DAVIS
United States District Judge

**SO STIPULATED AND AGREED:
FOR PLAINTIFF FEDERAL TRADE COMMISSION**

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Attorneys for Plaintiff
FEDERAL TRADE COMMISSION

FOR FRANK ROMERO



Frank Romero

FOR PATRICIA MARTINEZ



Patricia Martinez

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Frank Romero

FOR PATRICIA MARTINEZ



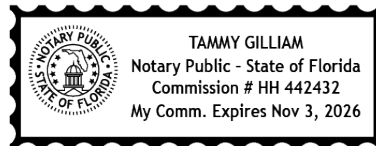
Patricia Martinez

State of FLORIDA
County of MARION

On July 2, 2025, before me, Tammy Gilliam, Remote Online,
Notary Public, personally appeared Frank Romero who presented drivers license,
and Patricia Martinez who presented a drivers license and
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of Florida that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature  (Seal)

**SO STIPULATED AND AGREED:
FOR PLAINTIFF FEDERAL TRADE COMMISSION**



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