UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v. Case No.: 6:23-cv-1041-WWB-DCI

VISION ONLINE, INC., GANADORES IBR, INC., VISION ONLINE DIGITAL, LLC, VISION ONLINE ENGLISH, LLC, VISION ONLINE LATINO, LLC, RICHARD ALVAREZ, SARA ALVAREZ, ROBERT SHEMIN and BRYCE CHAMBERLAIN,

Defendants.
_____/

ORDER

THIS CAUSE is before the Court on the Joint Stipulation to Entry of Stipulated Preliminary Injunction Order as to Defendant Robert Shemin (Doc. 56). On June 7, 2023, this Court entered a Temporary Restraining Order ("**TRO**," Doc. 11) against Shemin, which was subsequently extended twice in accordance with the agreement of the parties. (Doc. 18 at 1; Doc. 52 at 2). The TRO is currently set to expire at 11:59 p.m. Eastern Time on August 14, 2023, and a preliminary injunction hearing has been set for August 2, 2023. (Doc. 52 at 2). Plaintiff, the Federal Trade Commission ("**FTC**") and Shemin have now agreed to the entry of a stipulated preliminary injunction without a hearing.

Having considered the Joint Stipulation, the record, and the agreement of the parties, this Court finds that good cause has been shown for the entry of a preliminary injunction against Defendant Shemin. Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The preliminary injunction hearing, scheduled for August 2, 2023, at 10:00 a.m. in is **CANCELLED**.
2. The Joint Stipulation to Entry of Stipulated Preliminary Injunction Order as to Defendant Robert Shemin (Doc. 56) is **GRANTED** and the following Preliminary Injunction is entered as to Defendant Shemin:

PRELIMINARY INJUNCTION

I. FINDINGS

A. This Court has jurisdiction over the subject matter of this case, and there is good cause to believe that it will have jurisdiction over all parties hereto and that venue in this district is proper.

B. The FTC alleges that Defendants have advertised, marketed, and sold workshops, mentoring, and business opportunities ("**Defendants' Products**") to consumers in this District and throughout the United States and that Defendants have engaged in and are likely to engage in acts or practices that violate Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), the Business Opportunity Rule, the Cooling-Off Rule, and the CRFA.

C. This Court has authority to issue this Order pursuant to 15 U.S.C. § 53(b); Fed. R. Civ. P. 65; and 28 U.S.C. § 1651. Defendants Vision Online, Inc., Ganadores IBR, Inc., Vision Online Digital, LLC, Vision Online English, LLC, Vision Online Latino, LLC, Richard Alvarez, Sara Alvarez, and Robert Chamberlain consent to the entry of this Order and Preliminary Injunction.

D. No security is required of any agency of the United States for issuance of a preliminary injunction. Fed. R. Civ. P. 65(c).

II. DEFINITIONS

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

A. "**Corporate Defendants**" means Vision Online, Inc., Ganadores IBR, Inc., Vision Online Digital, LLC, Vision Online English, LLC, Vision Online Latino, LLC, and each of their subsidiaries, affiliates, successors, and assigns.

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

C. "**Document**" is synonymous in meaning and equal in scope to the usage of "document" and "electronically stored information" in Federal Rule of Civil Procedure 34(a) and includes writings, drawings, graphs, charts, photographs, sound and video recordings, images, internet sites, web pages, websites, electronic correspondence, including e-mail and instant messages, contracts, accounting data, advertisements, FTP Logs, Server Access Logs, books, written or printed records, handwritten notes, telephone logs, telephone scripts, receipt books, ledgers, personal and business canceled checks and check registers, bank statements, appointment books, computer records, customer or sales databases, and any other electronically stored information, including Documents located on remote servers or cloud computing systems, and other data or data compilations from which information can be obtained directly or, if necessary, after translation into a reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.

D. "**Electronic Data Host**" means any person or entity in the business of storing, hosting, or otherwise maintaining electronically stored information. This includes, but is

not limited to, any entity hosting a website or server, and any entity providing "cloud-based" electronic storage.

E. "**Earnings Claim(s)**" means any representation, specific or general, about income, revenues, financial gains, percentage gains, profit, net profit, gross profit, or return on investment. Earnings Claims include, but are not limited to: (a) any chart, table, or mathematical calculation that demonstrates possible results based upon a combination of variables; (b) any statements from which a prospective purchaser can reasonably infer that he or she will earn a minimum level of income (e.g., "earn enough money to buy a Porsche," "earn a six-figure income," or "earn your investment back within one year"); (c) references to quitting one's job, not having to work, or living off income from online sales or real estate investing; (d) references to increased purchases or savings, including a home, cars, boats, vacations, or travel; (e) any statements, claims, success stories, endorsements, or testimonials about the performance or profitability of representatives, endorsers, instructors or customers; and (f) any representation, even hypothetical, of how much money a consumer could or would earn.

F. "**Individual Defendant(s)**" means Richard Alvarez, Sara Alvarez, Robert Shemin, and Bryce Chamberlain, individually, collectively, or in any combination.

G. "**Person**" means any natural person or any entity, corporation, partnership, or association of persons.

H. "**Receiver**" means the Receiver appointed in this Order and any deputy Receivers that shall be named by the Receiver.

I. "**Receivership Entities**" means Corporate Defendants and any other entity that has conducted any business related to the marketing or sale of Defendants' Products,

including receipt of assets derived from any activity that is the subject of the Complaint in this matter, and that the Receiver determines is controlled or owned by any Defendant.

III. PROHIBITED BUSINESS ACTIVITIES

Defendant Shemin and his officers, agents, 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 or otherwise, whether acting directly or indirectly, in connection with the advertising, marketing, promoting, or offering for sale of any goods or services, are preliminarily restrained and enjoined from:

A. Making any Earnings Claims, unless, the Earnings Claim is non-misleading; and at the time the Earnings Claims are made, Defendant Shemin: (1) has a reasonable basis for the claim; (2) has in his possession written materials that substantiate the claimed earnings and that the claimed earnings are typical for consumers similarly situated to those to whom the claim is made; and (3) makes the written substantiation for Earnings Claims available upon request to the consumer, potential purchaser or investor, the Receiver, and Plaintiff;

B. Misrepresenting or assisting others in misrepresenting, expressly or by implication that consumers: (1) will learn everything they need to know at workshops to make substantial income through real estate investment or online selling; (2) will complete their first real estate deal during or immediately after the real estate investment workshop; and (3) who pay for and attend a real estate bootcamp will complete a profitable real estate deal at the bootcamp;

C. Misrepresenting or assisting others in misrepresenting, expressly or by implication that any product:

1. will allow purchasers to earn thousands of dollars in profit without needing a significant amount of money, good credit, or legal immigration status to succeed;
2. are only offered for a limited time;
3. can only be purchased at the workshop;
4. are only offered to selected consumers vetted by Defendants to ensure they will be successful;
5. provide purchasers with 100 percent funding for real estate deals; or
6. provide purchasers with personalized assistance from experts or mentors who will walk consumers through completing real estate deals, including helping them find offers, drafting contracts, and obtaining funding;

D. Misrepresenting that: (1) Defendant Shemin needs detailed financial information from consumers to determine if the consumers qualify for a mentoring package; and (2) consumers should increase their credit card limits and apply for additional credit cards to finance real estate deals;

E. Making false testimonials about any product, or failing to disclose that positive reviews of, and testimonials about a product have been from owners, officers, employees, or agents of the Person offering the product for sale;

F. Providing purchasers of any product with any documents in a language different from the one Defendants or the Person offering the Product for sale used to offer the product for sale, including purchase agreements that outline the cancellation policy and include other material terms of purchase;

G. Failing to furnish buyers with a fully completed receipt or copy of any contract pertaining to such sale at the time of its execution, which is in the same language as that principally used in the oral sales presentation, a "NOTICE OF CANCELLATION" or "NOTICE OF RIGHT TO CANCEL" in duplicate, that buyers can use to cancel the transaction, and orally inform buyers of their right to cancel the transaction; and

H. Offering provisions in form contracts that (1) prohibit or restrict individual consumers' ability to communicate reviews, performance assessments, and similar analyses about a seller's goods, services, or conduct; or (2) that impose a penalty or fee against individual consumers who engage in such communications.

IV. PROHIBITION ON RELEASE OF CUSTOMER INFORMATION

Defendant Shemin and his officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from:

A. Selling, renting, leasing, transferring, or otherwise disclosing, the name, address, birth date, telephone number, e-mail address, credit card number, bank account number, Social Security number, or other financial or identifying information of any person that any Defendant obtained in connection with any activity that pertains to the subject matter of this Order; and

B. Benefitting from or using the name, address, birth date, telephone number, e-mail address, credit card number, bank account number, Social Security number, or other financial or identifying information of any person that any Defendant obtained in connection with any activity that pertains to the subject matter of this Order.

Provided, however, that Defendant Shemin may disclose such identifying information to a law enforcement agency, to his attorneys as required for his defense, as required by any law, regulation, or court order, or in any filings, pleadings, or discovery in this action in the manner required by the Federal Rules of Civil Procedure and by any protective order in the case.

V. PRESERVATION OF RECORDS

Defendant Shemin and his officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from:

A. Destroying, erasing, falsifying, writing over, mutilating, concealing, altering, transferring, or otherwise disposing of, in any manner, directly or indirectly, Documents that relate to: (1) the business, business practices, Defendants' Products, marketing, assets, or business or personal finances of any Defendant; (2) the business practices or finances of entities directly or indirectly under the control of any Defendant; or (3) the business practices or finances of entities directly or indirectly under common control with any other Defendant; and

B. Failing to create and maintain Documents that, in reasonable detail, accurately, fairly, and completely reflect Defendants' incomes, revenues, disbursements, transactions, and use of Defendants' assets.

VI. ASSET FREEZE

Defendant Shemin and his officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice

of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from:

A. Transferring, liquidating, converting, encumbering, pledging, loaning, selling, concealing, dissipating, disbursing, assigning, relinquishing, spending, withdrawing, granting a lien or security interest or other interest in, or otherwise disposing of any assets that are:

1. owned or controlled, directly or indirectly, by Defendant Shemin;
2. held, in part or in whole, for the benefit of Defendant Shemin;
3. in the actual or constructive possession of Defendant Shemin; or
4. owned or controlled by, in the actual or constructive possession of, or otherwise held for the benefit of, any corporation, partnership, asset protection trust, or other entity that is directly or indirectly owned, managed, or controlled by Defendant Shemin.

B. Opening or causing to be opened any safe deposit boxes, commercial mailboxes, or storage facilities titled in the name of Defendant Shemin or subject to access by Defendant Shemin, except as necessary to comply with written requests from the Receiver acting pursuant to its authority under this Order;

C. Incurring charges or cash advances on any credit, debit, or ATM card issued in the name, individually or jointly, of any Corporate Defendant or any corporation, partnership, or other entity directly or indirectly owned, managed, or controlled by any Defendant or of which any Defendant is an officer, director, member, or manager. This includes any corporate bankcard or corporate credit card account for which any Defendant is, or was on the date that this Order was signed, an authorized signor; or

D. Cashing any checks or depositing any money orders or cash received from consumers, clients, or customers of any Defendant.

The assets affected by this Section shall include: (1) all assets of Defendant Shemin as of the time the TRO was entered, except as detailed below; and (2) assets obtained by Defendant Shemin after the TRO was entered if those assets are derived from any activity that is the subject of the Complaint in this matter or that is prohibited by this Order.

Financial Institution	**Account #**
JPMorgan Chase Bank, NA	X0572
JPMorgan Chase Bank, NA	X2569
Wells Fargo Bank	X4957
Wells Fargo Bank	X7875
Wells Fargo Bank	X6600
Bank of America, NA	X1271
Bank of America, NA	X2979
Bank of America, NA	X0580
Bancolombia	X2813
Scotiabank	X1260
Stripe, Inc.	Merchant Account XgrpL in name of Robert Shemin Worldwide
Nonliquid Assets	
15% Interest in Hotel Delicias located in Fajardo, Puerto Rico*	
4% Interest in MYLBH Mining, LLC*	

*Defendant Shemin is allowed to market and sell his 15% Interest in Hotel Delicias located in Fajardo, Puerto Rico and 4% Interest in MYLBH Mining, LLC, *provided however*, all net sale proceeds of the identified Nonliquid Assets will be placed into an interest-bearing account identified by Defendant Shemin. Once both identified Nonliquid Assets have been sold, Defendant Shemin shall be allowed to access up to $30,000 of the net sale proceeds with the remainder frozen and subject to the asset freeze.

This Section does not prohibit any transfers to the Receiver or repatriation of foreign assets specifically required by this Order.

VII. DUTIES OF ASSET HOLDERS OF DEFENDANTS' ASSETS AND OTHER THIRD PARTIES

Any financial or brokerage institution, Electronic Data Host, credit card processor, payment processor, merchant bank, acquiring bank, independent sales organization, third party processor, payment gateway, insurance company, business entity, or person who receives actual notice of this Order, by service or otherwise, that has: (a) held, controlled, or maintained custody, through an account or otherwise, of any Document on behalf of Defendant Shemin or any asset that has been owned or controlled, directly or indirectly, by Defendant Shemin, is held, in part or in whole, for the benefit of Defendant Shemin, is in the actual or constructive possession of Defendant Shemin, or is owned or controlled by, in the actual or constructive possession of, or otherwise held for the benefit of, any corporation, partnership, asset protection trust, or other entity that is directly or indirectly owned, managed, or controlled by Defendant Shemin; (b) held, controlled, or maintained custody, through an account or otherwise, of any Document or asset associated with credits, debits, or charges made on behalf of Defendant Shemin, including reserve funds held by payment processors, credit card processors, merchant

banks, acquiring banks, independent sales organizations, third party processors, payment gateways, insurance companies, or other entities; or (c) has extended credit to Defendant Shemin, including through a credit card account, shall:

A. Hold, preserve, and retain within its control and prohibit the withdrawal, removal, alteration, assignment, transfer, pledge, encumbrance, disbursement, dissipation, relinquishment, conversion, sale, or other disposal of any such Document or asset of any Individual Defendant, as well as all Documents or other property related to such assets, except by further order of this Court; provided, however, that this provision does not prohibit Defendant Shemin from incurring charges on a personal credit card established prior to entry of this Order, up to the pre-existing credit limit;

B. Deny any person, except the Receiver, access to any safe deposit box, commercial mailbox, or storage facility that is titled in the name of Defendant Shemin, either individually or jointly, or otherwise subject to access by Defendant Shemin;

C. Within five days of receiving a copy of this Order, unless already done pursuant to the TRO, provide the FTC's counsel a sworn statement setting forth, for each asset or account covered by this Section:

1. The identification number of each such account or asset;
2. The balance of each such account, or a description of the nature and value of each such asset as of the close of business on the day on which this Order is served, and, if the account or other asset has been closed or removed, the date closed or removed, the total funds removed in order to close the account, and the name of the person or entity to whom such account or other asset was remitted; and

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

D. Upon the request of the FTC's counsel or the Receiver, promptly provide them with copies of all records or other Documents pertaining to any account or asset covered by this Section, including originals or copies of account applications, account statements, signature cards, checks, drafts, deposit tickets, transfers to and from the accounts, including wire transfers and wire transfer instructions, all other debit and credit instruments or slips, currency transaction reports, 1099 forms, and all logs and records pertaining to safe deposit boxes, commercial mailboxes, and storage facilities.

VIII. FINANCIAL DISCLOSURES

Within five business days of the entry this Order, Defendant Shemin, unless he has already done so pursuant to the TRO, shall prepare and deliver to the FTC's counsel and the Receiver the completed financial statements on the forms attached to the Motion for TRO as **Attachment D** (Financial Statement of Individual Defendant, Doc. 3-135).

IX. REPATRIATION AND ACCOUNTING OF FOREIGN ASSETS

Within five days of the service of this Order Defendant Shemin shall:

A. Unless already done, provide the FTC and the Receiver with a full accounting, verified under oath and accurate as of the date of this Order, of all assets, Documents, and accounts outside of the United States that are: (1) titled in the name, individually or jointly, of Defendant Shemin; (2) held by any Person for the benefit of Defendant Shemin or for the benefit of any corporation, partnership, asset protection trust, or other entity that

is directly or indirectly owned, managed, or controlled by Defendant Shemin; or (3) under the direct or indirect control, whether jointly or singly, of Defendant Shemin;

B. Take all steps necessary to provide the FTC's counsel and the Receiver with access to all Documents and records relating to the accounts or assets described above in subsection A, including serving this Order on any financial institution or other entity holding the assets;

C. Transfer to the territory of the United States all Documents and assets located in foreign countries that are: (1) titled in the name, individually or jointly, of Defendant Shemin; (2) held by any person or entity for the benefit of Defendant Shemin or for the benefit of, any corporation, partnership, asset protection trust, or other entity that is directly or indirectly owned, managed, or controlled by Defendant Shemin; or (3) under the direct or indirect control, whether jointly or singly, of Defendant Shemin; and

D. The same business day as any repatriation: (1) notify the Receiver and counsel for the FTC of the name and location of the financial institution or other entity that is the recipient of such Documents or assets; and (2) serve this Order on any such financial institution or other entity.

X. NON-INTERFERENCE WITH REPATRIATION

Defendant Shemin and his agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from taking any action, directly or indirectly, that may result in the encumbrance or dissipation of foreign assets, or in the hindrance of the repatriation required by this Order, including, but not limited to:

A. Sending any communication 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 that all Defendants' assets have been fully repatriated pursuant to this Order; or

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 that all Defendants' assets have been fully repatriated pursuant to this Order.

XI. CONSUMER CREDIT REPORTS

The FTC's counsel and the Receiver may obtain credit reports concerning Defendant Shemin pursuant to the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(1), and, upon written request, any credit reporting agency from which such reports are requested shall provide them to Plaintiff.

XII. REPORT OF NEW BUSINESS ACTIVITY

Defendant Shemin and his officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, are hereby preliminarily restrained and enjoined from creating, operating, or exercising any control over any business entity, whether newly formed or previously inactive, including any partnership, limited partnership, joint venture, sole proprietorship, limited liability company, or corporation, without first providing the FTC's counsel and the Receiver 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.

XIII. TRANSFER OF RECEIVERSHIP PROPERTY TO RECEIVER

Defendant Shemin, and any other person with possession, custody or control of property of, or records relating to, the Receivership Entities shall, upon notice of this Order by personal service or otherwise, fully cooperate with and assist the Receiver in taking and maintaining possession, custody, or control of the assets and Documents of the Receivership Entities and immediately transfer or deliver to the Receiver possession, custody, and control of, the following:

A. All assets held by or for the benefit of the Receivership Entities;

B. All Documents or assets associated with credits, debits, or charges made on behalf of any Receivership Entity, wherever situated, including reserve funds held by payment processors, credit card processors, merchant banks, acquiring banks, independent sales organizations, third party processors, payment gateways, insurance companies, or other entities;

C. All Documents of or pertaining to the Receivership Entities;

D. All computers, electronic devices, mobile devices and machines used to conduct the business of the Receivership Entities;

E. All assets and Documents belonging to other persons or entities whose interests are under the direction, possession, custody, or control of the Receivership Entities; and

F. All keys, codes, usernames, and passwords necessary to gain or to secure access to any assets or Documents of or pertaining to the Receivership Entities, including access

to their business premises, means of communication, accounts, computer systems (onsite and remote), Electronic Data Hosts, or other property.

In the event that any person or entity fails to deliver or transfer any asset or Document, or otherwise fails to comply with any provision of this Section, the Receiver may file an Affidavit of Non-Compliance regarding the failure and a motion seeking compliance or a contempt citation.

XIV. PROVISION OF INFORMATION TO RECEIVER

Defendant Shemin shall immediately provide to the Receiver, unless he has already done so pursuant to the TRO:

A. A list of all Documents pertaining to the Receivership Entities' Earnings Claims and other representations related to the marketing, advertising, promotion, offer for sale, or sale of Defendants' Products, including any such Documents belonging to other persons or entities whose interests are under the direction, custody, or control, or in the possession, of the Receivership Entities;

B. A list of all assets and accounts of the Receivership Entities, including assets of the Receivership Entities that are held in any name other than the name of a Receivership Entity, or by any Person other than a Receivership Entity;

C. A list of all assets and Documents belonging to other Persons whose interests are under the direction, custody, or control, or in the possession of the Receivership Entities;

D. A list of all locations where Documents of the Receivership Entities are located, and the means to access such Documents within five hours of the Receiver's request;

E. Access to all Documents of the Receivership Entities 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 that relate to the practices charged in the Complaint or Defendants' Products;

F. Access to all computers, electronic devices, mobile devices, and machines, onsite or remotely, and any cloud account, including specific method to access account (e.g., login credentials), electronic files in any medium, or other data in whatever form used to conduct the business of the Receivership Entities;

G. Copies of all keys, codes, usernames, and passwords necessary to gain or to secure access to any assets or Documents of the Receivership Entities including, but not limited to, access to their business premises, means of communication, accounts, computer systems, or other property;

H. A list of all agents, employees, independent contractors, officers, attorneys, servants, and those Persons in active concert and participation with the Receivership Entities, or who have been associated or done business with the Receivership Entities; and

I. A description of any documents covered by attorney-client privilege or attorney work product, including files where such documents are likely to be located, authors or recipients of such documents, and search terms likely to identify such electronic documents.

XV. COOPERATION WITH THE RECEIVER

Defendant Shemin, and his officers, agents, employees, and attorneys, all other Persons in active concert or participation with any of them, and all other persons or entities served with a copy of this Order shall fully cooperate with and assist the Receiver.

This cooperation and assistance shall include, but is not limited to, providing information to the Receiver that the Receiver deems necessary to exercise the authority and discharge the responsibilities of the Receiver under this Order; providing any keys, codes, usernames, and passwords required to access any computers, electronic devices, mobile devices, machines, onsite or remotely, and any cloud account, including specific method to access account, or electronic files in any medium; advising all persons who owe money to any Receivership Entity that all debts should be paid directly to the Receiver; transferring funds at the Receiver's direction; and producing Documents related to the assets and sales and refunds of the Receivership Entities. The entities obligated to cooperate with the Receiver 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.

XVI. NON-INTERFERENCE WITH THE RECEIVER

Defendant Shemin, and his officers, agents, employees, and attorneys, and all other Persons in active concert or participation with any of them, who receive actual notice of this Order and any other Person served with a copy of this Order are hereby preliminarily restrained and enjoined from directly or indirectly:

A. Interfering with the Receiver's efforts to carry out its duties under the July 18, 2023 Order (Doc. 52), including but not limited to interfering with the Receiver's efforts to review

Documents or claims related to the Receivership Entities' marketing, advertising, promotion, offer for sale, or sale of the Defendants' Products.

B. Interfering with the Receiver's efforts to manage, or take custody, control, or possession of, the assets or Documents subject to the receivership;

C. Transacting any of the business of the Receivership Entities;

D. Destroying, secreting, defacing, transferring, or otherwise altering or disposing of any Documents of the Receivership Entities;

E. 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 Receivership Entities; and

F. Refusing to cooperate with the Receiver or the Receiver's duly authorized agents in the exercise of their duties or authority under any order of this Court.

XVII. DISTRIBUTION OF ORDER

Defendant Shemin shall immediately provide a copy of this Order to each affiliate, telemarketer, marketer, sales entity, successor, assign, member, officer, director, employee, agent, independent contractor, client, attorney, spouse, subsidiary, division, and representative of Defendant Shemin, and shall, within ten days from the date of entry of this Order, provide the FTC and the Receiver with a sworn statement that this provision of the Order has been satisfied, which statement shall include the names, physical addresses, phone number, and e-mail addresses of each such Person who received a copy of the Order. Furthermore, Defendant Shemin shall not take any action that would encourage officers, agents, members, directors, employees, salespersons, independent contractors, attorneys, subsidiaries, affiliates, successors, assigns, or other Persons or

entities in active concert or participation with them to disregard this Order or believe that they are not bound by its provisions.

XVIII. EXPEDITED DISCOVERY

Notwithstanding the provisions of Federal Rules of Civil Procedure 26(d), (f) and 30(a)(2)(A)(iii), and pursuant to Rules 30(a), 33, 34, and 45, Plaintiff and the Receiver are granted leave, at any time after service of this Order, to conduct limited expedited discovery for the purpose of discovering: (1) the nature, location, status, and extent of Defendant Shemin's assets; (2) the nature, location, and extent of Defendant Shemin's business transactions and operations, including the nature of any substantiation Defendant Shemin has for any Earnings Claims; (3) Documents reflecting Defendant Shemin's business transactions and operations, including Documents reflecting any substantiation for any Earnings Claims; and (4) compliance with this Order. The limited expedited discovery set forth in this Section shall proceed as follows:

A. Plaintiff and the Receiver may take the deposition of parties and non-parties upon forty-eight hours' notice. The limitations and conditions set forth in Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) regarding subsequent depositions of an individual or corporation shall not apply to depositions taken pursuant to this Section. Any such deposition taken pursuant to this Section shall not be counted toward the deposition limit set forth in Rules 30(a)(2)(A) and 31(a)(2)(A), and depositions may be taken by telephone or other remote electronic means;

B. Plaintiff and the Receiver may serve upon parties requests for production of Documents or inspection that require production or inspection within five calendar days of service, provided, however, that three calendar days of notice shall be deemed

sufficient for the production of any such Documents that are maintained or stored only in an electronic format;

C. Plaintiff and the Receiver may serve upon parties interrogatories that require response within five days after service of the interrogatories;

D. Plaintiff and the Receiver may serve subpoenas upon non-parties that direct production or inspection within five calendar days of service;

E. Service of discovery taken pursuant to this Section shall be sufficient if made by facsimile, e-mail, or by personal or overnight delivery;

F. Any expedited discovery taken pursuant to this Section is in addition to, and is not subject to, the limits on discovery set forth in the Federal Rules of Civil Procedure and the Local Rules of this Court. The expedited discovery permitted by this Section does not require a meeting or conference of the parties, pursuant to Rules 26(d) and (f).

XIX. SERVICE OF THIS ORDER

Copies of this Order may be served by any means, including facsimile transmission, e-mail or other electronic messaging, personal or overnight delivery, United States Mail or FedEx, by agents and employees of the FTC, by any law enforcement agency, or by private process server, upon any Defendant or any Person, including any financial institution, that may have possession, custody, or control of any asset or Document of Defendant Shemin, or that may be subject to any provision of this Order pursuant to Federal Rule of Civil Procedure 65(d)(2). For purposes of this Section, service upon any branch, subsidiary, affiliate, or office of any entity shall effect service upon the entire entity. This Order shall bind Persons that may be subject to any provision

of this Order pursuant to Rule 65(d)(2) upon such Person's receipt of actual notice, by personal service or otherwise, of this Order.

XX. CORRESPONDENCE AND SERVICE ON THE FTC

For the purpose of this Order, all correspondence and service of pleadings on the FTC shall be addressed to:

Virginia G. Rosa, Attorney
J. Ronald Brooke, Jr., Attorney
Federal Trade Commission
600 Pennsylvania Ave., NW, CC-8528
Washington, DC 20580
202-326-3068 (Rosa)
202-326-3484 (Brooke)
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XXI. DURATION OF THE ORDER

This Order shall remain in full force and effect until the entry of a final judgment adjudicating all the claims and all the parties' rights and liabilities unless sooner modified or dissolved.

DONE AND ORDERED in Orlando, Florida on August 1, 2023.

WENDY W. BERGER
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party