

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CASE NO.: 8:09-cv-2309-T-23TBM

WASHINGTON DATA RESOURCES,
et al.,

Defendants.

ORDER

The Federal Trade Commission and the defendants Crowder Law Group, Bruce Meltzer, Kathleen Lewis, and Optimum Business Solutions stipulate (Docs. 207, 208) to a proposed “consent judgment” against (1) Crowder Law Group and Bruce Meltzer (Doc. 207) and (2) Kathleen Lewis and Optimum Business Solutions (Doc. 208). Each consent judgment (Docs. 207, 208) is **APPROVED IN PART**. The defendants are **PERMANENTLY ENJOINED** in accord with Paragraphs I through VI and XI, which are incorporated by reference into this order, of each proposed consent judgment (Docs. 207, 208) from violating Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and the Telemarketing Sales Rule, 16 C.F.R. Part 310, through the marketing and sale of mortgage loan modification and foreclosure relief services. The court retains jurisdiction to enforce the terms of the permanent injunction. Additionally, the November 18, 2009, asset freeze (Doc. 29) (as modified on November 23, 2009, (Doc. 35)) is **VACATED** as to Crowder Law Group, Bruce Meltzer, Kathleen Lewis, and

Optimum Business Solutions for the purpose of transferring assets to the plaintiff in accord with Paragraph VII.

Additionally, each proposed “consent judgment” contemplates an “equitable monetary judgment,” full payment of which “shall be suspended upon the satisfaction of the obligations set forth” in several sub-paragraphs. However, neither the proposed “consent judgment” nor the Commission elucidates either the legal basis for, or the mechanics of, an “equitable monetary judgment” subject to “suspension”. In other words, the term “equitable monetary judgment” lacks a cogent definition. “Suspension” of a money judgment in a civil case appears without persuasive precedent or supporting authority. The mechanism most proximate to the agreed “equitable monetary judgment” and “suspension” is a money judgment, upon which the Commission agrees to forebear execution and levy during the defendants’ compliance with sub-paragraphs D, E, and F of Paragraph VII of the “consent judgment”. The parties’ agreement and proposed “consent judgment” is construed accordingly. The Clerk is directed to enter in favor of the Commission and against the defendants Crowder Law Group, Bruce Meltzer, Kathleen Lewis, and Optimum Business Solutions (jointly and severally) a judgment of **\$3,156,000**.

ORDERED in Tampa, Florida, on March 25, 2011.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE