

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Case No. 3:22-cv-487-TJC-MCR

MICHAEL RANDO, et al.,

Defendants.

\_\_\_\_\_ /

**JOINT MOTION TO MODIFY THE TEMPORARY RESTRAINING ORDER  
AND ASSET FREEZE TO RELEASE FUNDS FOR DEFENDANTS' LIVING  
EXPENSES**

Defendants Michael Rando and Valerie Rando (the “Individual Defendants”), Plaintiff, the Federal Trade Commission, and the Temporary Receiver Maria M. Yip, (collectively “the Movants”) jointly move the Court to modify the asset freeze and permit the disbursement of \$36,000 to the Individual Defendants from the Fifth Third account ending in XXXXX1169 for their personal expenses during the pendency of the Temporary Restraining Order.

1. On May 4, 2022, the Court entered an *Ex Parte* Temporary Restraining Order with Asset Freeze, Appointment of a Temporary Receiver, and Other Equitable Relief, and Order to Show Cause Why a Preliminary Injunction Should Not Issue (“TRO”) (Doc. 12).

2. Section IV of the TRO froze all assets of the Individual Defendants, but noted that “[p]rovisions shall be made to allow the Individual Defendants to incur reasonable personal expenses during the pendency of this Order.”<sup>1</sup>

3. The Individual Defendants have conferred with counsel for the Plaintiff and the Temporary Receiver and all have agreed to allow \$36,000 to be disbursed to cover their personal expenses<sup>2</sup> up to the date of the hearing on the TRO, currently set for June 17, 2022.<sup>3</sup>

4. The Movants requests that of the monies held in Michael Rando’s account held at Fifth Third Account XXXXX1169, \$36,000 shall no longer be frozen and may be applied to living expenses incurred on behalf of Michael and Valerie Rando.

5. The disbursement of these funds (\$36,000) shall not be deemed a violation of this Court’s May 4, 2022 Temporary Restraining Order and Asset Freeze.

6. Upon request of the Federal Trade Commission or the Receiver, the Randos shall within seven days produce to the Federal Trade Commission and the Receiver bank records relating to how the funds were expended.

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<sup>1</sup> The TRO also provided that “[p]rovision shall also be made to allow Defendants to hire counsel to represent them in this action.” Undersigned defense counsel is conferring with counsel for the Receiver and Plaintiff to provide for their fees in this action.

<sup>2</sup> This amount was negotiated among the Movants.

<sup>3</sup> The Individual Defendants reserve the right to request additional disbursements to pay their reasonable personal expenses in the event the asset freeze is extended.

WHEREFORE, the Parties respectfully request that the Court modify the TRO and asset freeze to permit the disbursement of \$36,000 to the Individual Defendants to pay their personal expenses during the pendency of the TRO.

Respectfully submitted,

s/ Michael R. Freed

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing document was furnished by electronic mail to all counsel of record on this 25<sup>th</sup> day of May, 2022.

By: /s/ Michael R. Freed