

**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.

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**ORDER**

On July 25, 2022, the parties participated in a settlement conference with United States Magistrate Judge Monte C. Richardson. (Doc. 75). While the parties did not settle at the conference, on August 31, 2022, the parties filed a Joint Motion for Entry of Stipulated Preliminary Injunction (Doc. 89), which the Court has now entered (Doc. 101). The parties have also made significant steps towards a complete settlement, which the Court applauds. However, the Court still has before it several motions for fees and expenses from Individual Defendants, Defendants' counsel, and the Receiver. (Docs. 67, 90, 94, 99, 100). The Court held a hearing on the motions, the record of which is incorporated by reference. (Doc. 98). After considering the matter further, the Court has decided to authorize interim payments now and make a final determination on fees and expenses after the settlement has been consummated. Accordingly, it is hereby

**ORDERED:**

1. Receiver's First Fee Application for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and Her Professionals (Doc. 67) and Receiver's Second Fee Application for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and Her Professionals (Doc. 100) are **GRANTED in part**. The asset freeze is modified to the extent that an interim payment of \$150,000.00 is authorized for the Receiver and her professionals' expenses, to be allocated as the Receiver sees fit.

2. Elite Customer Services, LLC and Resource Management Investments, LLC's Motion to Modify Asset Freeze to Permit Payment of Attorneys' Fees (Doc. 90) is **GRANTED** in full because these parties have stated that they will seek no further attorneys' fees. The asset freeze is modified to the extent that a payment of \$27,316.00 to Abel Bean Law, P.A. is permitted for Elite and Resource's attorneys' fees. The Court will consider no other fee requests from Abel Bean absent changed circumstances.

3. Defendants' Cumulative Motion to Modify Asset Freeze to Permit Payment of Attorneys' Fees (Doc. 99) is **GRANTED in part**.<sup>1</sup> The asset freeze is modified to the extent that an interim payment of \$150,000.00 to the law firm

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<sup>1</sup> Gunster's Second Motion to Modify Asset Freeze to Permit Payment of Attorneys' Fees (Doc. 81) and its Amended Second Motion to Modify Asset Freeze to Permit Payment of Attorneys' Fees (Doc. 97) are **TERMINATED as moot**.

of Gunster, Yoakley & Steward, P.A. (“Gunster”) is permitted for Gunster’s attorneys’ fees.

4. The asset freeze is modified to permit the immediate disbursement of \$35,000.00 from Michael Rando’s Fifth Third Account ending in XXXXX1169 to Individual Defendants for personal expenses.<sup>2</sup>

5. No later than **October 14, 2022**, after consulting with the parties, the Receiver shall file a proposed order regarding which accounts the attorneys’ and Receiver’s fee payments authorized by this Order should be paid from and the required implementing language.

6. No later than **November 15, 2022**, the FTC and Defendants shall jointly file a report regarding the status of the final settlement agreement.

**DONE AND ORDERED** in Jacksonville, Florida the 6th day of October, 2022.



*Timothy J. Corrigan*  
TIMOTHY J. CORRIGAN  
United States District Judge

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Copies:

Counsel of record

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<sup>2</sup> Individual Defendants’ Motion to Modify the Temporary Restraining Order and Asset Freeze to Set a Budget for Defendants’ Living Expenses (Doc. 94) is **TERMINATED as moot**.