

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

CASE NO. 3:22-cv-00487-TJC-MCR

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICHAEL RANDO, et al.,

Defendants.

**AGREED MOTION FOR ORDER CONFIRMING
DISSOLUTION OF ASSET FREEZE**

Defendants Michael Rando and Valerie Rando (the “Individual Defendants”), move the Court for an Order confirming the dissolution of the asset freeze with respect to Individual Defendants’ Retail Ecommerce Ventures LLC investment account and directing payment of any and all amounts currently held in the Retail Ecommerce Ventures LLC investment account in the name of “M.R. Protection Trust,” to the Individual Defendants.

1. On May 3, 2022 the Court entered an Ex Parte Temporary Restraining Order (Doc. 12) that froze, among others, all assets of the Individual Defendants, including the Retail Ecommerce Ventures LLC investment account. On September 27, 2022, the Court entered a Stipulated Preliminary Injunction (Doc. 101, at § IV) that continued the asset freeze in place since May 3, 2022.

2. On January 10, 2023 the Court entered the Stipulated Order for Permanent Injunction against the Defendants. (Doc. 116) (the “Permanent Injunction”). The Permanent Injunction, among other things, dissolves the asset freeze upon Defendants’ surrender of all Assets listed in Section IV of the Permanent Injunction. According to the settlement negotiations between Individual Defendants and the Federal Trade Commission, the Retail Ecommerce Ventures LLC investment account is not included amongst the surrendered Assets.

3. The Individual Defendants have been subject to an asset freeze since May 4, 2022, and are in need of funds for living expenses as soon as possible. As a result, the Individual Defendants respectfully request that the Court enter an Order specifically acknowledging the dissolving of the asset freeze with respect to the Retail Ecommerce Ventures LLC investment account to expedite the release of the funds and directing payment of any and all amounts owed (currently \$121,000) to the Individual Defendants.

WHEREFORE the Individual Defendants respectfully request that the Court grant this Agreed Motion and enter an Order (1) acknowledging the dissolution of the asset freeze with respect to the Retail Ecommerce Ventures LLC investment account in the name of “M.R. Protection Trust,” (2) directing payment of any and all amounts currently held in the Retail Ecommerce Ventures LLC investment accounts (currently \$121,000), and any future disbursements, to the Individual Defendants; and (3) acknowledge that any and all such current and future distributions described above shall not be deemed a violation of this Court's May 4, 2022 Temporary Restraining

Order and Asset Freeze, or the Court's September 27, 2022, Stipulated Preliminary Injunction (Doc. 101) and such further relief the Court deems appropriate.

LOCAL RULE 3.01(g) CERTIFICATE OF CONFERRAL

I certify that counsel for the Individual Defendants conferred with counsel for the Plaintiff who agreed to the relief requested in this motion. Counsel for the Individual Defendants also conferred with counsel for the Receiver who also agrees to the relief requested herein.

Dated: January 18, 2023

**GUNSTER, YOAKLEY &
STEWART, P.A.**

By: /s/Nathan W. Hill

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of January, 2023 a true and correct copy of the foregoing document was electronically filed with the United States District Court for the Middle District of Florida using the CM/ECF system which will send notification of such filing to all counsel of record.

By: /s/ Nathan W. Hill