

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 17-60907-CIV-MORENO/SELTZER

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

JEREMY LEE MARCUS, *et al.*,

Defendants.

**AGREED ORDER ON JAMES MARCUS' AMENDED EMERGENCY MOTION FOR
IMMEDIATE STAY OF ORDER AND MOTION FOR RELIEF FROM ORDER**

This Cause came before the Court upon the Joint Notice of Consent for Entry of Agreed Order on James Marcus' Amended Emergency Motion for Immediate Stay of Order and Motion for Relief from Order (the "Motion") [ECF No. 251]. Since filing the Motion, Relief Defendant James Marcus ("James Marcus") and Jonathan Perlman, as Receiver (the "Receiver") have come to a resolution of the issues raised in the Motion. The Court having considered the Motion, noting Relief Defendant James Marcus's current agreement as set forth in this Order, and being otherwise fully advised in the premises, it is:

ORDERED AND ADJUDGED as follows:

1. The Court denies the Motion in part and grants the Motion in part as set forth herein.
2. The Motion's request for stay is denied as moot.
3. The Motion's request for additional time for James Marcus to file his opposition to the Receiver's Motion for Turnover of Real Property by Relief Defendant James Marcus ("Turnover Motion") [ECF. No. 234] is denied as moot
4. Based upon the agreement reached, this Court's Order granting the Receiver's

Motion for Turnover [ECF No. 246] is vacated and amended as set forth herein.

5. The receiver's request for turnover is granted. James Marcus will immediately pay the Receiver \$330,000 in cash from the Property Proceeds¹ currently being held at Bank of America. Thereafter, the balance of the funds frozen by Bank of America will be released to Relief Defendant James Marcus and Jennifer Perez.

6. James Marcus will also execute a promissory note payable to the Receiver for \$167,279.51. The promissory note will accrue interest at 5% and become due and payable by James Marcus in 24 months (the "Balloon Payment"). The promissory note will not contain any pre-payment penalty.

7. To secure the Balloon Payment, James Marcus and Jennifer Perez will execute and deliver to the Receiver a deed of trust. James Marcus and Jennifer Perez will also execute a Deed in Lieu of Foreclosure, No Lien Affidavit and Bill of Sale to be held in escrow by Receiver.

8. If James Marcus fails to make the Balloon Payment, then the Receiver is authorized to record the Deed in Lieu of Foreclosure.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 28th day of

Jue, 2018.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to Counsel of Record.

¹ As defined in the Turnover Motion.

Serres, Ellen

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U.S. District Court

Southern District of Florida

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[AGREED ORDER on James Marcus' Amended Emergency Motion for Immediate Stay of Order and Motion for Relief from Order\[251\]. Signed by Judge Federico A. Moreno on 6/28/2018. \(mmd\)](#)

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