

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.

**STIPULATION OF RESOLUTION AND NOTICE OF WITHDRAWAL OF
RECEIVER'S MOTION FOR ORDER TO SHOW CAUSE WHY DEFENDANT
JEREMY MARCUS SHOULD NOT BE HELD IN CONTEMPT OF COURT (DE 330)**

Jonathan E. Perlman, as Receiver (the "Receiver"), by and through counsel, hereby withdraws the Motion for Order to Show Cause Why Defendant Jeremy Marcus Should Not Be Held in Contempt of Court [DE 330] (the "Motion"), and jointly stipulates with Defendant Jeremy Lee Marcus (the "Defendant") that the Receiver and Defendant have entered into the following resolution of the Motion:

1. The Court referred the Motion to the Honorable Barry S. Seltzer, United States Magistrate Judge [DE 335], who set a hearing on the Motion for February 27, 2018 at 2:00 p.m. (the "hearing") [DE 343]. Defendant filed a response in opposition to the Motion [DE 345], and the Receiver submitted a reply in support of the Motion [DE 348].

2. Prior to the hearing, the Receiver and Defendant reached an agreement to fully and finally resolve the Motion. Under the agreement, Defendant will pay \$100,000 (the "Funds"), provided by a third-party source disclosed to the Receiver, to completely and finally resolve the Receiver's allegations and claims of contempt set forth in the Motion. The Receiver

and Defendant agreed to present the resolution to the Court once the Defendant provided confirmation that the Funds had been sent to the law firm trust account of Michael Pineiro, who is counsel for Defendant in defending the Motion, and disclosed the source of funds. The Receiver obtained confirmation of the source of the Funds and delivery of Funds to Defendant's counsel's trust account on February 27, 2019, and the Receiver and Defendants' counsel notified the Court at the hearing that the Motion had been resolved on the terms set forth above.

3. The Funds will be wire transferred to the Receiver's Receivership account upon the filing of this stipulation and notice.

4. As a result, the Receiver has hereby withdrawn the Motion as fully and finally resolved, as announced and approved in open Court on February 27, 2019.

5. The resolution of the Motion was entered into between the Receiver and Defendant, without the Defendant admitting or denying the allegations in the Motion.

6. The resolution of the Motion does not preclude the Receiver from seeking future contempt relief against the Defendant for claims that were not specifically addressed in or encompassed by the Motion, or if Defendant fails to pay the funds due to the Receiver under this agreement.

Respectfully submitted this 28th day of March, 2019.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 28, 2019, the following was served via CM/ECF Notification and/or U.S. Mail to all parties on the attached service list.

By: /s/ Gregory M. Garno
Gregory M. Garno, Esq.

SERVICE LIST

**Federal Trade Commission v. Jeremy Lee Marcus, et al.
USDC, SD Fla., Case No. 17-60907-CIV-MORENO/SELTZER**

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