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COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II
CIVIL ACTION NO. 16-CI-474

ENTERED *SH*
SEP 16 2016
FRANKLIN CIRCUIT COURT
AMY FELDMAN, CLERK

COMMONWEALTH OF KENTUCKY,
EX REL. ANDY BESHEAR,
ATTORNEY GENERAL

PLAINTIFF

v. ORDER GRANTING COMMONWEALTH'S MOTION
FOR RELIEF PURSUANT TO KRS 367.290

LIBERTY TAX AND STUDENT LOAN DEFENSE
A/K/A FREEDOM STUDENT AND TAX DEFENSE, LLC

AND

DAVID KATZ, individually, and d/b/a Liberty
Tax and Student Loan Defense a/k/a Freedom
Student and Tax Defense, LLC

DEFENDANTS

* * * * *

The Plaintiff, Commonwealth of Kentucky, *ex rel.* Andy Beshear, Attorney General, by counsel, filed a Motion for Relief Pursuant to KRS 367.290 (herein "Motion"), and provided notice to the Defendants of a hearing on the Motion. The Motion was heard by this Court on September 12, 2016. Counsel for the Plaintiff was present. The Defendants were afforded an opportunity for a hearing, and did ___ / did not *TW* appear by counsel or in person. The Court has reviewed the Motion and considered the arguments provided by the parties, and is well and sufficiently advised.

IT IS HEREBY ORDERED AND ADJUDGED that the Commonwealth's Motion for Relief Pursuant to KRS 367.290 is hereby GRANTED. Therefore, the Courts orders:

- 1. That Defendants fully respond to the Subpoena and Investigative Demand as issued, and deliver the response to the Subpoena and Investigative Demand so that it is received by

Presiding Judge: HON. THOMAS DAWSON WINGATE (648243)

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the Plaintiff's counsel in this action by no later than 4:30 p.m. on September 26, 2016;

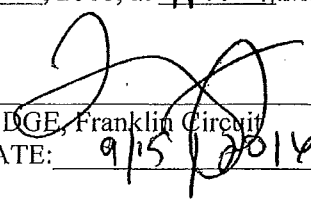
2. That Defendants, pursuant to KRS 367.290(1)(a), are enjoined and restrained from engaging in the advertisement or sale of any merchandise or the conduct of any trade or commerce that is involved in debt adjusting including, but not limited to:

- a. soliciting or contacting Kentucky consumers;
- b. entering into contracts with Kentucky consumers;
- c. collecting or attempting to collect payment from Kentucky consumers;
- d. debt adjusting activities described on its website and in its agreements and related forms, as described in the Complaint in this action, such as but not limited to:
 - communicating on behalf of consumers with creditors;
 - completing or preparing forms or applications on behalf of consumers to obtain consolidation loans;
 - gathering and reviewing information regarding consumers' loans;
 - advising consumers or suggesting actions to consumers regarding removal of garnishments or tax offsets, or compliance with federal or state agencies;
 - negotiating on consumers' loan accounts;
 - representing consumers regarding their loans, liens, or garnishments;
 - arranging or negotiating an installment plan, payment plan, or settlement, regarding consumers' debts;
 - choosing or accepting a repayment plan on behalf of a consumers; and
 - obtaining or having consumers sign power of attorney or other documents granting authorization or power to the Defendant to perform these

activities;

- 3. That any certificate of authority issued to the Defendants to do business in the Commonwealth, if any, is suspended pursuant to KRS 367.290(b);
- 4. That Defendants shall preserve any records or other evidence responsive to the Attorney General's Subpoena and Investigative Demand;
- 5. That, pursuant to KRS 367.290(2), any disobedience of this Order shall be punished as a contempt thereof and be subject to sanctions; and
- 6. No bond is required of the Plaintiff Commonwealth, pursuant to CR 81A and KRS 454.190.

DATE AND TIME OF ISSUANCE: 9/15, 2016, at 11:30 A.M., Eastern Time.



 JUDGE, Franklin Circuit
 DATE: 9/15/2016

DISTRIBUTION LIST:

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