

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
Case No. 08-22922-CIV-Jordan/McAliley

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FEDERAL TRADE COMMISSION,)
)
Plaintiff,)
)
V.)
)
CLEAN CREDIT REPORT SERVICES, INC.,)
)
RICARDO A. MIRANDA,)
)
DANIEL R. MIRANDA, AND)
)
RUTHY VILLABONA)
Defendants.)
<hr/>)

**STIPULATED FINAL JUDGMENT AND
ORDER FOR PERMANENT INJUNCTION**

Plaintiff, Federal Trade Commission (“Commission” or “FTC”), filed a Complaint for Injunctive and Other Equitable Relief [D.R. 1] pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 53(b) and 57b, and Section 410(b) of the Credit Repair Organizations Act, 15 U.S.C. § 1679h(b), to obtain temporary, preliminary, and permanent injunctive relief, rescission of contracts and restitution, disgorgement of ill-gotten gains, and other equitable relief against Defendants Clean Credit Report Services, Inc., Ricardo A. Miranda, Daniel R. Miranda, and Ruthy Villabona for engaging in deceptive acts or practices in connection with the advertising, marketing, promotion, offering for sale, or sale of credit repair services in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and in violation of multiple sections of the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j.

Plaintiff and Defendants Clean Credit Report Services, Inc., Ricardo A. Miranda, Daniel R. Miranda, and Ruthy Villabona, by and through their attorneys, have agreed to entry of this Stipulated Final Judgment and Order for Permanent Injunction (“Order”) by this Court in order to resolve all claims against Defendants in this action. Plaintiff and Defendants have consented to entry of this Order without trial or adjudication of any issue of law or fact herein and without Defendants admitting liability for any of the violations alleged in the Complaint.

Being fully advised in the premises and acting upon the joint motion of the parties to enter this Order,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

FINDINGS

1. This Court has jurisdiction over the subject matter of this case and personal jurisdiction over Defendants.
2. The Complaint states a claim upon which relief may be granted against Defendants under Sections 5, 13(b), and 19 of the FTC Act, 15 U.S.C. §§ 45, 53(b), and 57b, and Section 410(b) of the Credit Repair Organizations Act, 15 U.S.C. § 1679h(b). Defendants are a “credit repair organization,” as that term is defined in Section 403(3) of the Credit Repair Organizations Act, 15 U.S.C. § 1679a(3).
3. Venue in this district is proper under 28 U.S.C. § 1391(b) and 15 U.S.C. § 53(b).
4. The activities of Defendants are “in or affecting commerce” as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.
5. Defendants have read and fully understand the Complaint against them and the provisions of this Order, and they freely enter into this Order.
6. Defendants waive: (a) all rights to seek judicial review or otherwise challenge or

contest the validity of this Order; (b) any claim that they may have against the Commission, its employees, representatives, or agents; (c) all claims under the Equal Access to Justice Act, 28 U.S.C. § 2412, *as amended by* Pub. L. 104-121, 110 Stat. 847, 863-64 (1996); and (d) any rights to attorney's fees that may arise under said provision of law. The Commission and Defendants shall each bear their own costs and attorney's fees incurred in this action.

7. This Order is in addition to, and not in lieu of, any other civil or criminal remedies that may be provided by law.

8. Entry of this Order is in the public interest.

DEFINITIONS

For the purpose of this Order, the following definitions shall apply:

A. **"Assets"** means any legal or equitable interest in, right to, or claim to, any real and personal property, including, but not limited, to "goods," "instruments," "equipment," "fixtures," "general intangibles," "inventory," "checks," "notes" (as these terms are defined in the Uniform Commercial Code), and all chattels, leaseholds, contracts, mail or other deliveries, shares of stock, lists of consumer names, accounts, credits, premises, receivables, funds, and cash, wherever located.

B. **"Assisting others"** includes, but is not limited to: (1) performing customer service functions, including receiving or responding to consumer complaints; (2) formulating or providing, or arranging for the formulation or provision of, any marketing material; (3) providing names of, or assisting in the generation of, potential customers; or (4) performing marketing or billing services of any kind.

C. **"Credit repair organization"** shall have the meaning ascribed to that term in Section 403(3) of the Credit Repair Organizations Act, 15 U.S.C. § 1679a(3).

D. **“Credit repair service”** means any service, in return for payment of money or other valuable consideration, for the express or implied purpose of: (1) improving any consumer’s credit record, credit history, or credit rating; or (2) providing advice or assistance to any consumer with regard to any activity or service the purpose of which is to improve a consumer’s credit record, credit history, or credit rating.

E. **“Customer”** means any person who has paid, or may be required to pay, for goods or services offered for sale or sold by the Defendants.

F. **“Individual Defendant”** means Ricardo Antonio Miranda, Daniel Ricardo Miranda, and Ruthy Villabona Miranda.

G. **“Corporate Defendant”** means Clean Credit Report Services, Inc., and its successors and assigns.

H. **“Defendants”** mean all of the Individual Defendants and the Corporate Defendant, individually, collectively, or in any combination.

I. **“Document”** is synonymous in meaning and equal in scope to the usage of the term in Federal Rule of Civil Procedure 34(a), and includes writings, drawings, graphs, charts, photographs, audio and video recordings, computer records, and other data compilations from which the information can be obtained and translated, if necessary, through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of the term.

J. **“Net Proceeds”** shall mean any sum remaining after satisfaction of senior recorded liens, and after payment to third parties of reasonable and customary fees, commissions and closing costs.

K. **“Person”** means a natural person, an organization or other legal entity, including

a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.

L. **“Plaintiff”** means the Federal Trade Commission.

M. **“Real Property”** or **“Real Properties”** mean the properties described in **Attachment A** of this Order and any other properties owned by Defendants or held on their behalf, as of the date of entry of this Order.

ORDER

I. PROHIBITED BUSINESS ACTIVITIES PURSUANT TO THE FEDERAL TRADE COMMISSION ACT

IT IS HEREBY ORDERED that, in connection with the advertising, marketing, promotion, offering for sale, or sale of any good or service, including, but not limited to, any credit repair service, Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication, any material fact, including, but not limited to:

A. That Defendants can improve substantially consumers’ credit reports or profiles by permanently removing negative information from consumers’ credit reports, even where such information is accurate and not obsolete;

B. The ability to otherwise improve or otherwise affect a consumer’s credit report or profile or a consumer’s ability to obtain credit;

C. The total cost to purchase, receive, or use any goods or services;

D. Any material restrictions, limitations, or conditions to purchase, receive, or use any goods or services;

E. Any material aspect of the nature or terms of a refund, cancellation, exchange, or repurchase policy for any goods or services; or

F. Any material aspect of the performance, efficacy, nature, or central characteristics of any goods or services.

II. PROHIBITED BUSINESS ACTIVITIES PURSUANT TO THE CREDIT REPAIR ORGANIZATIONS ACT

IT IS FURTHER ORDERED that, in connection with the advertising, marketing, promotion, offering for sale, or sale of any credit repair service to consumers, Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from violating, or assisting others in violating, the Credit Repair Organizations Act, 15 U.S.C. §§ 1679-1679j, including, but not limited to:

A. By making or using untrue or misleading representations to induce consumers to purchase their services, including, but not limited to, misrepresenting that a credit repair organization can improve substantially consumers' credit reports or profiles by permanently removing negative information from consumers' credit reports, even where such information is accurate and not obsolete, in violation of Section 404(a)(3), 15 U.S.C. § 1679b(a)(3);

B. By charging or receiving money or other valuable consideration for the performance of credit repair services, before such services are fully performed, in violation of

Section 404(b), 15 U.S.C. § 1679b(b).

III. MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

Judgment for equitable monetary relief is hereby entered jointly and severally against Defendants, in the amount of Fourteen Million Four Hundred Fifty-Four Thousand and Nine Dollars and Twenty-three Cents (\$14,454,009.23). *Provided, however,* subject to the provisions of the Section of this Order titled "Right to Reopen," this judgment shall be suspended upon completion of Subsections A through K of this Section, in which Defendants are ordered to pay as follows:

A. Within ~~seven~~ ^{twenty (20)} days of the date of entry of this Order, Defendants shall take all reasonable and necessary steps to cause BancAtlantic to transfer the balance of Defendants' frozen account ending in 8154 to the Commission by wire transfer in accordance with directions provided by a representative of the Commission, or in such other manner as agreed to by the representative.

B. Defendants shall relinquish any right, title or interest in all of the Real Properties owned by Defendants, as further described as Parcels 1 through 9 in Attachment A, attached hereto, and Defendants will further execute all documents necessary to effect foreclosure, sale, or transfer of the Real Properties as directed by a representative of the FTC in the FTC's sole discretion.

1. With respect to the Real Properties Parcels 1 through 8, Defendants agree they will not interpose any objection or defense or otherwise seek to modify or delay the judicial foreclosure processes currently pending or any

judicial or non-judicial foreclosure action that substitutes for the current process. With respect to the Real Properties Parcels 1 through 8, Defendants further agree that, should the judicial foreclosure process not be consummated as to one or more of the Real Properties for any reason, the Defendants shall immediately place any such parcel of Real Property on the market for sale in accordance with instructions provided by a representative of the FTC. Defendants shall comply promptly with the instructions from the FTC's representative to carry out the marketing, sale, or liquidation of the Real Property by retaining an agent, whose selection shall be subject to the approval of the FTC. Defendants agree that they will not interpose any objection or defense or otherwise seek to modify or delay the placement, listing for sale, auction, or liquidation of the Real Property.

2. With respect to Real Property Parcel 9, Defendants shall sell the property by immediately retaining a liquidation, sales, auction or real estate agent approved by the FTC and direct the agent to take all necessary steps to sell all of Defendants' interest in Parcel 9. Defendants shall take all necessary and reasonable steps to assist in the sale therein.
3. With respect to the Real Properties, within ten (10) business days of Defendants' receipt of the proceeds of any sale, transfer, liquidation or other alienation of Defendants' interests in any of the Real Properties, Defendants shall pay to the FTC, by wire transfer, the Net Proceeds of the sale, auction, foreclosure, or other transfer of the Real Properties in accordance with directions provided by a representative of the FTC, or in

such other manner as agreed to by the FTC's representative, *provided* that (i) until such time, the Commission may hold a valid judgment lien for the full amount of the judgment on the Real Properties and the Net Proceeds pursuant to 28 USC § 3201 by recording the Judgment in the county of the property's location (Parcels 1 and 5 through 8 in Broward County, Florida) and (Parcels 2 through 4 in Miami-Dade County, Florida), and (ii) notwithstanding Rule 62(a) of the Federal Rules of Civil Procedure, the Commission may record the Judgment immediately after its entry.

C. Defendants agree to relinquish all rights, title and interest in the following Motor Vehicles:

1. The 1992 Mercedes S300, Vehicle Identification Number WDBNG7OJ5YA118407, owned by Defendant Ruthy Villabona.
Defendants shall immediately retain an auction company or other company designated by a representative of the FTC, and direct the company to take all necessary steps to sell said 1992 Mercedes S300 at a public auction, or, alternatively, at the FTC representative's designation, Defendants shall sell all of their rights, title and interest in the vehicle to such designated company. Defendants shall take all reasonable and necessary steps to assist in the sale of the 1992 Mercedes S300; and
2. The 1997 Chevrolet Venture, Vehicle Identification Number 1GNDX06E3VD127803, owned by Ricardo Miranda. Defendants shall immediately retain an auction company or other company designated by a representative of the FTC, and direct the company to take all necessary

steps to sell said 1997 Chevrolet Venture at a public auction or, alternatively, at the FTC representative's designation, Defendants shall sell all of their rights, title and interest in the vehicle to such designated company. Defendants shall take all reasonable and necessary steps to assist in the sale of the 1997 Chevrolet Venture.

3. Within ten (10) business days of the sale of any interest in any Motor Vehicle, Defendants shall pay to the FTC, by wire transfer, the Net Proceeds of the sale, auction, foreclosure, or other transfer of the Motor Vehicle, in accordance with directions provided by a representative of the FTC, or in such other manner as agreed to by the FTC's representative.

D. Within ten (10) business days of the transfer of any interests in the Real Property or Motor Vehicle, Defendants shall provide counsel for the FTC with: (a) proof of such transfers, including the amounts paid by the purchaser for any Real Property or Motor Vehicle; and (b) proof of all payments by Defendants of any fees, commissions, closing costs, and any other charges or other payments.

E. All funds paid pursuant to this Order shall be deposited into a fund administered by the Commission or its agent to be used for equitable relief, including, but not limited to, consumer restitution, and any attendant expenses for the administration of such equitable relief fund. If the Commission determines, in its sole discretion, that restitution to consumers is wholly or partially impracticable or funds remain after consumer restitution is completed, the Commission may apply any remaining funds for such other equitable relief (including consumer information remedies) as it determines to be reasonably related to Defendants' practices alleged in the Complaint. Any funds not used for such equitable relief shall be deposited to the United

States Treasury as disgorgement. Defendants shall have no right to challenge the Commission's choice of remedies under this Section, and shall have no right to contest the manner of distribution chosen by the Commission. This judgment for equitable monetary relief is solely remedial in nature and is not a fine, penalty, punitive assessment, or forfeiture.

F. In the event of any default on Defendants' obligation to make payment under this Section, interest, computed pursuant to 28 U.S.C. § 1961, as amended, shall accrue from the date of default to the date of payment, and shall immediately become due and payable.

G. Defendants relinquish all dominion, control, and title to the funds paid to the fullest extent permitted by law. Defendants shall make no claim to or demand for return of the funds, directly or indirectly, through counsel or otherwise.

H. Defendants agree that the facts as alleged in the Complaint filed in this action shall be taken as true without further proof in any bankruptcy case or subsequent civil litigation pursued by the Commission to enforce its own rights to any payment or money judgment pursuant to this Order, including, but not limited to, a nondischargeability complaint in any bankruptcy case. Defendants further stipulate and agree that the facts alleged in the Complaint establish all elements necessary to sustain an action pursuant to, and that this Order shall have collateral estoppel effect for purposes of Section 523(a)(2)(A) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2)(A).

I. In accordance with 31 U.S.C. § 7701, Defendants are hereby required to furnish to the Commission taxpayer identifying numbers (social security numbers or employer identification numbers), unless they have already done so, which shall be used for purposes of collecting and reporting on any delinquent amount arising out of their relationship with the government.

J. Proceedings instituted under this Section are in addition to, and not in lieu of, any

other civil or criminal remedies that may be provided by law, including any other proceedings the Commission may initiate to enforce this Order.

K. Defendants agree that they will not, whether acting directly or through any corporation, partnership, subsidiary, division, trade name, device, or other entity, submit to any federal or state tax authority any return, amended return, or other official document that takes a deduction for, or seeks a tax refund or other favorable tax treatment for, any payments by one or more of the Defendants pursuant to the Section "Monetary Judgment" of this Order.

IV. RIGHT TO REOPEN

IT IS FURTHER ORDERED that:

A. Plaintiff's agreement to this Order is expressly premised upon the truthfulness, accuracy, and completeness of Defendants' financial condition, as represented in the Financial Statements signed by Ricardo Miranda (dated March 6, 2009 and First Amendment of the Financial Statement of Individual Defendant Ricardo Miranda dated November 13, 2009), Daniel Miranda (dated October 23, 2008), and Ruthy Villabona (dated March 6, 2009 and First Amendment of the Financial Statement of Individual Defendant Ruthy Villabona dated November 13, 2009), and the corporate defendant Financial Statement for Clean Credit Report Services, Inc. (signed by Ricardo A. Miranda and dated October 23, 2008) (collectively the "Financial Statements"), the financial depositions taken of all Defendants (taken on February 10, 2009) and the affidavits of Ricardo Miranda, Ruthy Villabona and Daniel Miranda (dated November 13, 2009), which contain material information upon which Plaintiff relied in negotiating and agreeing to the terms of this Order.

B. If, upon motion of the FTC, the Court finds that any Defendant failed to disclose any material asset, materially misrepresented the value of any asset, or made any other material

misrepresentation or omission from such Defendant's Financial Statement, the Court shall lift the suspension of the judgment in Section III and the entire judgment amount, less the sum of transfers previously made, shall become immediately due and payable. *Provided, however*, that in all other respects, this Order shall remain in full force and effect, unless otherwise ordered by the Court.

C. Proceedings instituted under this Section are in addition to, and not in lieu of, any other civil or criminal remedies that may be provided by law, including any other proceedings the Commission may initiate to enforce this Order.

V. PROHIBITION ON COLLECTING ACCOUNTS

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, affiliate or other device, are hereby permanently restrained and enjoined from attempting to collect, collecting, selling, or assigning, or otherwise transferring any right to collect payment from any consumer who purchased or agreed to purchase credit repair services from any Defendant prior to the entry of the Temporary Restraining Order with Asset Freeze, And Other Equitable Relief and Order to Show Cause Why a Preliminary Injunction Should Not Issue (D.R. 7) on October 22, 2008.

VI. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Defendants, and their officers, agents, servants, employees, and attorneys, and all other persons in active concert or participation with any of them who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any entity, corporation, subsidiary, division, affiliate or other device, are hereby

permanently restrained and enjoined from:

- A. Disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), of any person which any Defendant obtained prior to entry of this Order in connection with the advertising, marketing, promotion, offering for sale, or sale of credit repair services; and
- B. Failing to dispose of such customer information in all forms in their possession, custody, or control within thirty (30) days after entry of this Order. Disposal shall be by means that protect against unauthorized access to the customer information, such as by burning, pulverizing, or shredding any papers, and by erasing or destroying any electronic media, to ensure that the customer information cannot practicably be read or reconstructed.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by a law, regulation, or court order.

VII. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of (i) monitoring and investigating compliance with any provision of this Order and (ii) investigating the accuracy of any Defendants' financial statements upon which the Commission's agreement to this Order is expressly premised:

- A. Within ten (10) days of receipt of written notice from a representative of the Commission, Defendants each shall submit additional written reports, which are true and accurate and sworn to under penalty of perjury; produce documents for inspection and copying; appear for deposition; and provide entry during normal business hours to any business location in each

Defendant's possession or direct or indirect control to inspect the business operation.

B. In addition, the Commission is authorized to use all other lawful means, including but not limited to:

1. obtaining discovery from any person, without further leave of court, using the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, 45, and 69;
2. having its representatives pose as consumers and suppliers to Defendants, their employees, or any other entity managed or controlled in whole or in part by any Defendant, without the necessity of identification or prior notice; and

C. Defendants each shall permit representatives of the Commission to interview any employer, consultant, independent contractor, representative, agent, or employee who has agreed to such an interview, relating in any way to any conduct subject to this Order. The person interviewed may have counsel present.

Provided, however, that nothing in this Order shall limit the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1, to obtain any documentary material, tangible things, testimony, or information relevant to unfair or deceptive acts or practices in or affecting commerce (within the meaning of 15 U.S.C. § 45(a)(1)).

VIII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that, in order that compliance with the provisions of this Order may be monitored:

- A. For a period of three (3) years from the date of entry of this Order,
 1. Each Individual Defendant shall notify the Commission of the following:

- a. any changes in such Defendant's residence, mailing addresses, and telephone numbers, within ten (10) days of the date of such change;
 - b. any changes in such Defendant's employment status (including self-employment), and any change in such Defendant's ownership in any business entity, within ten (10) days of the date of such change. Such notice shall include the name and address of each business that such Defendant is affiliated with, employed by, creates or forms, or performs services for; a detailed description of the nature of the business; and a detailed description of such Defendant's duties and responsibilities in connection with the business or employment; and
 - c. any changes in such Defendant's name or use of any aliases or fictitious names within ten (10) days of the date of such change.
2. Defendants shall notify the Commission of any changes in structure of any Corporate Defendant or any business entity that any Defendant directly or indirectly controls, or has an ownership interest in, that may affect compliance obligations arising under this Order, including but not limited to: incorporation or other organization; a dissolution, assignment, sale, merger, or other action; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order; or a change in the business name or address, at least thirty (30) days prior to such change, *provided* that, with respect to any such change in the business entity about which a Defendant learns less than thirty (30) days prior to the

date such action is to take place, such Defendant shall notify the Commission as soon as is practicable after obtaining such knowledge.

B. One hundred eighty (180) days after the date of entry of this Order and annually thereafter for a period of three (3) years, Defendants each shall provide a written report to the Commission, which is true and accurate and sworn to under penalty of perjury, setting forth in detail the manner and form in which they have complied and are complying with this Order. This report shall include, but not be limited to:

1. For each Individual Defendant:
 - a. such Defendant's then-current residence address, mailing addresses, and telephone numbers;
 - b. such Defendant's then-current employment status (including self-employment), including the name, addresses, and telephone numbers of each business that such Defendant is affiliated with, employed by, or performs services for; a detailed description of the nature of the business; and a detailed description of such Defendant's duties and responsibilities in connection with the business or employment; and
 - c. any other changes required to be reported under Subsection A of this Section.
2. For all Defendants:
 - a. a copy of each acknowledgment of receipt of this Order, obtained pursuant to the Section titled "Distribution of Order;" and
 - b. any other changes required to be reported under Subsection A of

this Section.

C. Each Defendant shall notify the Commission of the filing of a bankruptcy petition by such Defendant within fifteen (15) days of filing.

D. For the purposes of this Order, Defendants shall, unless otherwise directed by the Commission's authorized representatives, send by overnight courier all reports and notifications required by this Order to the Commission to the following address:

Associate Director for Enforcement
Federal Trade Commission
600 Pennsylvania Avenue, N.W., Room NJ-2122
Washington, D.C. 20580
RE: FTC v. Clean Credit Report Services, Inc., et al.
FTC Litigation Number X090007

Provided, that, in lieu of overnight courier, Defendants may send such reports or notifications by first-class mail, but only if Defendants contemporaneously send an electronic version of such report or notification to the Commission at: DEBrief@ftc.gov.

E. For purposes of the compliance reporting and monitoring required by this Order, the Commission is authorized to communicate directly with each Defendant.

IX. RECORD KEEPING PROVISIONS

IT IS FURTHER ORDERED that, for a period of eight (8) years from the date of entry of this Order, Corporate Defendant, and Individual Defendants for any business for which they, individually or collectively, are the majority owner or directly or indirectly control, are hereby restrained and enjoined from failing to create and retain the following records:

A. Accounting records that reflect the cost of goods or services sold, revenues generated, and the disbursement of such revenues;

B. Personnel records accurately reflecting: the name, address, and telephone number

of each person employed in any capacity by such business, including as an independent contractor; that person's job title or position; the date upon which the person commenced work; and the date and reason for the person's termination, if applicable;

C. Customer files containing the names, addresses, phone numbers, dollar amounts paid, quantity of items or services purchased, and description of items or services purchased, to the extent such information is obtained in the ordinary course of business;

D. Complaints and refund requests (whether received directly, or indirectly, such as through a third party,) and any responses to those complaints or requests;

E. Copies of all sales scripts, training materials, advertisements, or other marketing materials; and

F. All records and documents necessary to demonstrate full compliance with each provision of this Order, including but not limited to, copies of acknowledgments of receipt of this Order required by the Sections titled "Distribution of Order" and "Acknowledgment of Receipt of Order" and all reports submitted to the FTC pursuant to the Section titled "Compliance Reporting."

X. DISTRIBUTION OF ORDER

IT IS FURTHER ORDERED that, for a period of five (5) years from the date of entry of this Order, Defendants shall deliver copies of this Order as directed below:

A. Corporate Defendant: The Corporate Defendant must deliver a copy of this Order to (1) all of its principals, officers, directors, and managers; (2) all of its employees, agents, and representatives who engage in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting." For current personnel, delivery shall be within five (5) days of

service of this Order upon such Defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities. For any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting" delivery shall be at least ten (10) days prior to the change in structure.

B. Individual Defendant as control person: For any business that an Individual Defendant controls, directly or indirectly, or in which such Defendant has a majority ownership interest, such Defendant must deliver a copy of this Order to (1) all principals, officers, directors, and managers of that business; (2) all employees, agents, and representatives of that business who engage in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting." For current personnel, delivery shall be within five (5) days of service of this Order upon such Defendant. For new personnel, delivery shall occur prior to them assuming their responsibilities. For any business entity resulting from any change in structure set forth in Subsection A.2 of the Section titled "Compliance Reporting," delivery shall be at least ten (10) days prior to the change in structure.

C. Individual Defendant as employee or non-control person: For any business where an Individual Defendant is not a controlling person of a business but otherwise engages in conduct related to the subject matter of this Order, such Defendant must deliver a copy of this Order to all principals and managers of such business before engaging in such conduct.

D. Defendants must secure a signed and dated statement acknowledging receipt of the Order, within thirty (30) days of delivery, from all persons receiving a copy of the Order pursuant to this Section.

XI. ACKNOWLEDGMENT OF RECEIPT OF ORDER

IT IS FURTHER ORDERED that each Defendant, within five (5) business days of receipt of this Order as entered by the Court, must submit to the Commission a truthful sworn statement acknowledging receipt of this Order.

XII. DISSOLUTION OF ASSET FREEZE

IT IS FURTHER ORDERED that the freeze on the Assets of Defendants shall remain in effect until the Defendants have taken all the actions required by the Section titled "Monetary Judgment" above, *provided, however*, that Defendants, with the express written consent of counsel for the Commission, may transfer funds to the extent necessary to make all payments required by the Section titled "Monetary Judgment." Once Defendants have fully complied with the requirements of the Section titled "Monetary Judgment," the freeze against the Assets of Defendants shall be lifted permanently. A financial institution shall be entitled to rely upon a letter from the counsel for the Commission stating that the freeze on the Assets of Defendants has been lifted.

XIII. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

IT IS SO ORDERED.

DATED this 23rd day of July, 2010.


CHRIS M. MCALILEY
UNITED STATES MAGISTRATE JUDGE

SO STIPULATED AND AGREED:

**FOR PLAINTIFF
FEDERAL TRADE COMMISSION:**

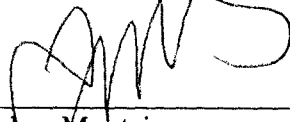
Robin L. Rock

Robin L. Rock
Special Florida Bar No. A5500620

Date: 6-21-10

Federal Trade Commission
Southeast Regional Office
225 Peachtree St., NE, Suite 1500
Atlanta, GA 30303
Tel: 404-656-1368
Fax: 404-656-1379
Email: rrock@ftc.gov

FOR DEFENDANTS
CLEAN CREDIT REPORT SERVICES, INC.
RICARDO A. MIRANDA
DANIEL R. MIRANDA
RUTHY VILLABONA:



Andres Montejo
Florida Bar No. 659428
Law Offices of the General Counsel, PA..
6187 NW 167 St., Suite H-36
Miami, FL 33015
Tel.: 305-817-3677
Fax: 305-675-0666
Email: andresmontejo@andresmontejolaw.com

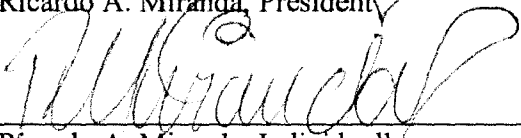
Date: 6-16-10

DEFENDANTS:



Clean Credit Report Services, Inc.
Ricardo A. Miranda, President

Date: 6/17/10



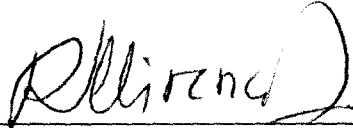
Ricardo A. Miranda, Individually
and as President of Clean Credit Report Services, Inc.

Date: 6/17/10



Daniel R. Miranda, Individually
and as Vice President of Clean Credit Report Services, Inc.

Date: 6/17/10



Ruthy Villabona Miranda, Individually
and as President of Clean Credit Report Services, Inc.

Date: 6/17/10

ATTACHMENT A

“Real Property” or “Properties” includes:

1. The commercial property known as 2339 Wilton Dr., Wilton Manors, FL 33305, identified as Parcel 1. Defendants acknowledge that Parcel 1 is currently the subject of foreclosure proceedings styled *Norman A. Levin as the Trustee of the Norman A. Levin Trust Agreement 8/3/1990 v. Ricardo Antonio Miranda, et al.*, Case No. 09-16356 (18) (Fla. Broward County Ct. March 23, 2009).
2. The commercial property known as 2400 84th St., Units 6 &7, Hialeah, FL 33016, identified as Parcel 2. Defendants acknowledge that Parcel 2 is currently the subject of foreclosure proceedings styled *Norman A. Levin as the Trustee of the Norman A. Levin Trust Agreement 8/3/1990 v. Ricardo Antonio Miranda et al.*, Case No. 09-16356 (18) (Fla. Broward County Ct. March 23, 2009).
3. The commercial property known as 1005 NE 125th, North Miami, FL 33161, identified as Parcel 3. Defendants acknowledge that Parcel 3 is currently the subject of foreclosure proceedings styled *Capital One Bank, as Successor by Merger to Greenpoint Mortgage Funding, Inc. v. Damiran, LLC, et al.*, Case No. 2009-050714-CA-01 (Fla. Miami-Dade County Ct. July 2, 2009) and foreclosure proceedings styled *Norman A. Levin as the Trustee of the Norman A. Levin Trust Agreement 8/3/1990 v. Ricardo Antonio Miranda et al.*, Case No. 09-16356 (18) (Fla. Broward County Ct. March 23, 2009).
4. The commercial property known as 1001 NE 125th, N. Miami, FL 33161, identified as Parcel 4. Defendants acknowledge that Parcel 4 is currently the subject of foreclosure proceedings styled *Norman A. Levin as the Trustee of the Norman A. Levin Trust Agreement 8/3/1990 v. Ricardo Antonio Miranda et al.*, Case No. 09-16356 (18) (Fla. Broward County Ct. March 23, 2009).
5. The residential property known as 14841 SW 20th St., Davie, FL 33326, identified as Parcel 5. Defendants acknowledge that Parcel 5 is currently the subject of foreclosure proceedings styled *U.S. Bank National Association, as Trustee of JP Morgan Alternative Loan Trust 2006-S4 v. Ricardo Miranda, et al.*, Case No. 09030019 (Fla. Broward County Ct. May 29, 2009).
6. The residential property known as 4871 NW 72 Ave., Lauderhill, FL 33319, identified as Parcel 6. Defendants acknowledge that Parcel 6 is currently the subject of foreclosure proceedings styled *Countrywide Home Loans Servicing, L.P. v. Ricardo A. Miranda, et al.*, Case No. 09018143 (Fla. Broward County Ct. March 30, 2009).
7. The residential property known as 14801 SW 33rd St., Davie, FL 33331, identified as Parcel 7. Defendants acknowledge Parcel 7 is currently the subject of foreclosure proceedings styled *LaSalle Bank, National Association, as Trustee for*

Morgan Stanley Bank Mortgage Loan Trust 2007-13 v. Daniel Miranda, et al.,
Case No. 0921053 (Fla. Broward County Ct. May 14, 2009).

8. The commercial property known as 7503 NW 44 Ct., Coral Springs, FL 33065, identified as Parcel 8. Defendants acknowledge that Parcel 8 is currently the subject of foreclosure proceedings styled *Chase Home Finance, LLC v. Daniel Miranda*, Case No. 09013605 (Fla. Broward County Ct. March 9, 2009).
9. The commercial property known as 15A 60-20/22, Bogota, Republic of Colombia, identified as Parcel 9.