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ANDRÉ BIROTTE JR.
   United States Attorney
   SANDRA B. BROWN
   Assistant United States Attorney
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 3
   Chief, Tax Division
   THOMAS D. COKER [SBN 136820]
   Assistant United States Attorney
 4
         Room 7211 Federal Building
 5
         300 North Los Angeles Street
         Los Angeles, California 90012
Telephone: (213) 894-2454
 6
         Facsimile: (213) 894-0115
 7
   Attorneys for United States of America
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                       UNITED STATES DISTRICT COURT
 9
                  FOR THE CENTRAL DISTRICT OF CALIFORNIA
10
                              WESTERN DIVISION
11
     UNITED STATES OF AMERICA,
                                     ) No. CV 11-01458-R
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                    Plaintiff,
                                       FINAL JUDGMENT OF LIMITED
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                                       INJUNCTION AGAINST MARTHA A.
                v.
                                     ) VELARDE, dba MAV SERVICE
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     MARTHA A. VELARDE, dba MAV
     SERVICE,
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                     Defendant.
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         Pursuant to the Stipulation for entry of Final Judgment of
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   Limited Injunction filed concurrently herewith,
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IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1340 and 1345 and 26 U.S.C. §§ 7402(a) and 7407(a).
- 2. Defendant Martha A. Velarde, dba MAV Service, without admitting any of the allegations of the complaint except as to jurisdiction, has voluntarily consented to the entry of this Final Judgment of Limited Injunction and agrees to be bound by its terms.
- 3. Pursuant to 26 U.S.C. §§ 7402 and 7407, Defendant individually and through any other name or entity, her representatives, agents, servants, employees, attorneys, and anyone in active or participation with her, is enjoined from directly or indirectly,
 - A. Engaging in any activity subject to penalty under 26 U.S.C. §§ 6701, i.e., aiding, assisting in, procuring, or advising with respect to the preparation of any portion of a return, affidavit, claim or other document, when Velarde knows or has reason to believe that portion will be used in connection with a material matter arising under the federal tax law, and Velarde knows that the relevant portion will result in the material understatement of the liability for the tax of another person;
 - B. Engaging in activity subject to penalty under 26 U.S.C. § 6694, i.e., preparing federal income tax

returns that improperly understate customers' tax liabilities;

- C. Engaging in activity subject to penalty under 26
 U.S.C. § 6695, including § 6695(g), which enalizes
 claiming an Earned Income Tax Credit without
 complying with the due diligence requirements
 imposed by Treasury regulations;
- D. Engaging in other conduct that substantially interferes with the proper administration and enforcement of the internal revenue laws.
- 4. Within ninety (90) days of entry of this judgment of limited injunction, defendant shall take and complete a free, online course on the due diligence requirements. The link to such course is http://www.eitc.irs.gov/rptoolkit/ddmodule/.
- 5. The United States shall be entitled to conduct limited discovery to ensure Defendant's compliance with the terms of this limited injunction.

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| 1 | 6. This Court shall retain jurisdiction over this matter |
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| 2 | and Defendant for the purpose of enforcing this injunction. |
| 3 | and |
| 4 | DATED: September 13, 2011 MANUEL L. REAL |
| 5 | United States District Judge |
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| 13 | Presented By: |
| 14 | ANDRÉ BIROTTE JR. United States Attorney SANDRA R. BROWN Assistant United States Attorney |
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| 16 | Chief, Tax Division |
| 17 | THOMAS D. COKER |
| 18 | Assistant United States Attorney |
| 19 | |
| 20 | AGREED UPON AS TO FORM AND CONTENT: |
| 21 | |
| 22 | STEVEN TOSCHER, Esq. Attorney for Defendant |
| 23 | Martha A. Velarde, dba MAV Service |
| 24 | <u>United States v. Velarde</u> , CV 11-01458-R; FINAL JUDGMENT OF LIMITED INJUNCTION |
| 25 | AGAINST MARTHA A. VELARDE, dba MAV SERVICE |
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| 27 | |
| 28 | 4 |