

1 GUSTAV W. EYLER
 2 Director, Consumer Protection Branch
 3 MAX J. GOLDMAN
 4 Trial Attorney
 5 U.S. Department of Justice
 6 Consumer Protection Branch
 7 450 Fifth Street, NW, Suite 6400S
 8 Washington, D.C. 20001
 9 Telephone: (202) 353-7664
 10 Email: Max.J.Goldman@usdoj.gov

11 NICOLA T. HANNA
 12 United States Attorney
 13 DAVID M. HARRIS, AUSA
 14 Chief, Civil Division
 15 DAVID K. BARRETT, AUSA
 16 Chief, Civil Fraud Section

17 LISA A. PALOMBO, AUSA (SBN 169119)
 18 Room 7516, Federal Building
 19 300 North Los Angeles Street
 20 Los Angeles, California 90012
 21 Telephone: (213) 894-4042
 22 Facsimile: (213) 894-7819
 23 E-mail: Lisa.Palombo@usdoj.gov

JS-6

Attorneys for Plaintiff United States of America

18 UNITED STATES DISTRICT COURT
 19 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 20 WESTERN DIVISION

21 UNITED STATES OF AMERICA,
 22 Plaintiff,
 23 v.
 24 John Armbruster, individually,
 25 Defendant.

No. 2:20-CV-10835-JFW-Ex
 STIPULATED ORDER FOR
 PERMANENT INJUNCTION AND
 FINAL JUDGMENT

27
28

1 Plaintiff United States (the “United States”) commenced this action against
2 Defendant, John Armbruster (“Defendant”) by filing a civil Complaint seeking an
3 injunction pursuant to 18 U.S.C. § 1345. Plaintiff’s Complaint alleged Defendant was
4 violating or was about to violate 18 U.S.C. § 1343 by executing a scheme or artifice to
5 defraud, or for obtaining money or property by means of false or fraudulent
6 representations with the intent to defraud using interstate wire communications.

7 The United States and Defendant stipulated to the entry of a Stipulated Order for
8 Permanent Injunction (“Order”), lodged concurrently with this Stipulation, with the
9 terms and provisions below to resolve the claims in the Complaint. Defendant, *pro se*,
10 entered into this Stipulation freely and without coercion. Defendant further
11 acknowledges that he has read the provisions of this Stipulation, understands them, and
12 is prepared to abide by them. Defendant waives service of the Complaint and Summons.

13 Accordingly, it is hereby ORDERED, ADJUDGED, AND DECREED that:

14 **I. FINDINGS**

15 1. This Court has jurisdiction over this matter and the parties pursuant to 18
16 U.S.C. §1345 and 28 U.S.C. §§1331 and 1345. Venue is proper in this District under 28
17 U.S.C. § 1391(b)(1) and (2) because defendant resides in this district and because a
18 substantial part of the events or omissions giving rise to the claims alleged in the
19 Complaint occurred in this district.

20 2. The United States seeks injunctive relief pursuant to 18 U.S.C. § 1345.

21 3. Defendant neither admits nor denies the allegations in the Complaint. Only
22 for purposes of this action, Defendant admits that the Court has jurisdiction as to
23 Defendant and as to this action.

24 **II. DEFINITIONS**

25 For purposes of this Consent Decree:

26 a. “Defendant” means John Armbruster.

27 b. “Person” mean and individual, corporation, a partnership, or any
28

1 other entity.

2 c. "Funds" include any currency, check, money order, stored value card,
3 stored value card numbers, bank wire transmission or other monetary
4 value.

5 d. "Prize promotion fraud" means a plan, program, promotion, or
6 campaign that is conducted to mislead a prospective victim of victims
7 to believe that they have won, or may or will win or receive, a
8 sweepstakes, contest, lottery, prize, inheritance, money, property,
9 other thing of value, contingent on the victim providing, or providing
10 a means of accessing or obtaining, any fee.

11 e. "Money transmitting business" refers to a person who, for a fee or
12 other remuneration, receives funds from one person for the purpose
13 of transmitting the funds, or providing access to the funds, to another
14 person.

15 f. "Fee" refers to a payment or compensation of any kind regardless of
16 how the payment or compensation is labeled, including but not
17 limited to processing fees, services fees, expediting fees, purchase
18 fee, nominal fees, symbolic payments, gifts, and gratuities.

19 **III. PROHIBITED CONDUCT**

20 **IT IS ORDERED** that Defendant is **PERMANENTLY PROHIBITED,**
21 **RESTRAINED,** and **ENJOINED** from, directly or indirectly, engaging, participating or
22 assisting in any prize promotion fraud and money transmitting business.

23 **IV. ORDER ACKNOWLEDGMENTS**

24 It is further ordered that within fifteen (15) days after entry of this Order, the
25 Defendant is ordered to submit to Postal Inspector Jeffrey Hedrick a written
26 acknowledgement of receipt of this Order sworn under penalty of perjury. The statement
27 shall be addressed to:

1 U.S. Postal Inspector Jeffrey Hedrick
2 U.S. Postal Inspection Service
3 P.O. Box 22793
4 Long Beach, CA 90801

5 **V. MODIFICATION OF THE ORDER**

6 This Order shall not be modified except in writing by Plaintiff and the Defendant
7 and approved by the Court.

8 **VI. RETENTION OF JURISDICTION**

9 **IT IS FURTHER ORDERED** that this Court retains exclusive jurisdiction of this
10 matter for purposes of construction, modification, and enforcement of this Order.

11
12 **SO STIPULATED AND AGREED**

13 **FOR PLAINTIFF UNITED STATES OF AMERICA**

14 **GUSTAV W. EYLER**
15 Director, Consumer Protection Branch

16 /s/ Max J. Goldman

Date: November 20, 2020

17 MAX J. GOLDMAN
18 Trial Attorney
19 Consumer Protection Branch
20 450 Fifth Street, NW, Suite 6400S
21 Washington, D.C. 20001
22 Telephone: (202) 598-5119
23 Email: Max.J.Goldman@usdoj.gov

24 **FOR DEFENDANT JOHN ARMBRUSTER**

25 _____ Date: _____

26 So Ordered

27 Dated: December 18, 2020

28 
UNITED STATES DISTRICT JUDGE