

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**SBS FRANCHISING, INC.,**  
**d/b/a STRATUS BUILDING SOLUTIONS**  
a Delaware corporation,

Plaintiff,

v.

**MODERN INDUSTRIAL SERVICES, INC.,**  
a Florida corporation,  
**PRO CLEAN USA, INC.**  
a Florida corporation,  
**BRYAN REXROAT,**  
an individual, AND  
**JEFFREY REXROAT,**  
an individual,

Defendants.

CASE NO: 8:16-cv-375-T-30TGW

**CONSENT FINAL ORDER**

THIS CAUSE is before the Court on Plaintiff's Motion for Preliminary Injunction (Dkt. 7), which Defendants joined when the parties filed a Proposed Final Consent Order (Dkt. 13). Plaintiff SBS Franchising, Inc. ("SBS") filed this action against Defendants Modern Industrial Services, Inc. ("Modern"), Pro Clean USA, Inc. ("Pro Clean"), Bryan Rexroat and Jeffrey Rexroat (all Defendants are collectively "Defendants"), seeking injunctive relief and contract damages.


The parties have agreed to resolve this case by means of this Consent Order. It is therefore ORDERED and ADJUDGED that:

1. Defendants, obligated jointly and severally, shall pay to SBS the sum of Sixty-Five Thousand Dollars (\$65,000), as follows:

- a. Within thirty (30) days of the date this Court executes this Consent Order, they shall pay Forty-Five Thousand Dollars (\$45,000) by either (a) bank check payable to SBS Franchising, Inc., to be received by SBS at 10530 Victory Boulevard, North Hollywood, CA91606; Attn: Mr. Afshin Cangarlu, or (b) by wire transfer to:
- Beneficiary's Account Number: 036-589341
  - Beneficiary's Name: SBS Franchising Inc. DBA Stratus Building Solutions
  - Beneficiary's Address: 10530 Victory Blvd. N. Hollywood CA 91606
  - Routing Number: 122242843
  - Bank Name: Bank of the West
  - Bank Address: 19858 Ventura Blvd Woodland Hills CA 91364; and
- b. They shall pay SBS Twenty-Thousand Dollars (\$20,000) by means of SBS obtaining said sum in ten (10) equal monthly installments of Two Thousand Dollars (\$2,000) each by the automatic clearing house payment process (ACH) commencing May 25, 2016, drawn by SBS at its election either from the checking account of Defendant Modern, or from the checking account of the Defendant Pro Clean. The form to be executed by Modern and Pro Clean is that filed as Exhibit 1 to docket entry 13 in this action.
- c. Within seven (7) days of the date the Court executes this Consent Order, Defendants shall provide to SBS at the above address, Attn: Mr. Afshin Cangarlu, the executed forms referred to in paragraph b. above, authorizing and enabling SBS to make the above ACH withdrawals starting May 25, 2016.

2. The parties agree to make no statements, oral or written, about the other parties or their personnel, except to state “Some of the Defendants were involved in a franchise relationship with SBS Franchising, Inc., which ended.”
3. In consideration of the undertakings herein, Defendants are released from the non-competition and records-return obligations alleged in this case and this case, including all claims and counterclaims that could have been brought, shall be dismissed with prejudice.
4. The Court will retain jurisdiction for a period of one (1) year to enforce this Consent Order.
5. The Clerk of the Court is directed to close this file and terminate all pending motions as moot.

**DONE** and **ORDERED** in Tampa, Florida, this 22nd day of March, 2016.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

Copies furnished to:  
Counsel/Parties of Record