

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

FEDERAL TRADE COMMISSION

CIVIL ACTION

VERSUS

No. 89-1740

**NATIONAL BUSINESS
CONSULTANTS ET AL.**

SECTION I

ORDER

Before the Court is a motion¹ by defendant-debtor, Robert Namer, for reconsideration of this Court's final disposition order of garnishment.² The basis for Namer's request is a concurrently filed motion³ to stay by Namer, which in turn is premised on the Court's directive⁴ that the government submit a supplemental affidavit. Namer has filed a motion⁵ for expedited consideration of both the motion to reconsider and the motion to stay.

The Court finds both the motion for reconsideration and the motion to stay entirely unconvincing. In its directive, the Court expressly stated that, while "the record would benefit from . . . an affidavit relative to Namer's total debt, . . . the Court finds unpersuasive Namer's arguments that [the balance set forth by the government] is incorrect."⁶ Accordingly, to the extent that the motions are premised on the allegation that the affidavit is required to justify the Court's ruling, the motions must be denied. Moreover, to the extent that Namer seeks relief pursuant to 28 U.S.C. § 3205(9), that statute provides for an annual accounting on existing writs of garnishment. *See id.* ("While a writ of garnishment is in effect under this section, the United States shall give an annual

¹R. Doc. No. 1589.

²R. Doc. No. 1585.

³R. Doc. No. 1590.

⁴R. Doc. No. 1584.

⁵R. Doc. No. 1593.

⁶R. Doc. No. 1584, at 1-2 & 2 n.7.

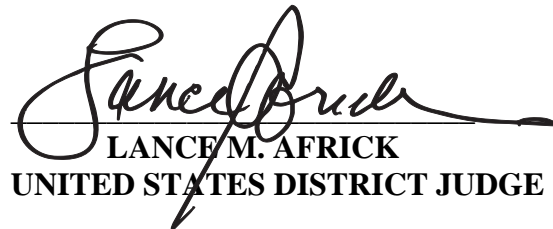
accounting on the garnishment to the judgment debtor and the garnishee.”). Namer’s request for an accounting as to existing writs of garnishment is distinct from Namer’s opposition to the issuance of new writs of garnishment. Finally, the amount⁷ at issue relative to the final disposition order of garnishment would be owed even under Namer’s approximations⁸ of his outstanding debt.

Accordingly,

IT IS ORDERED that the motion to expedite is **GRANTED**.

IT IS FURTHER ORDERED that the motion for reconsideration and the motion to stay are **DENIED**.

New Orleans, Louisiana, January 27, 2014.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE

⁷R. Doc. No. 1529.

⁸R. Doc. No. 1509-1, at 2 & n.1.