

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

AMG SERVICES, Inc.; *et.al.*,

Defendants.

Case No. 2:12-cv-536-GMN-VCF

ORDER

MOTION TO COMPEL COMPLIANCE (ECF No. 1020)

Before the court is the FTC's motion to compel compliance (ECF No. 1020). The FTC requests that this court enter an order that compels non-party Freedom Bank to comply with the court's asset freeze order (ECF No. 960). As Freedom Bank did not oppose the FTC's motion, this court will enter an order to compel compliance.

Pursuant to the asset freeze order, Freedom Bank froze three banks accounts that belong to Westfund, LLC, an entity associated with Scott Tucker. (ECF No. 1020) The FTC has since learned that 5G Capital, another Tucker entity, maintains accounts with Freedom Bank. (*Id.*) The FTC and Freedom Bank conferred but were unable to come to an agreement regarding 5G Capital's accounts. The bank informed the FTC that, absent a clarifying court order, it would not freeze 5G Capital's assets nor would it produce any documents associated with the entity's accounts. (*Id.*)

On June 22, 2016, the FTC served Freedom Bank's counsel with a copy of this motion. (*Id.* at 7) The Defendants and Intervenor Americans for Financial Reform also received copies of the FTC's motion. (*Id.*) Under Local Rule 7-2(b), Freedom Bank as well as other parties had until July 5, 2016 to respond. As of July 22, 2016, the court has not received any opposition to the FTC's motion. Although Freedom Bank is not a party to this action, it was served with a copy of this motion and was aware of the

1 court's asset freeze order (ECF No. 960). This court therefore considers Freedom Bank's and the
2 Defendant's failures to respond to the FTC's motion as consent to the granting of that motion. LR 7-
3 2(d).

4 ACCORDINGLY, and for good cause shown,

5 IT IS HEREBY ORDERED that the FTC's motion to compel compliance (ECF No. 1020) is
6 GRANTED.

7 IT IS FURTHER ORDERED that on or before August 5, 2016, the FTC must serve a copy of this
8 order on Freedom Bank.

9 IT IS FURTHERED ORDERED that Freedom Bank must immediately freeze 5G Capital's assets
10 and within two weeks of being served with a copy of this order, it must produce related documents
11 pursuant to the court's asset freeze order (ECF No. 960).

12 IT IS SO ORDERED.

13 DATED this 22nd day of July, 2016.

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18 CAM FERENBACH
19 UNITED STATES MAGISTRATE JUDGE
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