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9 Attorneys for Temporary Receiver
ROBB EVANS & ASSOCIATES LLC

11 UNITED STATES DISTRICT COURT
 12 DISTRICT OF NEVADA

14 FEDERAL TRADE COMMISSION,
 15 Plaintiff,

Case No. 2:18-cv-00442-JCM-PAL

16 v.

**STIPULATION TO VACATE REAL
 PROPERTY AND REJECT REAL
 PROPERTY LEASES, AND TO
 AUTHORIZE TEMPORARY RECEIVER
 TO SELL OR ABANDON PERSONAL
 PROPERTY OF THE RECEIVERSHIP
 ENTITIES**

17 AWS, LLC, a Nevada limited liability
 company; ADAMS CONSULTING, LLC, a
 18 California limited liability company; FBA
 DISTRIBUTORS, LLC, a Massachusetts
 19 limited liability company; FBA STORES,
 LLC, a Nevada limited liability company;
 20 GLOBAL MARKETING SERVICES
 L.L.C., a Nevada limited liability company;
 21 INFO PROS, LLC, a Nevada limited liability
 company; ONLINE AUCTION LEARNING
 22 CENTER, INC., a Massachusetts
 corporation; ONLINE AUCTION
 23 LEARNING CENTER, INC., a Nevada
 corporation; CHRISTOPHER F. BOWSER,
 24 individually and as an officer of FBA
 DISTRIBUTORS, LLC, FBA STORES,
 25 LLC, INFO SOLUTIONS, LLC, ONLINE
 AUCTION LEARNING CENTER, INC. and
 26 ONLINE AUCTION LEARNING CENTER,
 INC.; ADAM S. BOWSER, individually and
 27 as an officer of AWS, LLC, FBA
 DISTRIBUTORS, LLC, FBA STORES,
 28 LLC, INFO SOLUTIONS, LLC, ONLINE

1 AUCTION LEARNING CENTER, INC. and
2 ONLINE AUCTION LEARNING CENTER,
3 INC.; JODY L. MARSHALL, individually
4 and as an officer of INFO PROS, LLC and
5 INFO SOLUTIONS, LLC; and JEFFERY A.
6 GOMEZ, a/k/a JEFF ADAMS or JEFF
7 ADAM, individually and as an officer of
8 ADAMS CONSULTING, LLC and
9 GLOBAL MARKETING SERVICES
10 L.L.C.,

11 Defendants.

12 Receivership Entities AWC, LLC, a Nevada limited liability company, FBA Distributors,
13 LLC, a Massachusetts limited liability company, FBA Stores, LLC, a Nevada limited liability
14 company, Info Pros, LLC, A Nevada limited liability company, Online Auction Learning Center,
15 Inc., a Massachusetts corporation, Online Auction Learning Center, Inc., a Nevada corporation,
16 Info Solutions, LLC, a Nevada limited liability company (collectively, the “Receivership
17 Entities”), individual defendants Christopher F. Bowser, Adam S. Bowser and Jody Marshall
18 (collectively, the “Individual Defendants,” and together with the Receivership Entities, the
19 “Stipulating Defendants”), by and through their attorneys of record, Randazza Legal Group,
20 PLLC, by Ronald D. Green, Jr., and Temporary Receiver, Robb Evans & Associates LLC
21 (“Temporary Receiver”), by and through its attorneys of record, Barnes & Thornburg LLP, by
22 Gary Owen Caris, enter into this Stipulation to Vacate Real Property and Reject Real Property
23 Leases, and to Authorize Temporary Receiver to Sell or Abandon Personal Property of the
24 Receivership Entities (“Stipulation”) in reference to and in consideration of the following:

25 **RECITALS**

26 A. Robb Evans & Associates LLC became Temporary Receiver over all of
27 the Receivership Entities pursuant to the Temporary Restraining Order (“TRO”) entered March
28 14, 2018 (Doc.29). Pursuant to the TRO, the Temporary Receiver took possession and control of
the Receivership Entities on March 16, 2018.

B. At the inception of the receivership, the Receivership Entities had various interests in

1 real property as tenants or lessees, as follows:

2 1. Online Auction Learning Center entered into a commercial lease of the real
3 property commonly known as 293 Libbey Industrial Parkway, Weymouth, Massachusetts
4 (“Weymouth Property”). The lease is for a term of three years, commencing November
5 15, 2015. The current monthly rent is \$11,893.00.

6 2. FBA Stores, LLC, entered into a commercial lease of the real property
7 commonly known as 3165 N. Moapa Valley Blvd., Logandale, Nevada (“Logandale
8 Property”) on June 1, 2017. The lease agreement is a month-to-month tenancy. The
9 current monthly rent is \$1,850.00.

10 3. FBA Stores, LLC entered into a lease agreement of the real property
11 commonly known as 350 South 400 West, Lindon, Utah (“Lindon Property”). The lease
12 agreement is a month-to-month tenancy, commencing December 16, 2017. The current
13 monthly rent is \$8,594.63.

14 4. Info Pros, LLC entered into a commercial lease agreement of the real property
15 commonly known as 197 E. California Ave. #260, Las Vegas, Nevada (“Las Vegas
16 Property”). The lease is for a term of five years, commencing January 1, 2018. The base
17 monthly rent is \$2,501.03.

18 5. FBA Stores, LLC entered into an office building lease of the real property
19 commonly known as 440 N. Mountain Ave., Suite 212, Upland, California (“Upland
20 Property”). The lease is for a term of 38 months, commencing June 1, 2017. The base
21 monthly rent is \$3,960.60. (The Weymouth Property, Logandale Property, Lindon
22 Property, Las Vegas Property and Upland Property are collectively referred to as the
23 “Leased Premises.” The agreements referred to in subparagraphs B.1 through B.5 are
24 collectively referred to as the “Lease Agreements.”)

25 C. The assets of the Receivership Entities include various items of personal property
26 located at the Leased Premises, although little or no personal property of the Receivership
27 Entities is located at the Las Vegas Property and the Upland Property. The personal property is
28 of limited value and primarily consists of office furniture, office equipment and warehouse

1 equipment (“Receivership Entities Personal Property”).

2 D. The Stipulating Defendants have entered into a settlement with the plaintiff, Federal
3 Trade Commission (“FTC”), subject to approval of the FTC. Pursuant to the settlement, the
4 Stipulating Defendants do not intend to operate businesses or otherwise have need for any of the
5 Leased Premises. In order to reduce the ongoing administrative expenses of the receivership
6 estate, the Stipulating Defendants and the Temporary Receiver agree that it is beneficial for the
7 Temporary Receiver to vacate the Leased Premises as soon as practical and to reject the Lease
8 Agreements, as may be necessary or appropriate. Furthermore, in light of the tentative
9 settlement with the FTC, the diminishing value of the Receivership Entities Personal Property
10 over time, and in connection with vacating the Leased Premises, the Stipulating Defendants and
11 the Temporary Receiver agree that it is beneficial for the Temporary Receiver to take steps to
12 liquidate or abandon the Receivership Entities Personal Property as soon as practicable.

13 NOW THEREFORE, in consideration of the foregoing, the Stipulating Defendants and
14 the Temporary Receiver, by and through their counsel, do stipulate and agree as follows:

15 **AGREEMENT**

16 1. The Temporary Receiver shall liquidate the Receivership Entities Personal Property as
17 soon as reasonably practical following entry of an order approving this Stipulation, and without
18 further Court order or hearing, in such a manner as the Temporary Receiver determines to be
19 most cost-effective so as to maximize the recovery to the estate, in the Temporary Receiver’s
20 discretion and business judgment, in one or more public auctions and/or private sales, or any
21 combination thereof, as the Temporary Receiver may determine will maximize value, minimize
22 expense and expedite the sale of the Receivership Entities Personal Property, and all such sales
23 shall be deemed to be authorized under 28 U.S.C. § 2004.

24 2. Any of the Receivership Entities Personal Property that the Temporary Receiver
25 determines in its discretion and business judgment cannot be liquidated for the benefit of the
26 receivership estate may be abandoned by the Temporary Receiver without further notice, hearing
27 or additional court order.

28 3. The Temporary Receiver shall vacate the Leased Premises as soon as practical

1 following entry of an order approving this Stipulation, and to reject the Lease Agreements in such
2 manner as the Temporary Receiver deems necessary or appropriate following entry of an order
3 approving this Stipulation.

4 4. The parties hereto approve the form and content of the proposed order attached hereto
5 as Exhibit 1.

6 Dated: May 2, 2018

RONALD D. GREEN, JR.
RANDAZZA LEGAL GROUP, PLLC

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8 By: Ronald D. Green Jr.
RONALD D. GREEN, JR.

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Attorneys for Defendants AWC, LLC, a Nevada limited liability company, FBA Distributors, LLC, a Massachusetts limited liability company, FBA Stores, LLC, a Nevada limited liability company, Info Pros, LLC, A Nevada limited liability company, Online Auction Learning Center, Inc., a Massachusetts corporation, Online Auction Learning Center, Inc., a Nevada corporation, Info Solutions, LLC, a Nevada limited liability, Christopher F. Bowser, Adam S. Bowser and Jody Marshall

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Dated: May 2, 2018

MICHAEL F. LYNCH
LYNCH LAW PRACTICE, PLLC

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GARY OWEN CARIS
BARNES & THORNBURG LLP

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19

20 By: Gary Owen Caris
GARY OWEN CARIS

20

21

Attorneys for Temporary Receiver
ROBB EVANS & ASSOCIATES LLC

22

NO OBJECTION:

23

ROBERTO ANGUIZOLA, ESQ.
MIRY KIM, ESQ.
GREGORY J. EVANS, ESQ.
FEDERAL TRADE COMMISSION

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26

By: Roberto Anguizola
ROBERTO ANGUIZOLA

27

Attorneys for
FEDERAL TRADE COMMISSION

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EXHIBIT 1

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9 Attorneys for Temporary Receiver
10 **ROBB EVANS & ASSOCIATES LLC**

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

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14 FEDERAL TRADE COMMISSION,
15 Plaintiff,

16 v.

17 AWS, LLC, a Nevada limited liability
company; ADAMS CONSULTING, LLC, a
18 California limited liability company; FBA
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19 limited liability company; FBA STORES,
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L.L.C., a Nevada limited liability company;
21 INFO PROS, LLC, a Nevada limited liability
company; ONLINE AUCTION LEARNING
22 CENTER, INC., a Massachusetts
corporation; ONLINE AUCTION
23 LEARNING CENTER, INC., a Nevada
corporation; CHRISTOPHER F. BOWSER,
24 individually and as an officer of FBA
DISTRIBUTORS, LLC, FBA STORES,
25 LLC, INFO SOLUTIONS, LLC, ONLINE
AUCTION LEARNING CENTER, INC. and
26 ONLINE AUCTION LEARNING CENTER,
INC.; ADAM S. BOWSER, individually and
27 as an officer of AWS, LLC, FBA
DISTRIBUTORS, LLC, FBA STORES,
28 LLC, INFO SOLUTIONS, LLC, ONLINE

Case No. 2:18-cv-00442-JCM-PAL

**ORDER APPROVING
STIPULATION TO VACATE REAL
PROPERTY AND REJECT REAL
PROPERTY LEASES, AND TO
AUTHORIZE TEMPORARY RECEIVER
TO SELL OR ABANDON PERSONAL
PROPERTY OF THE RECEIVERSHIP
ENTITIES**

1 AUCTION LEARNING CENTER, INC. and
2 ONLINE AUCTION LEARNING CENTER,
3 INC.; JODY L. MARSHALL, individually
4 and as an officer of INFO PROS, LLC and
5 INFO SOLUTIONS, LLC; and JEFFERY A.
6 GOMEZ, a/k/a JEFF ADAMS or JEFF
7 ADAM, individually and as an officer of
8 ADAMS CONSULTING, LLC and
9 GLOBAL MARKETING SERVICES
10 L.L.C.,

11 Defendants.

12 The Court, having read and reviewed the Stipulation to Vacate Real Property and Reject
13 Real Property Leases, and to Authorize Temporary Receiver to Sell or Abandon Personal
14 Property of the Receivership Entities (“Stipulation”) entered into by AWC, LLC, a Nevada
15 limited liability company, FBA Distributors, LLC, a Massachusetts limited liability company,
16 FBA Stores, LLC, a Nevada limited liability company, Info Pros, LLC, A Nevada limited liability
17 company, Online Auction Learning Center, Inc., a Massachusetts corporation, Online Auction
18 Learning Center, Inc., a Nevada corporation, Info Solutions, LLC, a Nevada limited liability
19 company (collectively the “Receivership Entities”), Christopher F. Bowser, Adam S. Bowser and
20 Jody Marshall , by and through their attorneys of record, Randazza Legal Group, PLLC, by
21 Ronald D. Green, Jr., and Temporary Receiver, Robb Evans & Associates LLC (“Temporary
22 Receiver”), by and through its attorneys of record, Barnes & Thornburg LLP, by Gary Owen
23 Caris, the plaintiff Federal Trade Commission having no objection to the Stipulation, and good
24 cause being shown therefore, it is

25 **ORDERED** that the Stipulation shall be and is hereby approved in its entirety; and it is
26 further

27 **ORDERED** that the Temporary Receiver shall liquidate the Receivership Entities
28 Personal Property, as defined in the Stipulation, as soon as reasonably practical following entry of
this Order approving this Stipulation, and without further Court order or hearing, in such a
manner as the Temporary Receiver determines to be most cost-effective so as to maximize the


1 recovery to the estate, in the Temporary Receiver's discretion and business judgment, in one or
2 more public auctions and/or private sales, or any combination thereof, as the Temporary Receiver
3 may determine will maximize value, minimize expense and expedite the sale of the Receivership
4 Entities Personal Property, and all such sales shall be deemed to be authorized under 28 U.S.C.
5 § 2004; and it is further

6 **ORDERED** that any of the Receivership Entities Personal Property that the Temporary
7 Receiver determines in its discretion and business judgment cannot be liquidated for the benefit
8 of the receivership estate may be abandoned by the Temporary Receiver without further notice,
9 hearing or additional court order; and it is further

10 **ORDERED** that the Temporary Receiver shall vacate the Leased Premises, as defined in
11 the Stipulation, as soon as practical following entry of this Order and to reject the Lease
12 Agreements, as defined in the Stipulation, in such manner as the Temporary Receiver deems
13 necessary or appropriate following entry of this Order.

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Dated: May 7, 2018.



JAMES C. MAHAN
United States District Judge

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