

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CaseNo. 15-~~CV~~-36

COMMERCIAL RECOVERY SYSTEMS, INC., JUDGE AMOS L. MAZZANT III

TIMOTHY L. FORD, individually and as an officer of COMMERCIAL RECOVERY SYSTEMS, INC., AND ORDER FOR PERMANENT INJUNCTION AGAINST DEFENDANTS COMMERCIAL

DAVID J. DEVANY, individually and as former officer of COMMERCIAL RECOVERY SYSTEMS, INC.

Defendants.

[REDACTED]

45(m)(1)(A), 53(b) and 56(a), and under Sections 807 and 814(a) of the FDICPA, 15 U.S.C. §§ 1692e and 1692a).

8. By Order dated April 7, 2016, the Court granted Plaintiff's Motion for Summary

engage in the same or similar activities alleged in the Complaint unless permanently enjoined from those activities.

13. Entry of this Order for Permanent Injunction as to Defendants CRS and Ford is in the public interest.

14. Defendants CRS and Ford have no claims under the Equal Access to Justice Act, 28 U.S.C. § 2412.

DEFINITIONS

For the purpose of this Order, the following definitions apply:

A. "Debt" means any obligation or alleged obligation to pay money arising out of a transaction, whether or not such obligation has been reduced to judgment.

B. "Debt collection activities" means any activity the principal purpose of which is to collect or attempt to collect, directly or indirectly, d17.6 re Tf 22o

1. "Corporate Defendant" means Commercial Recovery Systems, Inc., and its successors and assigns.
2. "Individual Defendant" means Timothy L. Ford.

ORDER

I. BAN ON DEBT COLLECTION ACTIVITIES

IT IS THEREFORE ORDERED that Defendants, whether directly or through an intermediary, are permanently restrained and enjoined from:

- A. Participating in debt collection activities and
- B. Advertising, marketing, promoting, offering for sale, selling, or buying any consumer or commercial debt or any consumer information relating to a debt.

II. PROHIBITION AGAINST DECEPTIVE CLAIMS, INCLUDING FALSE AND/OR UNSUBSTANTIATED CLAIMS

IT IS FURTHER ORDERED that Defendants, Defendants' officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the sale of any product or service, are permanently restrained and enjoined from:

- A. Making any misrepresentation, or assisting others in making any representation, expressly or by implication
 1. that any person is affiliated with, endorsed or approved by, or otherwise connected to any other person, government entity, or other public or commercial entity, including an attorney's office, law firm, or court system,
 2. the nature, expertise, position, or job title of any person who provides any product or service;

responsibilities, participation, authority, control, and any ownership.

B. For 15 years after entry of this Order, each Defendant must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:

1. Each Defendant must report any change in: (a) any designated point of contact; or (b) the structure of Corporate Defendant any entity that a Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each Individual Defendant must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such

full name, title (if applicable), and signature.

E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent

SIGNED this 18th day of April, 2016.

AMOS L. MAZZANT
UNITED STATES ' , 6 7 5 , & 7 JUI