UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 19-CV-25046-Scola

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ON POINT GLOBAL LLC, *et al.*,

Defendants.

PLAINTIFF FTC'S NOTICE OF FILING OF ADDITIONAL PROVISIONS AND PROPOSED PRELIMINARY INJUNCTION

Pursuant to the Court's order of January 13, 2020, Plaintiff FTC hereby submits its proposed additional provisions for the Preliminary Injunction in the above-captioned matter.

The Receiver has reviewed and agreed to the attached proposed additional provisions. Counsel for Defendants Arlene Mahon and Waltham Technologies, LLC, stated to the FTC that they take no position on the proposed additional provisions, as the provisions do not affect their clients.

Counsel for the Dragon Defendants[1] represented to the FTC that they do not intend to file opposing language regarding the second and third attached provision ("Asset Freeze" and "Duties and Authority of Receiver"). Counsel for the FTC and Dragon Defendants negotiated certain edits to the first of the proposed additional provisions ("Receivership Entities"), but were unable to reach full agreement on the first attached provision in the allotted time.[2]

[1] Dragon Defendants means: Robert Zangrillo, Dragon Global LLC, Dragon Global Management LLC, and On Point Capital Partners LLC.

[2] Counsel for the FTC sought to comply with the Court's noon deadline. Further, counsel for the FTC will be in transit and thus unavailable or available only by telephone from approximately 1 p.m. to 7 p.m.

Counsel for the On Point Global Defendants[3] represented that they have no position on the first and second attached proposed provisions. Counsel for the On Point Global Defendants represented that they do not object to the language of the third proposed provision ("Duties and Authority of Receiver") but that they seek additional language in the preliminary injunction noting that "this is without prejudice to Defendants' rights to seek to modify the preliminary injunction, including but not limited to the scope of the Receivership and the asset freeze." Counsel for the FTC represented to counsel for the On Point Global Defendants that the FTC does not seek to prevent future motions to modify the preliminary injunction but does not believe the language the On Point Global Defendants seek belongs in the provision regarding the Receiver's modification of websites.

[3] On Point Global Defendants means: Burton Katz, Brent Levison, Elisha Rothman, Christopher Sherman, On Point Global LLC, On Point Global Employment LLC, On Point Guides LLC, DG DMV LLC, On Point Domains LLC, Final Draft Media LLC, Cambridge Media Series LLC, Issue Based Media LLC, Bella Vista Media Ltd., Carganet S.A., Direct Market LLC, Bluebird Media LLC, Borat Media LLC, Bring Back the Magic Media LLC, Chametz Media LLC, Chelsea Media LLC, Coinstar Media LLC, Domain Development Studios LLC, Domain Dividends Media LLC, Eagle Media LLC, Falcon Media LLC, GNR Media LLC, Island Media LLC, Leatherback Media Group LLC, Macau Media LLC, CEG Media LLC, MBL Media Ltd. Inc., Orange and Blue Media LLC, Orange Grove Media LLC, Panther Media LLC, Pirate Media LLC, Pivot Media Group LLC, PJ Groove Media LLC, Sandman Media Group LLC, Shadow Media LLC, Skylar Media LLC, Slayer Billing LLC, Spartacus Media LLC, Very Busy Media LLC, Wasabi Media LLC, Yamazaki Media LLC, Bronco Family Holdings LP, BAL Family LP, Cardozo Holdings LLC, 714 Media Ltd., Mac Media.Ltd., License America Management LLC, License America Holdings LLC, and Blackbird Media LLC.

Dated: January 14, 2020

Respectfully submitted,

/s/ Sarah Waldrop
Sarah Waldrop, Special Bar No. A5502583
(202) 326-3444; swaldrop@ftc.gov
Sana Chaudhry, Special Bar No. A5502350
(202) 326-2679; schaudhry@ftc.gov
Federal Trade Commission
600 Pennsylvania Ave NW, CC 9528
Washington, DC 20580
Facsimile: (202) 326-3197

Attorneys for Plaintiff
FEDERAL TRADE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that, on January 14, 2019, a true and correct copy of the foregoing was served on all counsel of record via CM/ECF.

Counsel for Defendants Burton Katz, Brent Levison, Elisha Rothman, Christopher Sherman, On Point Global LLC, On Point Employment LLC, On Point Guides LLC, DG DMV LLC, On Point Domains LLC, Final Draft Media LLC, Cambridge Media Series LLC, Issue Based Media LLC, Bella Vista Media Ltd., Carganet S.A., Direct Market LLC, Bluebird Media LLC, Borat Media LLC, Bring Back the Magic Media LLC, Chametz Media LLC, Chelsea Media LLC, Coinstar Media LLC, Domain Development Studios LLC, Domain Dividends Media LLC, Eagle Media LLC, Falcon Media LLC, GNR Media LLC, Island Media LLC, Leatherback Media Group LLC, Macau Media LLC, CEG Media LLC, MBL Media Ltd. Inc., Orange and Blue Media LLC, Orange Grove Media LLC, Panther Media LLC, Pirate Media LLC, Pivot Media Group LLC, PJ Groove Media LLC, Sandman Media Group LLC, Shadow Media LLC, Skylar Media LLC, Slayer Billing LLC, Spartacus Media LLC, Very Busy Media LLC, Wasabi Media LLC, Yamazaki Media LLC, Bronco Family Holdings LP, BAL Family LP, Cardozo Holdings LLC, 714 Media Ltd., Mac Media Ltd., License America Management LLC, License America Holdings LLC, and Blackbird Media LLC:

Robert W. Thielhelm, Jr. (rthielhelm@bakerlaw.com)
Jonathan B. New (jnew@bakerlaw.com)
Jimmy Fokas (jfokas@bakerlaw.com)
Patrick T. Campbell (pcampbell@bakerlaw.com)
Jeffrey D. Martino (jmartino@bakerlaw.com)
Lauren P. Lyster (llyster@bakerlaw.com)
Denis Durkin (ddurkin@bakerlaw.com)
Baker Hostetler
45 Rockefeller Plaza
New York, NY 10111

Counsel for Defendants Arlene Mahon and Waltham Technologies LLC:

Justin B. Kaplan **(**jkaplan@difalcofernandez.com)
DiFalco, Fernandez & Kaplan
777 Brickell Ave, Suite 630
Miami, FL 33131

Xavier A. Franco (xfranco@mcper.com)
McArdle, Perez & Franco, PL
255 Alhambra Circle, Suite 925
Coral Gables, FL 33134

Counsel for Defendants Robert Zangrillo, Dragon Global LLC, Dragon Global Management LLC, Dragon Global Holdings LLC, and On Point Capital Partners LLC:

Matthew Schwartz (mlschwartz@bsfllp.com)
John Zach (jzach@bsfllp.com)
Sara Winik (swinik@bsfllp.com)
Marshall Dore Louis (mlouis@bsfllp.com)
Boies Schiller Flexner LLP
55 Hudson Yards, 20th Floor
New York, NY 10001

Counsel for Defendant Elisha Rothman:

s/ Solomon B. Genet (sgenet@melandrussin.com)
Joshua W. Dobin (jdobin@melandrussin.com)
Meland Russin & Budwick, P.A.
3200 Southeast Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131

Counsel for Receiver Melanie E. Damian:

Kenneth D. Murena (kmurena@dvllp.com)
Damian & Valori, LLP
1000 Brickell Avenue, Suite 1020
Miami, FL 33131

/s/ Sarah Waldrop
Sarah Waldrop