

**ROBB EVANS OF  
ROBB EVANS & ASSOCIATES LLC  
Receiver of I Works, Inc., et al. and  
the Assets of Jeremy Johnson**

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**Federal Trade Commission v. Jeremy Johnson, I Works, Inc., et al.  
CASE No. 2:10-CV-02203-MMD-GWF**

**Stipulation and Request for Entry of Order for Turnover of Funds  
from Sunfirst Bank Account; and Order Thereon**

**Filed November 13, 2013**

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**ROBB EVANS OF ROBB EVANS & ASSOCIATES**  
11 **LLC**

12 **UNITED STATES DISTRICT COURT**

13  
14 **DISTRICT OF NEVADA**

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 v.

18 JEREMY JOHNSON, etc., et al.,

19 Defendants.  
20

Case No. 2:10-CV-02203-MMD-GWF

**STIPULATION AND REQUEST FOR  
ENTRY OF ORDER FOR TURNOVER  
OF FUNDS FROM SUNFIRST BANK  
ACCOUNT; AND ORDER THEREON**

21  
22 Robb Evans of Robb Evans & Associates LLC ("Receiver"), the Receiver pursuant to the  
23 Preliminary Injunction Order issued February 10, 2011, and Teletransfer LLC ("Teletransfer"),  
24 hereby make this Stipulation and Request for Entry of Order for Turnover of Funds from SunFirst  
25 Bank Account ("Stipulation") in reference to the following.

26 A. On January 13, 2011, the Court issued its Temporary Restraining Order in this  
27 action which, among other provisions, appointed the Receiver as temporary receiver over I Works,  
28 Inc. ("I Works"), over the other named Corporate Defendants and their subsidiaries, affiliates,

1 successors and assigns, and over the assets of Jeremy Johnson (collectively, the "Receivership  
2 Defendants").

3 B. On February 10, 2011, the Court issued its Preliminary Injunction Order pursuant  
4 to which the Receiver was appointed permanent receiver over the Receivership Defendants.

5 C. On November 4, 2011, the Utah Department of Financial Institutions closed  
6 SunFirst and appointed the FDIC as its receiver. On the same date, the FDIC accepted the  
7 appointment as receiver pursuant to 12 U.S.C. § 1821(c)(3)(A). As receiver for SunFirst, and by  
8 express operation of law, the FDIC "succeed[ed] to . . . all rights, titles, powers, and privileges. . .  
9 and the assets of the institution." 12 U.S.C. § 1821(d)(2)(A)(i). As a result, the FDIC is the  
10 holder of and has custody of the account which is the subject of this Stipulation described in  
11 Recital E; below.

12 D. As of the commencement of the FTC receivership, SunFirst Bank ("SunFirst") held  
13 various bank accounts which were opened in connection with third party payment processing  
14 services in which Elite Debit, Inc. ("Elite Debit") rendered merchant processing services for third  
15 party merchants and SunFirst was the merchant bank. Elite Debit is a Receivership Defendant  
16 under the Preliminary Injunction Order.

17 E. Teletransfer was one merchant that utilized Elite Debit for its third party payment  
18 processing services. In connection therewith, Teletransfer opened up a bank account at SunFirst  
19 ending in account no. 7453 ("Teletransfer Account"). The balance in the Teletransfer Account is  
20 \$19,540.71.

21 F. As of the inception of the receivership estate, Teletransfer owed Elite Debit  
22 \$11,414.52 in connection with payment processing services rendered by Elite Debit on behalf of  
23 Teletransfer. Pursuant to the Preliminary Injunction Order, the Receiver is authorized and directed  
24 to collect all sums owed to Elite Debit in his capacity as Receiver for Elite Debit, including the  
25 sums owed by Teletransfer.

26 G. Based on the foregoing, the Receiver and Teletransfer have reached an agreement  
27 for disposition of the Teletransfer Account and satisfaction of the Receiver's claim against  
28 Teletransfer, as more particularly set forth below.

1 NOW THEREFORE, in reference to and in consideration of the foregoing, the parties  
2 hereto do stipulate and agree:

3 1. Not later than ten business days following entry of an Order by the Court approving  
4 this Stipulation, the FDIC shall turn over to the Receiver \$11,414.52 and shall turn over to  
5 Teletransfer \$8,126.19 from the funds in the Teletransfer Account. The payment to the Receiver  
6 shall satisfy in full all sums owed by Teletransfer to Elite Debit and the Receiver.

7 2. The FDIC's turnover of the funds in the Teletransfer Account as provided in this  
8 Stipulation shall be made by wire transfer to the Receiver pursuant to wire transfer instructions  
9 previously provided by the Receiver to the FDIC and by wire transfer to Teletransfer pursuant to  
10 wire transfer instructions to be provided by Teletransfer to the FDIC.

11 3. The Receiver continues to reserve all of his rights and claims to funds in any other  
12 accounts of SunFirst currently held by the FDIC that have not been resolved by this Stipulation  
13 and by any prior order of the Court heretofore entered in this action.

14 WHEREFORE, the Receiver and Teletransfer pray this Honorable Court endorse this  
15 Stipulation and enter the Order thereon set forth below.

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*November*  
Dated: ~~October 11~~, 2013

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By:   
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**ROBB EVANS OF ROBB EVANS &  
ASSOCIATES LLC**

Dated: October ~~30~~ 2013

LAW OFFICES OF MICHELLE LABAYEN PC

By:   
Michelle Labayen  
Attorneys for **TELETRANSFER LLC**

IT IS SO ORDERED.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

Dated: November 12, 2013