

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-23507-GOLD/MCALILEY

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Kirkland Young, LLC, a limited liability  
company, and

David Botton, individually and as manager of  
Kirkland Young, LLC,

Defendants.

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**RECEIVER'S MOTION TO EXTEND RECEIVERSHIP  
OVER ATTORNEY AID, LLC BY CONSENT  
AND REQUEST FOR EXPEDITED RULING**

Mark F. Raymond, in his capacity as Receiver (the "Receiver") for Defendant Kirkland Young, LLC (hereinafter "Kirkland Young"), through undersigned counsel, hereby moves for an order extending the Receivership over Attorney Aid, LLC (hereinafter "Attorney Aid"), a Florida limited liability company, with the consent of Attorney Aid and the Federal Trade Commission. In support of this Motion, the Receiver states:

1. The Receiver was appointed by the Order of this Court dated November 19, 2009 [DE 19] (the "Receivership Order"). Pursuant to Section XII, Section B of the Receivership Order, the Receiver is authorized to "take in possession, hold, and manage all assets and documents of the Receivership Defendant and other persons or entities whose interests are now held by or under the direction, possession, custody, or control of the Receivership Defendant."
2. In the course of the Receiver's review of the records belonging to Kirkland

**BROAD and CASSEL**

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Young, the Receiver has learned of an entity, Attorney Aid, which operated out of Defendant Kirkland Young's office at 2915 Biscayne Boulevard, Suite 303, Miami, Florida 33186. Individual Defendant David Botton's sister, Bridget Grant is the sole managing member of Attorney Aid. Ms. Grant holds 99% of the outstanding membership interests in Attorney Aid.<sup>1</sup>

3. Attorney Aid purportedly worked with attorneys in assisting them with their processing of loan modifications on behalf of their clients. In reality, however, Attorney Aid is an alter ego of Kirkland Young that was used by Individual Defendant David Botton to continue Kirkland Young's loan modification business under guise of having an attorney involved in the process. The Receiver has learned that none the attorneys who had a business relationship with Kirkland Young had any involvement in the loan modification process. Instead, they delegated the entire process to Attorney Aid and the employees of Kirkland Young. In fact, Attorney Aid had few employees. Nearly all of the work that was performed was carried out by Kirkland Young employees.

4. During a debriefing with the Receiver and his counsel, Individual Defendant David Botton admitted that Kirkland Young is in the process of winding down its business and transferring its operations and assets, without any consideration, to Attorney Aid. Such admission buttresses the Receiver's opinion that Attorney Aid is an alter ego of Kirkland Young. It also indicates that Attorney Aid may be holding assets belonging to Kirkland Young.

5. On December 8, 2009, Bridget Grant, in her capacity as sole managing member and majority interest holder of Attorney Aid consented to the extension of the Court's TRO over Attorney Aid and acknowledged the Receiver's authority pursuant to the TRO to act on behalf of

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<sup>1</sup> On December 8, 2009, the Federal Trade Commission amended its Complaint to add Attorney Aid as a defendant in this action.

Attorney Aid. *See* Consent to Extension of Receivership to Attorney Aid, LLC attached as Exhibit 1.

6. Counsel for the Federal Trade Commission, Chris Couillou, Esq., consents to the relief sought in this Motion.

7. Because of the exigencies in marshaling the assets of the Receivership Estate, the Receiver respectfully requests an expedited ruling on its motion.

WHEREFORE, Receiver, Mark F. Raymond, respectfully requests that this Court enter an Order extending the Receivership over Attorney Aid, LLC and authorizing the Receiver to transfer all assets of this entity to the Receivership Estate.

Respectfully submitted,

BROAD AND CASSEL

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By: /s/ David B. Roseberg  
David B. Roseberg, Esq.  
Florida Bar No.: 0582239

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 11, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel who are not authorized to receive electronically Notices of Electronic Filing.

/s/ David B. Rosenberg  
David B. Rosenberg, Esq.

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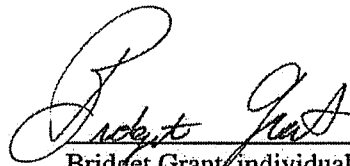
**CONSENT TO EXTENSION OF RECEIVERSHIP TO ATTORNEY AID, LLC**

I, Bridget Grant am the sole managing member of Attorney Aid, LLC. I also hold 99% of the outstanding membership interest in Attorney Aid, LLC. Pursuant to my authority as the sole managing member and majority owner of Attorney Aid, LLC, and in accordance with the Court's November 19, 2009 Order to Show Cause and *Ex Parte* Temporary Restraining Order with Asset Freeze and Other Equitable Relief ("TRO") [DE 19], I willingly, voluntarily, and with the benefit of my own legal counsel, consent to the extension of the Court's TRO to Attorney Aid, LLC, and hereby acknowledge and agree that the Court-appointed Receiver Mark F. Raymond shall be granted all rights, powers and duties as set forth in the TRO to act for and on behalf of Attorney Aid, LLC, effective this 8<sup>th</sup> Day of December 2009.

I further agree to my removal as managing member of Attorney Aid, LLC and consent to the appointment of Court-appointed Receiver Mark F. Raymond as managing member of Attorney Aid, LLC until entry of an order from the Court terminating the Receivership.

Nothing in this Consent constitutes a concession that anything improper or unlawful was done by Attorney Aid, LLC or Bridget Grant. Rather, in an effort to assist the clients whose matters were being processed by Attorney Aid in obtaining substitute loan modification services, Attorney Aid, LLC and Bridget Grant are providing this Consent to the Receiver.

**Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.**

  
Dec. 8, 2009  
Bridget Grant, individually, and as managing  
member of Attorney Aid, LLC