

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO: 09-23507-CIV-GOLD/MCALILEY

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

KIRKLAND YOUNG, LLC, et al.

Defendants.

ORDER FOLLOWING STATUS CONFERENCE ON
DEFENDANTS' EMERGENCY MOTION TO CONTINUE
PRELIMINARY INJUNCTION HEARING; EXTENSION OF TIME FOR
TEMPORARY RESTRAINING ORDER AND STAY OF DISCOVERY [DE 90, 92]

THIS CAUSE is before the Court upon Defendants Samy Botton, David Botton, and April Botton Krawiecki's ("Defendants") Emergency Motion to Continue Preliminary Injunction Hearing; Extension Of Time For Temporary Restraining Order And Stay Of Discovery [DE 90] ("the Motion"). Having reviewed the Motion, and following a telephonic status conference held on January 5, 2010, for the reasons stated of record, it is hereby **ORDERED AND ADJUDGED:**

1. Defendants' Motion is GRANTED IN PART AND DENIED IN PART [DE 90].
2. The Preliminary Injunction hearing previously set for Monday, January 11, 2010 is hereby continued until further Order of the Court.
3. Defendants Samy Botton, David Botton, April Botton Krawiecki, Attorney Aid, LLC, and ABK Consultants, Inc., have stipulated and agree that the temporary restraining order ("TRO") [DE 19] shall apply to them and will remain in full effect pending further Order of the Court.

4. By consent of the parties the Receivership shall be extended to include Defendants Samy Botton, David Botton, April Botton Krawiecki, Attorney Aid, LLC, and ABK Consultants, Inc.
5. An injunctive order such as a TRO is an extraordinary writ enforceable by the power of contempt. See 18 U.S.C. § 401(3). Accordingly, Plaintiffs may file a Motion for Contempt for any violation of the TRO.
6. In the event that circumstances arise warranting the re-scheduling of the Preliminary Injunction hearing the parties shall file an Order to Show Cause why the Preliminary Injunction Hearing Should not be Re-set for Hearing.
7. Defendant April Botton Krawiecki's Motion to Dismiss is hereby held in abeyance until further Order of the Court.
8. To the extent Defendants seek a stay of discovery, Defendants' Motion is DENIED.
9. Defendants Emergency Motion to Continue Preliminary Injunction Hearing; Extension Of Time For Temporary Restraining Order And Stay Of Discovery **[DE 92]** is hereby STRICKEN as duplicative.

DONE AND ORDERED, in Chambers, in Miami, Florida, this 6 day of January,

2010



THE HONORABLE ALAN S. GOLD
UNITED STATES DISTRICT JUDGE

cc:
U.S. Magistrate Judge Chris M. McAliley
All counsel of record