

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 EMPLOY ACCOUNTING FIRM**

Receiver Mark F. Raymond, not individually, but solely in his capacity as Receiver (the "Receiver") for Kirkland Young, LLC ("Kirkland"), by his attorneys, Broad and Cassel, hereby files his Motion to Employ Accounting Firm, and alleges as follows:

1. This action was initiated by the Federal Trade Commission on November 18, 2009. The next day, the Court entered its Order to Show Cause and Ex Parte Temporary Restraining Order With Asset Freeze and Other Equitable Relief which named Mark F. Raymond as Temporary Receiver for Kirkland (the "Receivership Order").

2. Pursuant to the Receivership Order, the Receiver is obligated to, among other things, take custody, control and possession of Kirkland's assets for the benefit of its customers and consumers. In order to assist the Receiver in his efforts to recover and take control of Kirkland's assets for the benefit of its customers and consumers, the Receivership Order, at Section XII, Page 18, Paragraph H allows the Receiver to "[c]hoose, engage, and employ

**BROAD and CASSEL**

One Biscayne Tower, 21st Floor 2 South Biscayne Blvd. Miami, Florida 33131-1811 305.373.9400



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on November 27, 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 Rosemberg  
David B. Rosemberg, Esq.

**SERVICE LIST**

<p><b>Chris M. Couillou, Esq.</b> <b>Sana C. Chriss, Esq.</b> Federal Trade Commission 225 Peachtree Street, Suite 1500 Atlanta, GA 30303 Tel: (404) 656-1353 (Couillou)           (404) 656-1364 (Chriss) Fax: (404) 656-1379 e-mail: <a href="mailto:ccouillou@ftc.gov">ccouillou@ftc.gov</a>; <a href="mailto:schriss@ftc.gov">schriss@ftc.gov</a> <i>(via facsimile and U.S. Mail)</i></p>	<p><b>Rafael S. Garcia, Esq.</b> Conrad &amp; Scherer, LLP Attorneys for Kirkland Young, LLC and David Botton 633 South Federal Highway Fort Lauderdale, FL 33301 Tel: (954) 462-5500 Fax: (954) 463-9244 e-mail: <a href="mailto:rgarcia@conradscherer.com">rgarcia@conradscherer.com</a> <i>(via facsimile and U.S. Mail)</i></p>
<p><b>Mark F. Raymond, Temporary Receiver</b> One Biscayne Tower, 21<sup>st</sup> Floor 2 South Biscayne Tower Miami, FL 33131 Tel: (305) 373-9400 Fax: (305) 373-9443 e-mail: <a href="mailto:mraymond@broadandcassel.com">mraymond@broadandcassel.com</a> <i>(via e-mail)</i></p>	

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**ORDER**

This matter comes before the Court on the Receiver's Motion to Employ Accounting Firm filed November 25, 2009. Receiver Mark F. Raymond requests that the Court appoint the accounting firm of Sharpton, Brunson & Company, P.A. to serve as accountants and consultants for the Receiver in this case, at the rates set forth in the Motion. Upon review, the Court finds that the Motion should be granted.

Accordingly, it is now

**ORDERED:**

Receiver's Motion to Employ Accounting Firm is **GRANTED**. The accounting firm of Sharpton, Brunson & Company, P.A. is appointed to serve as accountants and consultants to the Receiver, at the rates set forth in the Motion.

**DONE AND ORDERED** at Miami, Florida, this \_\_\_ day of \_\_\_\_\_, 2009.

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HON. ALAN S. GOLD  
U.S. DISTRICT JUDGE

Copies:

Counsel of record