

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**FEDERAL TRADE COMMISSION,**

**Plaintiff,**

**v.**

**START CONNECTING LLC, d/b/a USA  
Student Debt Relief, a Florida limited  
liability company;**

**START CONNECTING SAS, d/b/a USA  
Student Debt Relief, a Colombia  
corporation;**

**DOUGLAS R. GOODMAN, individually  
and as an officer of START  
CONNECTING LLC;**

**DORIS E. GALLON-GOODMAN,  
individually and as an officer of START  
CONNECTING LLC; and**

**JUAN S. ROJAS, individually and as an  
officer of START CONNECTING LLC  
and START CONNECTING SAS,**

**Defendants.**

**Case No.** 8:24-cv-1626-KKM-AAS

**FILED UNDER SEAL**

JUL 9 2024 AM 10:28  
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**PLAINTIFF'S EX PARTE MOTION TO TEMPORARILY SEAL  
ENTIRE CASE FILE AND COURT DOCKET**

Pursuant to Local Rule 1.11 of the U.S. District Court for the Middle  
District of Florida, Plaintiff Federal Trade Commission ("FTC") respectfully

moves this Court *ex parte* for an order temporarily sealing the entire case file and docket in this matter, including all motions, briefs, memoranda, exhibits, and other supporting papers, as well as all orders of this Court. The FTC seeks the temporary seal for a limited duration: from the filing of this case until 5:00 p.m. Eastern Time on the fifth business day after entry of the Court's order on the FTC's Emergency *Ex Parte* Motion for a Temporary Restraining Order with Asset Freeze, Immediate Access to Business Records, and Appointment of a Receiver With Order to Show Cause Why the Court Should Not Issue a Preliminary Injunction (the "TRO Motion"), or until all Defendants are served, whichever occurs first. This time-limited sealing is necessary to prevent immediate and irreparable harm to the FTC's ability to obtain effective final relief for American consumers in this matter.

Temporarily sealing the entire docket and case file lies within this Court's equitable powers and is consistent with the Federal Rules of Civil Procedure. *See, e.g., Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597–99 (1978). Though important, the common-law right of the public to inspect and copy judicial records and documents "is not absolute." *Chi. Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1311 (11th Cir. 2001); *see also* M.D. Fla. L.R. 1.11(a) (noting the "presumption" of public access). As relevant here, the entire case file may be sealed where "the denial of access is necessitated by a compelling governmental interest, and is narrowly tailored

to that interest.” *Chi. Tribune*, 263 F.3d at 1311 (alteration omitted) (quoting *Wilson v. Am. Motors Corp.*, 759 F.2d 1568, 1571 (11th Cir. 1985)). “[T]he decision as to access is one best left to the sound discretion of the trial court” and is based on “the relevant facts and circumstances of the particular case.” *Nixon*, 435 U.S. at 598.

In this case, the government has a compelling interest in temporarily sealing the court file for a very limited time to preserve the Court’s ability to redress consumer injury resulting from Defendants’ multiple and ongoing law violations. As described in the contemporaneously filed TRO Motion, Defendants have for years operated an unlawful student loan debt relief scheme in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, the Telemarketing Sales Rule, 16 C.F.R. pt. 310, and the Gramm-Leach-Bliley Act, 15 U.S.C. § 6821(a)(2), and have continued to operate their scheme from both Florida and Colombia despite multiple state enforcement actions.<sup>1</sup> Were Defendants to have notice of this action, there is a significant possibility that they would move or destroy evidence, dissipate assets, and otherwise jeopardize the possibility of effective final relief.

Defendants’ debt relief scheme preys on vulnerable student loan borrowers suffering economic hardship, including especially Spanish-

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<sup>1</sup> See [Pet. for Order Approving Discontinuance](#), *In re Start Connecting LLC* (Minn. Dist. Ct. Dec. 18, 2023); [Consent Order](#), *Cal. Comm’r of Fin. Prot. & Innovation v. Start Connecting LLC* (Cal. Dep’t Fin. Prot. & Innovation Nov. 9, 2023).

speaking borrowers and borrowers located in Puerto Rico. *See* FTC TRO Mot. pt. II. Defendants reach consumers through unlawful telemarketing from a Colombian call center and a deceptive online presence. *See id.* They then convince consumers to hand over sensitive personal and student loan information through impossible promises of permanently reduced monthly loan payments and generous lump-sum forgiveness, as well as false claims of government affiliation. *See id.* After hearing Defendants' misrepresentations, consumers agree to pay Defendants hundreds or thousands of dollars, but Defendants pocket much of those payments for themselves or their family members and send still more money to Colombia rather than following through on their promises to apply those sums to consumers' student loans. *See id.*

The FTC's Complaint seeks monetary relief, injunctive relief, and other relief necessary to redress consumer injury resulting from Defendants' multiple law violations. *See* Compl. at p. 41; 15 U.S.C. §§ 53(b), 57b(b). Based on the Complaint, the TRO Motion seeks, among other relief, an asset freeze, the appointment of a temporary receiver, expedited discovery, repatriation of foreign assets and evidence, and the preservation and immediate turnover of Defendants' business records. This preliminary relief is critical to preserving the possibility of full and effective relief for thousands of American consumers: Freezing assets will ensure that Defendants' assets stop flowing

offshore to Colombia and remain available to redress consumer injury, and ordering immediate preservation, repatriation, and turnover of Defendants' business records will give the FTC an opportunity to demonstrate its entitlement to the requested relief, thereby protecting the public interest.

An order temporarily sealing the case file until the requested asset freeze and turnover of business records can be effectuated is consistent with the purpose of Rule 65(b), which is to prevent "immediate and irreparable injury, loss, or damage," Fed. R. Civ. P. 65(b)(1)(A), and this Court's equitable power to grant any "preliminary relief . . . that may be needed to make permanent relief possible," *FTC v. Gem Merch. Corp.*, 87 F.3d 466, 469 (11th Cir. 1996); *accord FTC v. Simple Health Plans LLC*, 58 F.4th 1322, 1329–30 (11th Cir. 2023). As detailed in the TRO Motion and Plaintiff's counsel's Rule 65(b) declaration, Defendants' ongoing deceptive scheme demonstrates that, if Defendants receive notice of the Complaint, there is a significant possibility that Defendants (like prior FTC defendants in similar consumer fraud cases) may dissipate and hide assets, increase the offshoring of assets and evidence to Colombia, or destroy evidence. *See* Nash Decl. ¶¶ 8–10, 12–14. Such conduct would undermine this Court's ability to render effective, meaningful, and final relief, and would allow Defendants to defeat, in large part, the purposes of the TRO Motion's requested relief related to assets and business records. A temporary seal, narrowly tailored to serve the compelling



governmental interest of preventing notice and dissipation of assets prior to service and implementation of the TRO, would help preserve the status quo and is in the public interest.

Courts in this Circuit have granted similar motions requesting an initial, temporary seal of the entire docket and court file in government enforcement actions, including at the outset of a host of analogous FTC consumer fraud cases. *See, e.g., SEC v. MCC Int'l Corp.*, 2022 WL 2341216, at \*7 (S.D. Fla. Apr. 26, 2022) (explaining why a temporary initial seal is appropriate in governmental enforcement actions); *see also* Order, ECF 13, *FTC v. Legion Media, LLC*, Case No. 8:24-cv-1459 (M.D. Fla. June 18, 2024); [Order](#) at 1, ECF 11, *FTC v. Vision Online, Inc.*, Case No. 6:23-cv-1041 (M.D. Fla. June 7, 2023); Order, ECF 4, *FTC v. Graham*, Case No. 3:22-cv-655 (M.D. Fla. June 21, 2022); Order, ECF 3, *FTC v. Rando*, Case No. 3:22-cv-487 (M.D. Fla. May 2, 2022); [Order](#) at 1, ECF 16, *FTC v. GDP Network LLC*, Case No. 6:20-cv-1192, (M.D. Fla. July 10, 2020); Order, ECF 8, *FTC v. First Choice Horizon LLC*, Case No. 6:19-cv-1028 (M.D. Fla. June 3, 2019); Order, ECF 10, *FTC v. J. William Enters., LLC*, Case No. 6:16-cv-2123 (M.D. Fla. Dec. 13, 2016); Order, ECF 35, *FTC v. Life Mgmt. Servs. of Orange Cty., LLC*, Case No. 6:16-cv-982 (M.D. Fla. June 8, 2016); Order, ECF 12, *FTC v. D & S Mktg Sols. LLC*, Case No. 8:16-cv-1435 (M.D. Fla. June 8, 2016); Order, ECF 25, *FTC v. All Us Mktg. LLC*, Case No. 6:15-cv-1016 (M.D. Fla. June 22,

2015); Order, ECF 13–14, *FTC v. E.M. Sys. & Servs., LLC*, Case No. 8:15-cv-1417, (M.D. Fla. June 17, 2015); Order, ECF 23, *FTC v. Worldwide Info Servs., Inc.*, Case No. 6:14-cv-8 (M.D. Fla. Jan. 6, 2014); Order, ECF 9, *FTC v. Innovative Wealth Builders, Inc.*, Case No. 8:13-cv-123 (M.D. Fla. Jan. 14, 2013); Order, ECF 9, *FTC v. The Online Entrepreneur, Inc.*, Case No. 8:12-cv-2500 (M.D. Fla. Nov. 6, 2012); Order, ECF 9, *FTC v. WV Universal Mgmt., LLC*, Case No. 6:12-cv-01618 (M.D. Fla. Oct. 30, 2012); Order, ECF 13, *FTC v. Direct Benefits Grp., LLC*, Case No. 6:11-cv-1186 (M.D. Fla. July 19, 2011); Order, ECF 11, *FTC v. Nat’l Sols. LLC*, Case No. 6:11-cv-1131 (M.D. Fla. July 12, 2011); Order, ECF 7, *FTC v. Vacation Prop. Servs., Inc.*, Case No. 8:11-cv-595 (M.D. Fla. Mar. 23, 2011).

For the foregoing reasons, an order temporarily sealing this docket and all documents in this matter pursuant to Local Rule 1.11 is narrowly tailored to achieve the compelling governmental interest in preserving the status quo, preventing the destruction of important evidence of Defendants’ unlawful scheme, and preserving assets for consumer redress.<sup>2</sup> Protecting this Court’s

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<sup>2</sup> If this motion is granted, in addition to the undersigned FTC counsel, the person acting as the Court-appointed receiver pursuant to the TRO entered in this action has an interest in establishing and maintaining the proposed seal and should be authorized to retrieve sealed materials. See M.D. Fla. L.R. 1.11(b)(6). The receiver recommended by Plaintiff is Jared J. Perez, 301 Druid Rd. W, Clearwater, FL 33756-3852, [jared.perez@jaredperezlaw.com](mailto:jared.perez@jaredperezlaw.com), (727) 641-6562. While this matter remains sealed, Plaintiff will continue to submit all filings in this case to the Court in compliance with the District’s Administrative Procedures for Electronic Filing.

ability to redress consumer injury outweighs the public's right of access during the short five-day proposed sealing period. Accordingly, the FTC respectfully requests *ex parte* that the Court temporarily seal the docket and all pleadings, motions, and other papers filed in the above-captioned matter from the filing of this action until 5:00 p.m. Eastern Time on the fifth business day after entry of the Court's order on the FTC's TRO Motion or until all Defendants are served, whichever occurs first.

Dated: July 9, 2024

Respectfully submitted,

/s/ Nathan H. Nash

Nathan Nash

D'Laney Gielow

Karen Dodge

Federal Trade Commission

Midwest Region

230 S. Dearborn, Suite 3030

Chicago, Illinois 60604

Phone: (312) 960-5624

E-mail: nnash@ftc.gov

dgielow@ftc.gov

kdodge@ftc.gov

Attorneys for Plaintiff

FEDERAL TRADE COMMISSION



**LOCAL RULE 3.01(g) CERTIFICATION**

Because Plaintiff is seeking to proceed *ex parte* until a TRO is issued and served, as permitted by Federal Rule of Civil Procedure 65(b), I certify that I have not conferred or contacted any other party in this matter about this motion. As a result, I do not know whether any Defendant supports or opposes this motion or the temporary sealing requested herein.

/s/ Nathan H. Nash  
Attorney for Plaintiff FTC