

**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

**PLAINTIFF FTC'S MOTION FOR EXTENSION OF TIME TO APPLY
FOR A DEFAULT JUDGMENT UNDER RULE 55(b) AGAINST
DEFENDANTS START CONNECTING SAS & JUAN S. ROJAS**

Consistent with longstanding precedent, and pursuant to Federal Rule
of Civil Procedure 6(b)(1)(A), Plaintiff Federal Trade Commission ("FTC")

moves the Court for an extension of the 35-day deadline established by Local Rule 1.10(c) to apply for a default judgment against Colombia-based Defendants Start Connecting SAS and Juan S. Rojas (the “Colombia Defendants”). The Colombia Defendants have been defaulted by the Clerk on claims that they operated a transnational student debt relief scam. (Doc. 91). The FTC seeks an extension of time to apply for a default judgment against the Colombia Defendants until 35 days after the same claims are resolved against the three other Defendants—Start Connecting LLC, Douglas R. Goodman, and Doris E. Gallon-Goodman—who managed the scheme’s stateside operations from Sarasota, Florida (the “Florida Defendants”).

A default judgment against the Colombia Defendants remains premature because the Florida Defendants are still actively litigating the same claims on which the Colombia Defendants have defaulted. Obtaining a default judgment under Federal Rule of Civil Procedure 55 requires two steps: entry of default by the Clerk under Rule 55(a), followed by an application for a default judgment under Rule 55(b). On October 29, 2024, the Clerk entered a Rule 55(a) default against the Colombia Defendants for failing to timely answer the Complaint.¹ (Doc. 91). Local Rule 1.10(c) requires

¹ On November 12, 2024, FTC counsel received a *pro se* motion to dismiss in the mail from Defendant Rojas. The motion purported to be on behalf of Defendant Rojas alone and was dated November 5, 2024, after the Clerk’s entry of default. Because the motion does not appear to have been docketed, FTC counsel emailed Defendant Rojas on November 18, 2024, noting the FTC’s willingness to address the motion upon receiving confirmation that

a Rule 55(b) application for default judgment to be filed within 35 days of the Rule 55(a) default (here, by December 3, 2024) unless the party seeking the default judgment identifies an “unresolved issue—such as the liability of another defendant—necessary to entry of the default judgment.” M.D. Fla. L.R. 1.10(c). As the Local Rule contemplates, this motion identifies that the Florida Defendants’ “liability” is an “unresolved issue . . . necessary to entry of the default judgment” against the Colombia Defendants. *Id.*

The FTC’s Complaint alleges that the Colombia and Florida Defendants are jointly and severally liable for various FTC Act violations because they together ran a student loan debt relief telemarketing scam known as “USA Student Debt Relief” as a common enterprise and a family affair. *See* (Doc. 1 at ¶¶ 9–14, 60–102); *see generally* *FTC v. On Point Cap. Partners LLC*, 17 F.4th 1066, 1081–83 (11th Cir. 2021) (explaining how the FTC can hold individual and corporate defendants jointly and severally liable). Because the Colombia and Florida Defendants are alleged to be jointly and severally liable for the same unlawful scheme, a default judgment cannot enter against one set of Defendants while the other continues to contest liability. *See, e.g., Frow v. De La Vega*, 82 U.S. (15 Wall.) 552, 554 (1872) (“[A] final decree on the merits against the defaulting defendant alone,

it has been properly filed and that the Clerk’s entry of default as to Defendant Rojas has been set aside. Defendant Rojas has not yet provided proof of filing or addressed his default.

pending the continuance of the cause [against other jointly charged defendants], would be incongruous and illegal.”); *Gulf Coast Fans, Inc. v. Midwest Elec. Importers, Inc.*, 740 F.2d 1499, 1512 (11th Cir. 1984) (holding that “even when defendants are similarly situated, but not jointly liable, judgment should not be entered against a defaulting defendant” while the other defendants continue to litigate); *SEC v. Taronis Techs., Inc.*, 2023 WL 1469375, at *1 (M.D. Fla. Feb. 2, 2023) (Sansone, J.) (“In cases involving more than one defendant, a judgment should not be entered against a defaulting party alleged to be jointly liable, until the matter has been adjudicated with regard to all defendants.”) (alterations omitted). With the Florida Defendants actively contesting the same claims on which the Colombia Defendants have defaulted, *see* (Docs. 51, 82), a default judgment as to the Colombia Defendants remains premature, justifying the FTC’s requested extension. *Cf. Taronis Techs.*, 2023 WL 1469375, at *2 (denying a Rule 55(b) application for entry of default judgment while another defendant was actively litigating the same claims).

* * *

For the foregoing reasons, as contemplated by Local Rule 1.10(c) and governing precedent, the FTC moves this Court to extend Local Rule 1.10(c)’s 35-day deadline for the FTC to apply for a Rule 55(b) default judgment against the Colombia Defendants until 35 days after judgment enters as to

the Florida Defendants, the Florida Defendants are found in default, or the FTC's claims against the Florida Defendants are otherwise fully resolved, whichever occurs first.

Respectfully submitted,

Dated: November 19, 2024

/s/ Nathan H. Nash
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LOCAL RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), I certify that, on November 18 and 19, 2024, I emailed Defendant Juan S. Rojas to request his position on the relief requested in this motion, but he has not yet stated his position. Over the next three days, I will continue trying diligently to email him. I also consulted with the Receiver appointed by the Court to assume control over Defendant Start Connecting SAS, and he stated that he has no objection to the extension requested in this motion.

/s/ Nathan H. Nash
Attorney for Plaintiff FTC

CERTIFICATE OF SERVICE

I certify that, on or about November 19, 2024, I filed this Motion using the Court's electronic filing system, which will deliver a copy of this filing to all counsel of record. I further certify that I am causing a copy of this motion to be sent via FedEx and electronic mail to the following *pro se* Defendant:

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/s/ Nathan H. Nash
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