

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 18-cv-61991-BB

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**1 GLOBAL CAPITAL, LLC, and
CARL RUDERMAN,**

Defendants, and

**1 WEST CAPITAL, LLC,
BRIGHT SMILE FINANCING, LLC,
BRR BLOCK, INC.,
DIGI-SOUTH, INC.,
GANADOR ENTERPRISES, LLC,
MEDIA PAY, LLC,
PAY NOW DIRECT, LLC, and
RUDERMAN FAMILY TRUST,**

Relief Defendants.

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION’S UNOPPOSED
MOTION FOR AN ASSET FREEZE AND OTHER RELIEF AGAINST RELIEF
DEFENDANTS BRIGHT SMILE FINANCING, LLC; BRR BLOCK INC.;
DIGI SOUTH, LLC; GANADOR ENTERPRISES, LLC; MEDIA PAY LLC; AND
PAY NOW DIRECT LLC**

Plaintiff Securities and Exchange Commission’s hereby moves for an Unopposed Motion for an Asset Freeze and Other Relief Against Relief Defendants Bright Smile Financing, LLC; BRR Block Inc.; Digi South, LLC; Ganador Enterprises, LLC; Media Pay LLC; and Pay Now Direct LLC (collectively referred to herein as the “Relief Defendants”).

By the attached Consent, the Relief Defendants have agreed to the entry of the attached proposed Order granting the Commission's Motion for Asset Freeze and Other Relief.¹ Accordingly, the Commission requests that the Court enter the attached Proposed Order.

September 19, 2018

By: s/ Christopher E. Martin
Christopher E. Martin, Esq.
Senior Trial Counsel
SD Fla. Bar No. A5500747
Direct Dial: (305) 982-6386
Email: martinc@sec.gov

Robert K. Levenson, Esq.
Senior Trial Counsel
Florida Bar No. 0089771
Direct Dial: (305) 982-6341
Email: levensonr@sec.gov

Attorneys for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Telephone: (305) 982-6300
Facsimile: (305) 536-4154

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 19, 2018, the foregoing document was filed electronically with the Clerk of Court using CM/ECF and that a true and correct copy of the filed document was served via CM/ECF on all counsel or parties of record.

s/ Christopher E. Martin
Christopher E. Martin, Esq.

¹ Contemporaneously with filing this notice, the Commission is also filing a Consent and Proposed Order to Continue the Asset Freeze and Other Relief against Defendant Carl Ruderman and a Notice that the Ruderman Family Trust Has Not Showed Cause and Proposed Order to Continue the Asset Freeze and Other Relief against Relief Defendant Ruderman Family Trust. If the Court enters the proposed Orders, this will obviate the need for the September 20 hearing.

SERVICE LIST

SEC v 1 Global LLC et al., Case No. 18-cv-61991-BB, U.S.D.C. (SD Fla.)

Via CM/ECF

Jared E. Dwyer, Esq.
Stephanie Peral, Esq.
Greenberg Traurig LLP
333 SE 2nd Avenue, Suite 4100
Miami, FL 33131
Tel. 305.579.0564
dwyerje@gtlaw.com
perals@gtlaw.com

*Attorneys for Defendant 1 Global Capital LLC
and Relief Defendant 1 West Capital LLC*

Via CM/ECF

Jeffrey E. Marcus, Esq.
Daniel L. Rashbaum, Esq.
Jeffrey Neiman, Esq.
Michael A. Pineiro, Esq.
Marcus Neiman & Rashbaum LLP
2 South Biscayne Boulevard, Suite 1750
Miami, FL 33131
Tel. 305.400.4268
jmarcus@mnrlawfirm.com; drashbaum@mnrlawfirm.com;
jneiman@mnrlawfirm.com; mpineiro@mnrlawfirm.com

Attorneys for Defendant Carl Ruderman

Via CM/ECF

Daniel S. Newman, Esq.
Gary M. Freedman, Esq.
Jonathan Etra, Esq.
Michael Lessne
Christopher C. Cavallo
Nelson Mullins Broad and Cassel
One Biscayne Tower, 21st Floor
2 South Biscayne Blvd.
Miami, FL 33131
Tel. 305.373.9400
dan.newman@nelsonmullins.com
gary.freedman@nelsonmullins.com
jonathan.etra@nelsonmullins.com
michael.lessne@nelsonmullins.com
chris.cavallo@nelsonmullins.com

Attorneys for Jon A. Sale, Receiver

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PAY NOW DIRECT, LLC, and
RUDERMAN FAMILY TRUST,**

Relief Defendants.

**CONSENT OF RELIEF DEFENDANTS BRIGHT SMILE FINANCING, LLC; BRR
BLOCK INC.; DIGI SOUTH, LLC; GANADOR ENTERPRISES, LLC; MEDIA PAY
LLC; AND PAY NOW DIRECT, LLC
TO AN ORDER OF ASSET FREEZE AND OTHER RELIEF**

1. Jon A. Sale, not individually but solely in his capacity as court-appointed Receiver for Relief Defendants Bright Smile Financing, LLC; BRR Block Inc.; Digi South, LLC; Ganador Enterprises, LLC; Media Pay LLC; and Pay Now Direct LLC (collectively referred to herein as the "Relief Defendants"), by and through his undersigned counsel, acknowledges having been served with the Summonses and the Complaint in this action, enters a general appearance, and admits the Court's jurisdiction over the Relief Defendants and over the subject matter of this action.

2. Without admitting or denying the allegations of the Complaint (except as to personal and subject matter jurisdiction, which Relief Defendants admit), Relief Defendants hereby consent to the entry of the Order of Asset Freeze and Other Relief against Relief Defendants (the "Asset Freeze Order") in the form attached hereto and incorporated by reference herein.

3. Relief Defendants enter into this Consent voluntarily and represent that no threats offers, promises, or inducements of any kind have been made by the Commission or any member, officer, employee, agent, or representative of the Commission to induce any of them to enter into this Consent.

4. Relief Defendants agree this Consent shall be incorporated into the Asset Freeze Order with the same force and effect as if fully set forth therein.

5. Relief Defendants agree the Commission may present the attached proposed Asset Freeze Order to be entered by the Court in this action, and further agree the Court shall retain jurisdiction over them and over the subject matter of this action.

6. Relief Defendants agree the Commission does not confer on them or any other person or entity immunity from any criminal proceedings against them or other persons or entities for any actions related to or arising from this or any other matter.

7. Relief Defendants waive any right they may have to appeal from the entry of the Asset Freeze Order.

8. Relief Defendants waive service of the Asset Freeze Order and agree the entry of the Asset Freeze Order by the Court and filing with the Clerk in the Southern District of Florida will constitute notice to them of the terms and conditions of the Agreed Order.

9. Relief Defendants agree they will not oppose the enforcement of the Asset Freeze Order on the ground, if any exists, that it fails to comply with Rule 65(d) of the Federal Rules of Civil Procedure, and hereby waive any objection based thereon.

Approved as to Form:

By: *[Signature]*
Daniel S. Newman
NELSON MULLINS BROAD AND CASSEL
Attorney for Receiver
One Biscayne Tower, 21st Floor
2 S. Biscayne Blvd.
Miami, FL 33131
Telephone: (305) 373-9400
Facsimile: (305) 995-6449

The Court-appointed Receiver, Jon A. Sale, solely in his capacity as court-appointed Receiver for the Relief Defendants by and through his undersigned counsel hereby consents to the Court's Entry of the Asset Freeze Order.

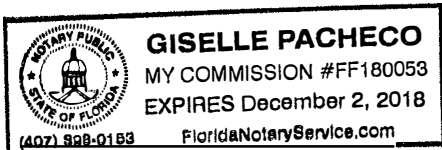
September 18, 2018

By: *[Signature]*
Jon A. Sale, Receiver

STATE OF FLORIDA)

COUNTY OF MIAMI) ss:
DADE)

On this 18 day of September 2018, before me personally appeared Jon A. Sale who is personally known to me or _____ produced a driver's license bearing his name and photograph as identification, and who executed this Consent, and he acknowledged to me that he executed the same.



[Signature]
Notary Public

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SECURITIES AND EXCHANGE COMMISSION,

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Defendants, and

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BRIGHT SMILE FINANCING, LLC,
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GANADOR ENTERPRISES, LLC,
MEDIA PAY LLC,
PAY NOW DIRECT LLC, and
RUDERMAN FAMILY TRUST,**

Relief Defendants.

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR AN ASSET FREEZE
AND OTHER RELIEF AGAINST RELIEF DEFENDANTS BRIGHT SMILE
FINANCING, LLC; BRR BLOCK INC.; DIGI SOUTH, LLC; GANADOR
ENTERPRISES, LLC; MEDIA PAY LLC; AND
PAY NOW DIRECT LLC**

This cause comes before the Court upon Plaintiff Securities and Exchange Commission's Unopposed Motion for an Asset Freeze Against Relief Defendants Bright Smile Financing, LLC, BRR Block Inc., Digi South, LLC, Ganador Enterprises, LLC, Media Pay LLC, and Pay Now Direct LLC ("Asset Freeze Motion), which seeks the following orders:

(1) An Order Continuing the Freezing the Assets of Relief Defendants Bright Smile Financing, LLC, BRR Block Inc., Digi South, LLC, Ganador Enterprises, LLC, Media Pay LLC, and Pay Now Direct LLC; and

(2) An Order Prohibiting Destruction of Documents against Relief Defendants Bright Smile Financing, BRR Block, Digi South, Ganador Enterprises, Media Pay, and Pay Now Direct.

The Court finds that good cause exists for the Court to grant the Commission's Asset Freeze Motion. In addition, by the Consent annexed hereto, without admitting or denying any of the allegations in the Complaint filed by the Commission, except that they admit the allegation as to the jurisdiction of this Court over them and the subject matter of this action, they have agreed to the entry of this Order.

Accordingly, the motion is **GRANTED**, and the Court hereby orders as follows:

I.

ASSET FREEZE

IT IS FURTHER ORDERED AND ADJUDGED that until further order of this Court:

- A. Relief Defendants Bright Smile Financing, BRR Block, Digi South, Ganador Enterprises, Media Pay, and Pay Now Direct, and their respective directors, officers, agents, servants, employees, attorneys, depositories, banks, and those persons in active concert or participation with any one or more of them, and each of them (except the Court appointed Receiver, who is not subject to the Asset Freeze), who receive notice of this Order by personal service, mail, email, facsimile transmission or otherwise, be and hereby are, restrained from, directly or indirectly, transferring, setting off, receiving, changing, selling, pledging, assigning, liquidating or otherwise disposing of, or withdrawing any assets or property, including but not limited to cash, free credit balances, fully paid for securities, personal property, real property, and/or property pledged or hypothecated as collateral for loans, or charging upon or drawing from any lines

of credit, owned by, controlled by, or in the possession of, whether jointly or singly, and wherever located; and

- B. Any financial or brokerage institution or other person or entity holding any such funds or other assets, in the name, for the benefit or under the control of Relief Defendants Bright Smile Financing, BRR Block, Digi South, Ganador Enterprises, Media Pay, and Pay Now Direct, directly or indirectly, held jointly or singly, and wherever located, and which receives actual notice of this Order by personal service, mail, email, facsimile, or otherwise (except that the Financial Institutions may, upon request by the Receiver, release funds or other assets to the Court appointed Receiver), shall hold and retain within its control and prohibit the withdrawal, removal, transfer, disposition, pledge, encumbrance, assignment, set off, sale, liquidation, dissipation, concealment, or other disposal of any such funds or other assets, including, but not limited to, the following accounts:

Bank Of America:

- Ganador Enterprises, LLC, account ending in 57046;
- Digi South, LLC, account ending in 94659;
- Digi South, LLC, account ending in 94662;
- Digi South, LLC, account ending in 94675;
- Digi South, LLC, account ending in 21505;
- Pay Now Direct LLC, account ending in 42771;
- Bright Smile Financing, LLC, account ending in 89714; and
- Media Pay LLC, account ending in 59154;

City National Bank:

- Bright Smile Financing, LLC, account ending in 81867;

Bridge Bank:

- Bright Smile Financing, LLC, account ending in 1343;
- Bright Smile Financing, LLC, account ending in 98835; and

- Bright Smile Financing, LLC, account ending in 85484;

JP Morgan Chase:

- BRR Block Inc., account ending in 02673.

II.

RECORDS PRESERVATION

IT IS FURTHER ORDERED AND ADJUDGED that until further Order of the Court Relief Defendants Bright Smile Financing, BRR Block, Digi South, Ganador Enterprises, Media Pay, and Pay Now Direct, any of their directors, officers, agents, servants, employees, attorneys, depositories, banks, and those persons in active concert or participation with any one or more of them, and each of them, be and they hereby are restrained and enjoined from, directly or indirectly, destroying, mutilating, concealing, altering, disposing of, or otherwise rendering illegible in any manner, any of the books, records, documents, correspondence, brochures, manuals, papers, ledgers, accounts, statements, obligations, files and other property of or pertaining to any of the Defendants or Relief Defendants, wherever located and in whatever form, electronic or otherwise, until further Order of this Court.

III.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction over this matter and Relief Defendants Bright Smile Financing, BRR Block, Digi South, Ganador Enterprises, Media Pay, and Pay Now Direct in order to implement and carry out the terms of all Orders and Decrees that may be entered and/or to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and will order other relief that this Court deems appropriate under the circumstances.

DONE AND ORDERED this ____ day of September 2018, at _____, Florida.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to all parties and counsel of record