UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 4:05cv532 CDP
	)	
ELLA MAE PETERSON,	)	
	)	
Defendant.	)	

FINAL JUDGMENT OF PERMANENT INJUNCTION

Plaintiff United States of America commenced this action by filing a Complaint for Permanent Injunction and Other Relief, which was later amended by the filing of an Amended Complaint for Permanent Injunction on April 5, 2005 (the "Amended Complaint"). The Amended Complaint seeks injunctive and other relief against the defendant, Ella Mae Peterson ("Peterson").

The United States alleges that Peterson prepared federal income tax returns that contained fictitious or inflated deduction claims and fraudulent or overstated tax exemptions, and that she forged customer signatures on IRS Forms 8453 and 8879, in violation of the Internal Revenue Code (26 U.S.C.) ("I.R.C.").

Peterson does not admit or deny the allegations in the Amended Complaint, except Peterson admits (i) that she resides in St. Louis, Missouri, (ii) that she has acted as a federal income tax-return preparer, (iii) that the Court has jurisdiction over her and over the subject

matter of this action, and (iv) that, except as set forth herein, there are no other agreements or inducements concerning her consent to this Final Judgment of Permanent Injunction.

By her Consent, affixed hereto, Peterson has waived the entry or making of findings of fact and conclusions of law, and consents to the entry of this Final Judgment of Permanent Injunction without admitting or denying that grounds exist for imposition of an injunction.

NOW, THEREFORE, it is accordingly **ORDERED, ADJUDGED, AND DECREED** that:

1. The Court has jurisdiction over this action pursuant to Sections 1340 and 1345 of Title 28 of the United States Code, and I.R.C. §§ 7402, 7407, and 7408, as amended.

2. The Court finds that Peterson has neither admitted nor denied the United States' allegations that she has engaged in conduct that is subject to penalty under I.R.C. § 6694 and I.R.C. § 6701, or that otherwise interferes with the enforcement of the internal revenue laws of the United States.

3. The Court finds that Peterson has consented to the entry of a final judgment for injunctive relief pursuant to I.R.C. §§ 7402, 7407, and 7408 to prevent her from engaging in conduct subject to penalty under I.R.C. §§ 6694 or 6701.

4. Pursuant to I.R.C. §§ 7407 and 7408, it is hereby **ORDERED, ADJUDGED, AND DECREED** that Peterson, and anyone in active concert or participation with her, including any agent, servant, or employee, is permanently enjoined and prohibited from directly or indirectly, by the use of any means or instrumentalities, preparing or assisting in the preparation of any federal income tax return, or otherwise acting as a federal income tax return-preparer.

5. Pursuant to I.R.C. § 7407, it is further **ORDERED, ADJUDGED, AND**

DECREED that Peterson, and anyone in active concert or participation with her, including any agent, servant, or employee, is permanently enjoined and restrained from directly or indirectly, by the use of any means or instrumentalities:

a. engaging in any conduct subject to penalty under I.R.C. § 6694, *i.e.*, preparing any part of a return, amended return, or claim for refund that includes an unrealistic position, including, without limitation, inflated claims for the deduction of business or employee expenses;

b. assisting or aiding others to evade the payment of taxes or to prepare false or fraudulent federal income tax returns;

c. engaging in conduct that substantially interferes with the administration or enforcement of the internal revenue laws.

6. Pursuant to I.R.C. §§ 7402 and 7408, it is further **ORDERED, ADJUDGED, AND DECREED** that Peterson, and anyone in active concert or participation with her, including any agent, servant, or employee, is permanently enjoined and restrained from directly or indirectly, by the use of any means or instrumentalities:

a. engaging in conduct subject to penalty under I.R.C. § 6701, *i.e.*, preparing or assisting others in preparing any document (i) that is to be used in connection with any material matter arising under the internal revenue laws and (ii) that Peterson knows will (if so used) result in understating the income tax liability of another person;

b. engaging in conduct that interferes with the administration or enforcement of the internal revenue laws, including preparing or assisting in preparing any return, amended return, refund claim, or other document to be filed with the IRS and that claims deduction for amounts in excess of those allowed by the Internal Revenue Code.

7. It is further **ORDERED, ADJUDGED, AND DECREED** that Peterson shall provide to counsel for the United States, within fourteen (14) days after entry of this Final Judgment, a complete list of the persons for whom she has prepared any federal income tax

return, amended return, or refund claim for a tax period ending on or after January 1, 2004, through the present, such list to include for each such person the name, address, phone number, e-mail address, social security number or employer identification number, and the tax period(s) to which or for which such return, amended return, or refund claim relates.

8. It is further **ORDERED, ADJUDGED, AND DECREED** that, within twenty-one (21) days after entry of this Final Judgment, Peterson shall file with the Clerk of this Court, with a copy provided to counsel for the United States, a sworn certificate of compliance, stating that she has complied with paragraph 7 of this Final Judgment.

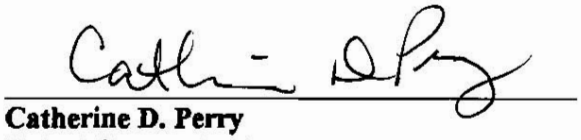
9. It is further **ORDERED, ADJUDGED, AND DECREED** that this Court shall retain jurisdiction of this action for the purpose of implementing and enforcing this Final Judgment and any and all additional decrees and orders necessary and appropriate to the public interest.

10. It is further **ORDERED, ADJUDGED, AND DECREED** that, to monitor Peterson's compliance with this Final Judgment, the Government may engage in post-judgment discovery in accordance with the Federal Rules of Civil Procedure.

There being no just reason for delay, the Clerk is directed to enter this Final Judgment forthwith.

Each party shall bear its own costs, fees, and expenses of this action.

SO ORDERED this 27th day of July, 2005.



Catherine D. Perry
United States District Judge

Approved and Agreed:

BY THE DEFENDANT:

Ella Mae Peterson

Dated: 6-29-05, 2005

BY THE UNITED STATES:

JAMES G. MARTIN
United States Attorney

By: _____

Dated: 7/13, 2005

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APPROVED AS TO FORM:

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Dated: 6-29-05, 2005

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