

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 6:14-cv-1539-Orl-22TBS

WALNER G. GACHETTE,

Defendant.

**ORDER AND JUDGMENT OF PERMANENT INJUNCTION AND DISGORGEMENT
AGAINST WALNER GACHETTE**

Now before the Court is the Joint Motion for Entry of Order and Judgment of Permanent Injunction and Disgorgement against Walner Gachette (Doc. No. 62). Pursuant to the terms of that Stipulation,

IT IS HEREBY ORDERED that Walner Gachette, individually and doing business as LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, and all those in active concert or participation with him, are permanently enjoined pursuant to Internal Revenue Code (I.R.C.) (26 U.S.C.) §§ 7402, 7407, and 7408, from:

- (1) acting as a federal tax return preparer or requesting, assisting in, or directing the preparation or filing of federal tax returns, amended returns, or other related documents or forms for any person or entity other than himself;
- (2) preparing or assisting in preparing federal tax returns that he knows or reasonably should have known would result in an understatement of tax liability or the overstatement of federal tax refund(s) as penalized by I.R.C. § 6694;
- (3) owning, operating, managing, working in, investing in, providing capital or loans to, receiving fees or remuneration from, controlling, licensing, consulting with, or franchising a tax return preparation business;

- (4) training, instructing, teaching, and creating or providing cheat sheets, memoranda, directions, instructions, or manuals, pertaining to the preparation of federal tax returns;
- (5) engaging in any other activity subject to penalty under I.R.C. §§ 6694, 6695, 6701, or any other penalty provision in the I.R.C.;
- (6) maintaining, assigning, holding, using, or obtaining a Preparer Tax Identification Number (PTIN) or an Electronic Filing Identification Number (EFIN); and
- (7) engaging in any conduct that substantially interferes with the proper administration and enforcement of the internal revenue laws.

IT IS FURTHER ORDERED that Walner Gachette, individually and doing business as LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, pursuant to 26 U.S.C. §§ 7402(a) and 7407, shall immediately and permanently close (to the extent that any are open and operating) all tax return preparation stores that he currently owns directly or through any entity, and whether those stores do business as LBS Tax Services or under any other name, and shall not thereafter re-open any tax return preparation store(s) or open any new tax return preparation store(s).

IT IS FURTHER ORDERED that Walner Gachette, individually and doing business as LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, pursuant to 26 U.S.C. § 7402(a), is prohibited, either directly or through any entity, from assigning, transferring, or selling any franchise agreement, independent contractor agreement, or employment contract related to LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, or any other tax return preparation business to which he or any entity under his control is a party. This provision does not prevent Gachette from assigning, transferring, or

selling any franchise agreement, independent contractor agreement, or employment contract related to Loan Buy Sell, Inc. so long as that franchise agreement, independent contractor agreement, or employment contract is related solely to his real estate business.

IT IS FURTHER ORDERED that Walner Gachette, individually and doing business as LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, pursuant to 26 U.S.C. § 7402(a), is prohibited, either directly or through any entity, from assigning, transferring, or selling a list of customers or any other customer information from, and any proprietary information pertaining to, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, and any other business through which Gachette or those acting at his direction have prepared a tax return.

IT IS FURTHER ORDERED that Walner Gachette, individually and doing business as LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, pursuant to 26 U.S.C. § 7402(a), is prohibited, either directly or through any entity, from: (1) selling to any individual or entity a list of customers or any other information pertaining to customers for whom Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, International Hiring, LLC, or any other business or name through which Walner Gachette or those acting at his direction have at any time since 2008 prepared a tax return; (2) assigning, disseminating, providing, or giving to any current or former franchisee, General Sales Manager, District Sales Manager, manager, tax return preparer, employee, or independent contractor of Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, International Hiring, LLC, or any other business through which

Gachette prepares tax returns or owns or franchises a tax return preparation business, a list of customers or any other information pertaining to customers for whom Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, International Hiring, LLC, or any other business or name through which Gachette or those acting at his direction have at any time since 2008 prepared a tax return; and (3) selling to any individual or entity any proprietary information pertaining to LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, International Hiring, LLC,, or any other business or name through which Gachette or those acting at his direction have at any time since 2008 prepared a tax return. This provision does not prevent Gachette from transferring any proprietary information or customer information pertaining to Loan Buy Sell, Inc. so long as that proprietary or customer information is related solely to his real estate business.

IT IS FURTHER ORDERED that Walner Gachette, pursuant to 26 U.S.C. § 7402(a), shall, within 30 days of the Court's order, provide notice of the Court's order to the public, in a statement approved by the Court or counsel for the United States, via publication in a newspaper of general circulation in each of the three cities: Orlando, Florida, Atlanta, Georgia, and Houston, Texas.

IT IS FURTHER ORDERED that Walner Gachette, pursuant to 26 U.S.C. § 7402(a), shall produce to counsel for the United States, within 30 days of the Court's order, a list that identifies by name, social security number, address, e-mail address, and telephone number and tax period(s) all persons for whom Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, prepared federal tax returns or claims for a refund for tax years beginning in 2008 and continuing

through this litigation. To the extent that Gachette has produced this information to the United States in discovery in this case, he does not need to produce it again.

IT IS FURTHER ORDERED that Walner Gachette, pursuant to 26 U.S.C. § 7402(a), shall produce to counsel for the United States, within 30 days of the Court's order, a list that identifies by name, address, e-mail address, and telephone number all principals, officers, managers, franchisees, employees, and independent contractors of Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, from 2008 to the present. To the extent that Gachette has produced this information to the United States in discovery in this case, he does not need to produce it again.

IT IS FURTHER ORDERED that Walner Gachette, pursuant to 26 U.S.C. § 7402(a), shall provide a copy of the Court's order, by email or other means, to all principals, officers, managers, franchisees, employees, and independent contractors of Walner Gachette, LBS Tax Services, Loan Buy Sell, Inc., Gachette, LLC, WG Group, LLC, ZGT Group, LLC, JGT Group, LLC, and International Hiring, LLC, within 15 days of the Court's order, and provide to counsel for the United States within 30 days a list identifying the principals, officers, managers, franchisees, employees, and independent contractors to whom Walner Gachette provided a copy of the Court's order.

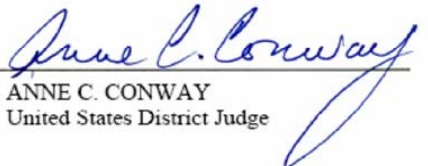
IT IS FURTHER ORDERED that Judgment is awarded against Walner Gachette and in favor of the United States of America in the amount of \$5,000,000 for the disgorgement of the proceeds that Walner Gachette received for the preparation of tax returns making or reporting false or fraudulent claims, deductions, credits, income, expenses, or other information resulting in the

understatement of taxes. The Clerk is **DIRECTED** to enter Judgment for the Plaintiff, the United States of America.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over Walner Gachette and over this action to enforce this Order and Judgment of Permanent Injunction and Disgorgement against Walner Gachette, and the United States is permitted to conduct discovery to monitor Walner Gachette's compliance with the terms of this permanent injunction entered against him.

IT IS FURTHER ORDERED that the parties' Joint Motion for Permanent Injunction and Disgorgement (Doc. No. 62) is **GRANTED**.

DONE and **ORDERED** in Chambers, in Orlando, Florida on November 16, 2016.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties