

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge John L. Kane, Jr.

Courtroom Deputy: Robert R. Keech
Court Reporter: Mary George

Date: March 4, 2016

Civil Action No. **15-cv-01894-JLK**

Counsel:

UNITED STATES OF AMERICA,

E. Carmen Ramirez

Plaintiff,

v.

**GERARDO HERRERA, individually
and d/b/a El Lobo MultiServicios
Profesionales, Inc.; Lobo
Multiservicios; and Lobos
Multiservicios LLC,**

Gerardo Herrera - *Pro Se*

Defendant.

COURTROOM MINUTES

SHOW CAUSE HEARING

10:01 a.m. Court in session.

Court calls case.

Appearances of counsel and party.

ORDERED: Plaintiff's Motion for an Order to Show Cause and Request for Expedited Treatment [ECF Doc. No. 18], filed February 25, 2016, is **GRANTED**.

10:02 a.m. Argument by Plaintiff by Ms. Ramirez.

10:06 a.m. Plaintiff's witness **John Vencato** sworn.

Direct examination by Plaintiff by Ms. Ramirez.
Exhibits Identified: 1, 2

Exhibit(s) 1 RECEIVED.

10:24 a.m. Cross examination by Defendant by Mr. Herrera.

Exhibit(s) 2 RECEIVED.

10:27 a.m. Plaintiff's witness **Jean Walker** sworn.

Direct examination by Plaintiff by Ms. Ramirez.

10:35 a.m. Cross examination by Defendant by Mr. Herrera.

10:37 a.m. Plaintiff rests.

10:43 a.m. Argument by Plaintiff by Ms. Ramirez.

10:46 a.m. Argument by Defendant by Mr. Herrera.

Court makes findings.

ORDERED: Court finds that Gerardo Herrera is in contempt of this Court and he is **REMANDED** into the custody of the U.S. Marshal's Service until he fully complies with all of the requirements of the Court and the Order Granting the United States' Motion for a Default Judgment and Permanent Injunction Against Defendant Gerardo Herrera [ECF Doc. No. 16].

ORDERED: Defendant shall comply with the following conditions not later than **Friday, March 18, 2016, at 5:00 p.m.:**

1. to send by certified mail, return receipt requested, to each person for whom he or LMS prepared federal income tax returns or any other federal tax forms after January 1, 2013: a copy of the final injunction entered against him in this action; a cover letter in a form either agreed to by counsel for the United States or approved by the Court; and a copy of the Complaint setting forth the allegations as to how he and LMS fraudulently prepared federal income tax returns;
2. to turn over to the United States copies of all returns or claims for refunds that he or LMS prepared after January 1, 2013;

3. to turn over to the United States a list with the names, addresses, telephone numbers, email addresses, and social security numbers or other taxpayer identification numbers of all customers for whom he or LMS prepared returns after January 1, 2013;
4. to surrender to the Secretary of the Treasury or his delegate the PTIN he holds, or that is assigned to or used by him pursuant to 26 U.S.C. § 6109(a), and any Electronic Filing ID ("EFIN") he holds, assigns, or uses in connection with his tax business;
5. to prominently post a copy of the injunction at his place of business;
6. to file a sworn statement with the Court evidencing his compliance with the foregoing directives not later than **Friday, March 18, 2016, close of business at 5:00 p.m.**; and
7. to keep records of his compliance with the foregoing directives, which may be produced to the Court, if requested, or the United States.

10:51 a.m. Court in recess. Hearing concluded.

Total Time in Court: :50