UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 9:19-cv-80056-DMM

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY CADET,
KERSH TAX SERVICE, LLC,
KERSHA LEWIS, and
SAGLENDA JOHNSON,

Defendants.
_______________________________________/

DEFAULT JUDGMENT OF PERMANENT INJUNCTION AGAINST DEFENDANTS JEFFREY CADET, KERSH TAX SERVICE, LLC AND KERSHA LEWIS

THIS CAUSE is before the Court upon the United States' Motion for Entry of Default Final Judgment of Permanent Injunction Against Defendants Jeffrey Cadet, Kersh Tax Service, LLC and Kersha Lewis (collectively "Defendants"), filed on April 17, 2019. (DE 19).

This action was initiated by the United States on January 15, 2019, seeking an injunction against Defendants for conduct alleged to violate several provisions of the Internal Revenue Code: 26 U.S.C. §§ 7407, 7408, and 7402. (DE 1). Defendants were each served with copies of the Summons and Complaint between February 14, 2019 and March 5, 2019 (DE 8; DE 12; DE 13), but they failed to file an appropriate motion or responsive pleading within the time prescribed by the Federal Rules of Civil Procedure. Pursuant to Fed. R. Civ. P. 55(a), the Clerk entered Default against Defendant Jeffrey Cadet on March 18, 2019 and against Defendants Kersh Tax Service, LLC and Kersha Lewis on April 8, 2019. (DE 11; DE 18).

I observe that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1340 and 1345, as well as I.R.C. § 7402(a), and upon consideration of Plaintiff's Motion and the record in this matter, it is hereby

ORDERED and ADJUDGED that:

1. Plaintiff United States of America's Motion for Entry of Default Final Judgment of Permanent Injunction Against Defendants Jeffrey Cadet, Kersh Tax Service, LLC and Kersha Lewis (DE 19) is hereby **GRANTED**.

2. The Court finds that Defendants have repeatedly and continually engaged in conduct:

   a. subject to penalty under 26 U.S.C. §§ 6694 and 6695 and that injunctive relief is appropriate under 26 U.S.C. § 7407 to prevent recurrence of that conduct;

   b. subject to penalty under 26 U.S.C. § 6701 and that injunctive relief is appropriate under 26 U.S.C. § 7408 to prevent recurrence of that conduct; and

   c. that substantially interferes with the proper enforcement and administration of the internal revenue laws, and that injunctive relief against them is appropriate to prevent the recurrence of that conduct pursuant to 26 U.S.C. § 7402(a), and the traditional elements for injunctive relief.

3. The Court further finds that Defendants' conduct has been continual and repeated and that an injunction against only the prohibited conduct would be insufficient to prevent Defendants' interference with the proper administration of the internal revenue laws.

4. Pursuant to Fed. R. Civ. P. 65 and the above findings, Defendants are **PERMANENTLY ENJOINED** pursuant to I.R.C. §§ 7402(a), 7407 and 7408 from directly or indirectly:

   a. acting as federal tax return preparers 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 themselves;

b. preparing or assisting in preparing federal tax returns that they know or reasonably should know would result in an understatement of tax liability or the overstatement of federal tax refund(s) as penalized by 26 U.S.C. § 6694;

c. 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;

d. training, instructing, teaching, and creating or providing cheat sheets, memoranda, directions, instructions, or manuals, pertaining to the preparation of federal tax returns;

e. maintaining, assigning, holding, using, or obtaining a Preparer Tax Identification Number (PTIN) or an Electronic Filing Identification Number (EFIN);

f. engaging in any other activity subject to penalty under 26 U.S.C. §§ 6694, 6695, 6701, or any other penalty provision in the Internal Revenue Code; and

g. engaging in any conduct that substantially interferes with the proper administration and enforcement of the internal revenue laws.

5. **IT IS FURTHER ORDERED** that Defendants:

a. at their own expense, within 30 days after entry of the injunction, shall send by certified mail, return receipt requested, a copy of the final injunction entered against Defendants in this action, as well as a copy of the Complaint setting forth the allegations as to how Defendants fraudulently prepared federal income tax returns, to each person for whom Defendants prepared federal income tax returns or any other federal tax forms after January 1, 2014.

b. turn over to the United States copies of all returns and claims for refund that Defendants prepared after January 1, 2014;

c. surrender to the Secretary of the Treasury or his delegate any and all PTINs held by, assigned to, or used by each defendant pursuant to 26 U.S.C. § 6109, and the EFINs held by, assigned to, or used by each defendant;

d. prominently post a copy of the injunction in Defendants' place of business where tax returns were prepared by Defendants;

e. deliver a copy of the injunction to Defendants' employees, contractors, and vendors;

f. file a sworn statement with the Court evidencing Defendants' compliance with the foregoing directives within forty-five (45) days of entry of the final injunction in this action; and

g. keep records of Defendants' compliance with the foregoing directives, which may be produced to the Court, if requested, or to the United States.

6. **IT IS FURTHER ORDERED** that the Internal Revenue Service is authorized to revoke immediately any PTIN or EFIN held by, assigned to, or used by Defendants.

7. **IT IS FURTHER ORDERED** that the United States may monitor Defendants' compliance with the injunction, and engage in post-judgment discovery in accordance with the Federal Rules of Civil Procedure.

8. **IT IS FURTHER ORDERED** that the Court shall retain jurisdiction over Defendants and this action to enforce this injunction.

SIGNED in Chambers at West Palm Beach, Florida this 12th day of August, 2019.

Donald M. Middlebrooks
United States District Judge

CC: Counsel of Record