

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:13-cv-00884-JAR
	)	
JOSEPH L. BURNS, ET AL.,	)	
	)	
Defendants.	)	

**FINAL STIPULATED PERMANENT INJUNCTION ORDER  
AGAINST JOSEPH L. BURNS**

The United States has filed a complaint for permanent injunction against Joseph Burns, Joseph Thomas, and International Tax Service, Inc., seeking to permanently bar them from preparing and filing federal tax returns for others. The United States and Joseph L. Burns (hereinafter "Burns") stipulate to the entry of this final permanent injunction order against Burns as follows:

1. Burns understands that this Final Stipulated Permanent Injunction Order constitutes the final judgment in this matter, and waives any and all rights to appeal from this judgment. The United States and Burns waive the entry of findings of fact and conclusions of law under Fed. R. Civ. P. 52, and agree to bear their respective costs, including any attorneys' fees or other expenses of this matter.

2. Burns consents to the entry of this Final Stipulated Permanent Injunction Order under 26 U.S.C. (I.R.C.) §§ 7402(a), 7407, and 7408 without further notice and agrees to be bound by its terms.

3. Burns understands and agrees that the Court has jurisdiction over this matter for the purposes of implementing and enforcing this Final Stipulated Permanent Injunction Order, and understands that if he violates its terms, he may be found in civil or criminal contempt of court.

4. The United States and Burns agree that entry of this Final Stipulated Permanent Injunction Order resolves only this civil injunction action, and neither precludes the United States from pursuing any other current or future civil or criminal matters or proceedings against Burns, nor precludes Burns from contesting his liability in any matter or proceeding.

Accordingly, it is hereby Stipulated, Agreed and Ordered:

A. The Court has jurisdiction under 28 U.S.C. §§ 1340 and 1345 and I.R.C. § 7402(a).

B. Joseph L. Burns has voluntarily consented to the entry of this permanent injunction and agrees to be bound by its terms.

C. Pursuant to I.R.C. §§ 7402(a), 7407, and 7408, Joseph L. Burns, individually and doing business as any entity, and any officers, agents, servants, employees, attorneys and all persons in active concert or participation with him, are PERMANENTLY ENJOINED from, directly or indirectly:

- (1) Acting as a federal tax return preparer or assisting in the preparation or filing of federal tax returns, amended returns, or other related tax documents or forms for other persons;
- (2) Owning, managing, supervising, profiting from or otherwise being involved in any tax return preparation business in any way;
- (3) Counseling, advising, instructing, encouraging, enabling, or inciting anyone to evade or avoid assessment or collection of federal taxes or to improperly claim tax refunds;

- (4) Engaging in any other conduct subject to penalty under I.R.C. §§ 6694, 6695, 6701, or any other penalty provision in the I.R.C.;
- (5) Otherwise engaging in any conduct that substantially interferes with the proper administration and enforcement of the Internal Revenue laws; and
- (6) Misrepresenting any terms of this Final Stipulated Permanent Injunction Order.

D. Within 30 days of this Order, Joseph L. Burns shall provide a copy of this Order to all of his employees and/or independent contractors. Within 35 days of the date of this Order, Burns shall provide counsel for the United States a list of individuals to whom he provided such a copy.

E. Within 30 days of this Order, Joseph L. Burns shall provide to counsel for the United States a list of all customers, including their names, addresses, telephone numbers, and social security numbers, for whom he has prepared a federal tax return since January 1, 2010.

F. Within 35 days of the date of this Order, Joseph L. Burns shall file with the Court a certification signed under penalty of perjury that he has complied with paragraphs D and E of this Order.

G. The United States of America is permitted to engage in discovery after the entry of this Final Stipulated Permanent Injunction Order to ensure compliance with its terms.

H. This Court shall retain jurisdiction over this action for purposes of implementing and enforcing this Final Stipulated Permanent Injunction and Order.


I. The parties shall bear their own costs associated with this matter.

[Space left blank intentionally]

The foregoing FINAL STIPULATED PERMANENT INJUNCTION ORDER is hereby APPROVED, SO-ORDERED, ADJUDGED, and DECREED,

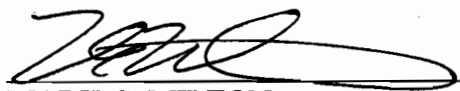
this 21<sup>st</sup> day of November, 2013.

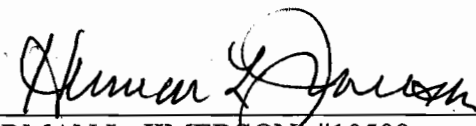
The Clerk of the Court shall enter this final judgment of permanent injunction against Joseph L. Burns forthwith because there is no just reason for delay.


  
\_\_\_\_\_  
JOHN A. ROSS  
United States District Judge

Agreed to and submitted by:

KATHRYN KENEALLY  
Assistant Attorney General

  
\_\_\_\_\_  
MARK C. MILTON  
Missouri Bar No. 63101  
Trial Attorney, Tax Division  
U.S. Department of Justice  
P.O. Box 7238, Ben Franklin Station  
Washington, D.C. 20044  
Tel: (202) 616-2904  
Fax: (202) 514-6770  
Email: mark.c.milton@usdoj.gov  
*Attorneys for the United States of America*

  
\_\_\_\_\_  
HERMAN L. JIMERSON, #10509  
Jimerson Law Firm  
225 S. Meramec, Suite 508  
St. Louis, MO 63105  
Tel: (314) 862-0069  
Fax: (314) 862-4134  
Email: herman@jimersonlawfirm.com  
*Attorney for Joseph L. Burns*

  
\_\_\_\_\_  
JOSEPH L. BURNS  
*Defendant*