

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Case Number: 3:17-cv-00048-AWT
v.)
)
NEW DAY HOME CARE, INC., and)
CLEMENT POWNALL,)
)
Defendants.)

STIPULATED ORDER OF PERMANENT INJUNCTION

The United States' Complaint, Dkt. #1, seeks "to obtain a money judgment against New Day Home Care, Inc. for unpaid federal tax liabilities and to enjoin New Day Home Care and Clement Pownall from continuing to pay wages to employees without paying the associated federal quarterly employment taxes."

Defendant Clement Pownall agrees to the entry of an order of permanent injunction against himself as set forth below. Clement Pownall understands and agrees that the Court will retain jurisdiction over this case for the purpose of enforcing the order. Clement Pownall further understands that if he violates the order, he may be subject to civil and criminal sanctions for contempt of court.

IT IS HEREBY STIPULATED AND AGREED that:

- A. Clement Pownall must timely deposit in an appropriate federal depository bank, in accordance with federal deposit regulations, withheld employee income tax and FICA tax, and employer FICA tax, for New Day Home Care, Inc. all as required by the Internal Revenue Code;
- B. Clement Pownall must sign and deliver to Revenue Officer Lori Quagliaroli at Internal Revenue Service, 135 High Street, Stop 325, Hartford, Connecticut

06103, or to such other person or location, or by such other means, designated by the IRS, on the first day of each month, a written verification that the requisite deposits of withheld employee income tax and FICA tax, and employer FICA tax, for New Day Home Care, Inc. have been made in a timely manner;

- C. Clement Pownall must timely file all employment (Forms 941) tax returns for New Day Home Care, Inc. coming due after the date of entry of this Order;
- D. Clement Pownall must timely pay all required outstanding liabilities due on each return for New Day Home Care, Inc. required to be filed herein;
- E. Clement Pownall, for the next five years after the date of entry of this Order, must notify Revenue Officer Lori Quagliaroli at Internal Revenue Service, 135 High Street, Stop 325, Hartford, Connecticut 06103, or such other person or location designated by the IRS, if, within that five-year period, he comes to form, incorporate, own or work in a managerial capacity for another or a successor business entity;
- F. Clement Pownall is enjoined from assigning and/or transferring money or property from New Day Home Care, Inc. to any other entity to have that entity pay the salaries or wages of the employees of New Day Home Care, Inc. unless that entity is a payroll services provider approved in advance by counsel for the United States; and
- G. Clement Pownall is enjoined from assigning and/or transferring property of, or making any payments from, New Day Home Care, Inc. after the date of the entry of this Order until the tax deposits set forth in Paragraph (A) and the tax liabilities

set forth in Paragraph (D) and coming due after the date of the entry of this Order
are first paid to the Internal Revenue Service.

For the United States,



KAREN WOZNIAK

Trial Attorney, Tax Division

U.S. Department of Justice

P.O. Box 55, Ben Franklin Station

Washington, D.C. 20044

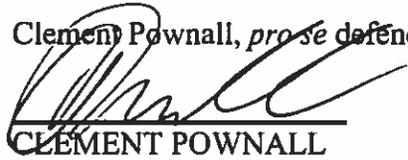
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Dated: August 16, 2017

Clement Pownall, *pro se* defendant,



CLEMENT POWNALL

340 Broad Street, Suite 107

Windsor, CT 06095

Dated: 8/15/17

SO ORDERED.

Dated: August 17, 2017

/s/

ALVIN W. THOMPSON
United States District Court Judge