

FILED

JAN - 4 2017

CLERK, U.S. DISTRICT CLERK  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY

IN THE UNITED STATES DISTRICT COURT  
THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

CIVIL ACTION NO. 5:16-cv-1018-FB

DR. ROBERT LEE BECK, M.D., D.M.D. )

and ANA NILA GARCIA DeBECK, )

INDIVIDUALLY AND DOING )

BUSINESS AS SAN ANTONIO DENTAL )

MANAGEMENT GROUP AND SAN )

ANTONIO DENTAL LABORATORY; )

and AGB ENTERPRISES, INC., )

Defendants. )

**AGREED PRELIMINARY INJUNCTION AGAINST DR. ROBERT LEE BECK  
AND RELATED ENTITIES**

This Order is agreed and stipulated to by Plaintiff United States of America and Defendant Dr. Robert Lee Beck, M.D., D.M.D. and Dr. Robert Lee Beck's dental clinic (known at different times as Dr. Robert Lee Beck, a sole proprietorship, San Antonio Dental Management Group, San Antonio Dental Laboratory, and/or AGB Enterprises, Inc.) (Collectively the Defendants). This Order is filed to satisfy the request in the United States' Complaint for a preliminary injunction pending the resolution of this case and possible entry of a permanent injunction. Defendants consent to the Court's jurisdiction, waive findings of fact and conclusions of law, and agree that a preliminary injunction is necessary and appropriate for the enforcement of the internal revenue laws. The Court, being otherwise fully advised and finding that a preliminary injunction is necessary and appropriate, entered this Order, as follows:

**IT IS HEREBY ORDERED** that:

1. With respect to all wages paid to the Defendants' employees after the date of this Order, the Defendants shall timely withhold, and within 3 days of such wages being paid, deposit employee income taxes and employee Federal Insurance Contributions Act (FICA) taxes, Medicare taxes, and employer FICA and Medicare taxes in an appropriate federal depository bank in accord with federal deposit regulations, *e.g.*, via the Electronic Federal Tax Payment System (EFTPS). The foregoing may be accomplished via a commercial payroll services company approved by the United States.

2. With respect to all wages paid to the Defendants' employees after the date of this Order, the Defendants shall timely deposit federal unemployment taxes in an appropriate federal depository bank within 3 business days of such wages being paid in the manner described in the federal deposit regulations, *e.g.*, via EFTPS. The foregoing may be accomplished via a commercial payroll services company approved by the United States.

3. Within three days of each payroll, the Defendants shall sign and send proof of their having complied with paragraphs 1 and 2 above, to IRS Revenue Officer James Ashton, 1740 Briarcrest Drive, Bryan, Texas 77802, via fax (877) 547-9082, or such other person or location as the IRS may designate.

4. Defendants shall timely file all federal employment tax returns (Form 941), unemployment tax returns (Form 940), and income tax returns (Forms 1040, 1065, 1120 and 1120S) that become due after the date of this Order. Further, Defendants shall pay any balance due on those returns upon filing, as well as all applicable interest and penalties, and shall mail

copies of such returns to counsel for the United States at the same time that they file the original returns.

5. The Defendants shall also file with the Internal Revenue Service and the United States Social Security Administration, and issue to their employees, accurate IRS Forms W-2 for 2016, if any (if they have not already done so, and in any event, provide proof to the United States that they have), within 45 days of the entry of this Order, and send copies of these Forms W-2 to counsel for the United States at the same time that they file the originals.

6. Defendants are prohibited from paying other creditors before paying their federal employment and income tax liabilities that come due after the date of this Order.

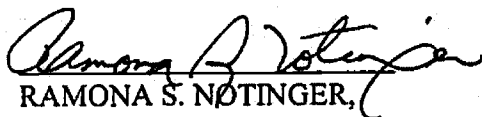
7. Defendants are prohibited from: (a) transferring or assigning any money or property to any other entity or person for the purpose of having that entity or person pay Defendants' employees' salaries and wages; and (b) assigning or transferring any money or property, until the deposits of employment taxes, as well as withholding liabilities, unemployment taxes, and income taxes, coming due after issuance of this Order, are first paid to the IRS.

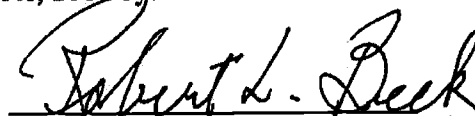
8. Defendants shall notify the IRS in writing within 14 business days, if they begin operating any new business enterprise, or begin to operate, manage, or acquire an ownership interest in any other business entity. Such notification shall be in the manner described above in paragraph 3, and such notice shall also be given to counsel for the United States.

9. To the extent not specifically addressed in this Order, Defendants shall comply with I.R.C. [26 U.S.C.] §§ 3102, 3111, 3301, 3402, 6011, and 6041, for all employment and income taxes becoming due after the date of the Order.

10. The United States is not required to give security for this Preliminary Injunction.
11. This injunction does not preclude the United States from seeking injunctive relief against any other person or entity.

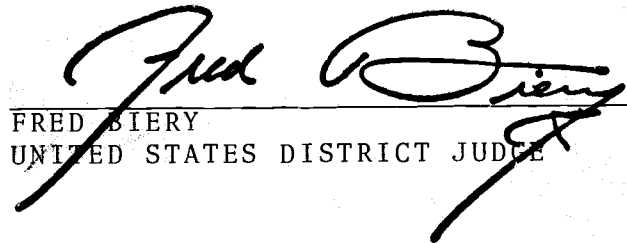
Agreed to on this 16<sup>th</sup> day of December, 2016 by:

  
RAMONA S. NOTINGER,  
ATTORNEY FOR  
UNITED STATES OF AMERICA

  
DR. ROBERT LEE BECK,  
INDIVIDUALLY, AND ON  
BEHALF OF HIS DENTAL  
CLINIC: DR. ROBERT LEE BECK,  
A SOLE PROPRIETORSHIP,  
SAN ANTONIO DENTAL  
MANAGEMENT GROUP, SAN  
ANTONIO DENTAL  
LABORATORY, AGB  
ENTERPRISES, INC., AND  
ANY OTHER NAME UNDER  
WHICH DR. ROBERT LEE BECK  
IS OPERATING A  
DENTAL CLINIC

It is so ORDERED.

SIGNED this 4th day of January, 2017.

  
FRED BIERY  
UNITED STATES DISTRICT JUDGE