

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 6:17-cv-2061-Orl-78DCI

GERLINE ERILUS, ST. FONIE ERILUS,
GERLINE ERILUS, LLC, ELITE MULTI-
SERVICES SOLUTIONS, LLC, ST.
FONIE ERILUS, LLC and THE
DIVERSIFIED FINANCE SOLUTIONS,
LLC,

Defendants.

ORDER and JUDGMENT OF PERMANENT INJUNCTION

THIS CAUSE is before the Court on the United States' Motion for Default Judgment (Doc. 58). United States Magistrate Judge Daniel C. Irick issued a Report and Recommendation (Doc. 70), in which he recommends that the Motion be granted and a permanent injunction consistent with the United States' request be issued. (*Id.* at 9).

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 70) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The United States' Motion for Default Judgment (Doc. 58) is **GRANTED**.

3. Defendants Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC, and all persons in active concert or participation with these Defendants, are immediately **PERMANENTLY ENJOINED** and **RESTRAINED** from:
- 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 Code.
- 4. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC shall immediately and permanently close all tax return preparation stores that they own directly or through any other entity and operating under any name.
- 5. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC are prohibited from assigning, transferring, or selling any franchise agreement, independent contractor agreement, or employment contract related to Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC, or any other tax return preparation business to which they or any entity under their control is a party.
- 6. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC are prohibited from: (1) selling to any individual or entity a list of customers or any other customer information for whom Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC, or those acting at their direction, have at any time since January 1, 2013, prepared a tax return; (2) assigning, disseminating, providing, or giving to

any current or former franchisee, General Sales Manager, District Sales Manager, manager, tax return preparer, employee, or independent contractor of Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, or The Diversified Finance Solutions, LLC the right to prepare tax returns or own or franchise a tax return preparation business, a list of customers or any other customer information for customers that Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, or The Diversified Finance Solutions, LLC, or those acting at their direction, have at any time since January 1, 2013, prepared a tax return; and (3) selling to any individual or entity any proprietary information pertaining to Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, or The Diversified Finance Solutions, LLC, or those acting at their direction.

7. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC shall contact, **within 30 days of this Order**, by United States mail and, if an e-mail address is known, by e-mail, all persons for whom Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC, and their managers, employees, and tax return preparers, prepared federal tax returns or claims for a refund from January 1, 2013, to the date of this Order to inform them of the permanent injunction entered against them, including sending a copy of this Order but not enclosing any

other documents or enclosures unless agreed to by counsel for the United States or approved by this Court.

8. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC shall produce to counsel for the United States, **within 30 days of this Order**, a list that identifies by name, social security number, address, e-mail address, and telephone number, and tax period(s) all persons for whom Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC, and their managers, employees, and tax return preparers, prepared federal tax returns or claims for a refund from January 1, 2013, to the date of this Order.
9. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC shall produce to counsel for the United States, **within 30 days of this Order**, a list that identifies by name, address, e-mail address, and telephone number all principals, officers, managers, franchisees, employees, and independent contractors of Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC from January 1, 2013, to the date of this Order.
10. Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC shall provide a copy of this Order to all principals, officers, managers, franchisees, employees, and independent contractors of Gerline Erilus, LLC, Elite Multi-Services

Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC **within 15 days of this Order**, and provide to counsel for the United States **within 30 days of this Order** a signed and dated acknowledgment of receipt of the Court's order for each person whom Gerline Erilus, LLC, Elite Multi-Services Solutions, LLC, St. Fonie Erilus, LLC, and The Diversified Finance Solutions, LLC provided a copy of this Order.

11. The United States is entitled to conduct discovery to monitor compliance with the terms of this Order and Judgment of Permanent Injunction entered against them.

12. The Clerk is directed to close this case.

DONE AND ORDERED in Orlando, Florida on November 19, 2019.



WENDY W. BERGER
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties