

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

Case No. 8:19-cv-886-T-33SPF

OASIS INTERNATIONAL GROUP,
LIMITED, et al.,

Defendants,

and

MAINSTREAM FUND SERVICES, INC.,
et al.,

Relief Defendants.

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ORDER

Before the Court is Defendant Raymond P. Montie III's Unopposed Motion to Modify the Consent Order of Preliminary Injunction (Doc. # 223), filed on January 23, 2020. Upon review, the Court grants the Motion.

I. Background

On July 11, 2019, this Court entered a Consent Order of Preliminary Injunction as to Montie. (Doc. # 176). The terms of the Order allowed Montie to open two bank accounts - one at TD Bank (the "TD Account") for the purpose of "depositing, withdrawing, or transferring funds earned or liabilities

incurred" after July 11, 2019, including making mortgage, property tax, and insurance payments on two residences owned by Montie; and another at Federal Savings Bank (the "FSB Account") that would be used to make mortgage, property tax, and insurance payments on a different residence owned by Montie. (Doc. # 176 at 9). The Order allowed Montie to deposit income obtained after July 11, 2019, "from legitimate sources that are not related to this case into the TD Account to use for his reasonable living and . . . business expenses and reasonable attorneys' fees." (Id. at 10).

According to Montie's Motion, a TD Bank representative told Montie in early January 2020 that TD Bank would be terminating his account. (Doc. # 223 at 2). Accordingly, Montie requests that this Court modify the Consent Order to allow him to exclusively use the FSB Account moving forward. (Id.).

II. Discussion

"A district court has continuing jurisdiction over a preliminary injunction and may modify the injunction to meet changes in the law or facts, or for any other good reasons." Fed. Trade Comm'n v. Wash. Data Res., Inc., No. 8:09-cv-2309-T-23TBM, 2010 WL 11507704, at *2 (M.D. Fla. Jan. 15, 2010).


Under the circumstances presented here, and in light of Plaintiff's representation that it does not oppose the relief requested by Montie, the Court amends the Consent Order to allow Montie to exclusively use the FSB Account. All requirements imposed by the Consent Order with respect to the TD Account will be applicable to the FSB Account. All other restrictions and conditions contained in the Consent Order are unchanged. Pursuant to the Consent Order, if Montie has not already done so, he is directed to provide to Plaintiff copies of documents relating to the closing of the TD Account, including close-out statements and all documents reflecting the reason the account was closed. (Doc. # 176 at 11).

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) Defendant Raymond P. Montie III's Unopposed Motion to Modify the Consent Order of Preliminary Injunction (Doc. # 223) is **GRANTED**.
- (2) The Court hereby amends the Consent Order of Preliminary Injunction as to Defendant Raymond P. Montie III (Doc. # 176) to allow Montie to exclusively use the Federal Savings Bank account in accordance with this Order.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this
28th day of January, 2020.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE