

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Case No. 6:18-cv-862-Orl-37DCI

MOBE LTD.;  
MOBEPROCESSING.COM, INC.;  
TRANSACTION MANAGEMENT  
USA, INC.; MOBETRAINING.COM,  
INC.; 9336-0311 QUEBEC INC.; MOBE  
PRO LIMITED; MOBE INC.; MOBE  
ONLINE LTD.; MATT LLOYD  
PUBLISHING.COM PTY LTD.;  
MATTHEW LLOYD MCPHEE; SUSAN  
ZANGHI; and RUSSELL W. WHITNEY,  
JR.,

Defendants.

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**ORDER**

Before the Court is Plaintiff Federal Trade Commission's ("FTC") Emergency Consent Motion to Extend the Temporary Restraining Order, Reschedule the Preliminary Injunction Hearing, Unfreeze Certain Assets, and Enlarge Time to Respond to Complaint. (Doc. 45 ("**Motion**").) For the reasons set forth below, the motion is due to be granted.

Pursuant to Federal Rule of Civil Procedure 65, a temporary restraining order ("**TRO**") may be extended by the court for good cause or if the adverse party consents to the extension. Fed. R. Civ. P. 65(b)(2). The court must provide the reasons for granting an extension. *Id.* Here, the Motion requests several types of relief including: (1) postponing

the preliminary injunction hearing for 60 days; (2) extending the expiration of the TRO to coincide with the preliminary injunction hearing; (3) extending the time for defendants to respond to the complaint; and (4) directing the temporary receiver (“**Receiver**”) to unfreeze \$50,000 to pay legal fees used to represent Defendants Matthew Lloyd McPhee and Susan Zanghi. (Doc. 45, p. 1.)

All Defendants and the Receiver consent to the FTC’s requested relief. (*Id.*) The extension is sought to allow the parties additional time to discuss a settlement, which would resolve all claims. (*Id.*) In these circumstances, the Court finds that good cause exists: the adverse parties consent and the prospect of settlement. Thus, the Motion is due to be granted. The Court will enlarge the TRO and reset the preliminary injunction hearing. However, since the matter involves the extraordinary remedy of a TRO, the Court cautions that endless extensions will not be tolerated.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Federal Trade Commission’s Emergency Consent Motion to Extend the Temporary Restraining Order, Reschedule the Preliminary Injunction Hearing, Unfreeze Certain Assets, and Enlarge Time to Respond to Complaint is **GRANTED**. The Temporary Restraining Order (Doc. 13) as to Defendants Matthew Lloyd McPhee, MOBE Ltd., MOBEProcessing.com, Inc., Transaction Management USA, Inc., MOBETraining.com, Inc., MOBE Pro Limited, MOBE Online Ltd., 9336-0311 Quebec, Inc., MattLloydPublishing.com Pty Ltd., and MOBE Inc., is extended for good cause until **September 13, 2018**.

2. It is **ORDERED** that the Preliminary Injunction Hearing currently scheduled for July 17, 2018 is rescheduled to **September 13, 2018, at 10:00 a.m.**, in Courtroom 4A of the Orlando Courthouse, 401 West Central Boulevard, Orlando, Florida, 32801.<sup>1</sup>
3. It is **FURTHER ORDERED** that the Defendants shall file their respective responses to the Complaint on or before **September 6, 2018**.
4. It is **FURTHER ORDERED** that the Receiver release \$50,000 to counsel for Defendants Matthew Lloyd McPhee and Susan Zanghi only if the Receiver concludes that Defendant Matthew Lloyd McPhee has used his best efforts to repatriate foreign assets. Such release shall only be used to pay legal fees and expenses incurred by counsel to assist in settlement discussions and repatriating foreign assets. Counsel's representation of Defendants Matthew Lloyd McPhee and Susan Zanghi shall be limited to assisting in the repatriation of assets and advising on settlement. It shall not be deemed a general appearance on behalf of Defendants Matthew Lloyd McPhee or Susan Zanghi.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on July 6, 2018.

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<sup>1</sup> The hearing on Non-Party Qualpay, Inc.'s Motion for Emergency Relief from *Ex Parte* Temporary Restraining Order and, to the Extent Necessary, to Intervene and Memorandum of Law in Support (Doc. 32) will continue as previously scheduled on July 17, 2018, at 1:30 p.m.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:  
Counsel of Record