

United States District Court Middle District of Tennessee  
Nashville Division

Federal Trade Commission, and

State of Tennessee, *ex rel.*

Robert E. Cooper, Jr., Attorney General and  
Reporter,

Plaintiffs,

v.

United States Benefits, LLC, a limited liability  
company, also d/b/a United States Health, United  
Benefits of America, LLC, UBA, United Benefits,  
United Health Benefits, Health Care America, HCA,  
National Benefits of America, Insurance Specialty  
Group, and Adova Health,

Timothy Thomas, individually and as an officer of  
United States Benefits, LLC, also d/b/a United  
States Health, United Benefits of America, LLC,  
UBA, United Benefits, United Health Benefits,  
Health Care America, HCA, National Benefits of  
America, Insurance Specialty Group, and Adova  
Health,

Defendants, and

Kennan Dozier, also d/b/a Kennan Dozier Thomas,  
Accentuate Designs, and Accentuate Your Home,  
LLC,

Relief Defendant.

**Case No. 3-10 0733**

**PLAINTIFFS' EMERGENCY  
MOTION FOR AN ORDER TO  
SHOW CAUSE WHY DEFENDANTS  
AND THE RELIEF DEFENDANT  
SHOULD NOT BE HELD IN  
CONTEMPT FOR VIOLATING THE  
EX PARTE TEMPORARY  
RESTRAINING ORDER**

Plaintiffs Federal Trade Commission ("FTC") and the State of Tennessee ("State")

hereby move the Court for an Order that Defendants Timothy Thomas and U.S. Benefits, and Relief Defendant Kennan Dozier immediately show cause why they should not be held in contempt for violations of the *ex parte* temporary restraining order (“TRO”) entered in this matter on August 4, 2010.

As will be set forth in greater detail in the Plaintiff’s memorandum, to be filed prior to the August 18, 2010 preliminary injunction hearing, within moments after being served with the complaint, summons, and TRO in this case, and being admonished by the court-appointed Receiver that the asset freeze in the Court’s TRO prohibited them from transferring, withdrawing or otherwise dissipating personal or business assets, defendants Thomas and Dozier made repeated withdrawals and transfers from numerous banks and financial institutions totaling over \$677,000, in direct contravention of the Court’s TRO.

Upon learning of the Defendants’ contemptuous conduct, the FTC and State afforded Defendants an opportunity to provide a full accounting of the assets they flagrantly dissipated in violation of the Court’s TRO and instructed them to immediately surrender those assets to the Receiver. However, Defendants have failed, and continue to fail, to comply fully and truthfully with Plaintiffs’ request.

Immediate Court intervention is warranted to (1) fully recover all assets that Defendants dissipated in violation of the Court’s TRO, and (2) prevent Defendants from dissipating assets further.

Respectfully submitted,

Dated: August 17, 2010

/s/ Arturo A. DeCastro  
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State of Tennessee

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 17<sup>th</sup> day of August 2010.

/s/Olha N.M. Rybakoff  
Attorney for Plaintiff