

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

In re SANCTUARY BELIZE LITIGATION

No: 18-cv-3309-PJM

**FEDERAL TRADE COMMISSION’S MOTION FOR SURREPLY IN OPPOSITION TO
THE PUKKE DEFENDANTS’ PROPOSED ORDER**

The Federal Trade Commission (“FTC”) moves for leave to submit the attached Surreply In Opposition to the Pukke Defendants’ Proposed Order (“Surreply”). In their reply, the Pukke Defendants state that the FTC does not oppose the immediate return of their passports. DE 1423 at 3 fn.6. The FTC does so oppose, for the reasons stated in the Surreply, which are primarily those previously stated in the FTC’s Reply in Support of Motion to Reform and Reaffirm Final Orders, DE 1408 at 3. Although the FTC continues to maintain its positions in its prior filings opposing the relief that the Pukke Defendants are seeking (DE 1404, 1408, and 1422), the FTC seeks leave to file the Surreply for the limited purpose of correcting the record regarding the return of the Pukke Defendants’ passports. The FTC also proposes and consents to giving the Pukke Defendants the opportunity to file a memorandum in response to the proposed Surreply.

Dated: April 18, 2023

Respectfully Submitted,

/s/ Benjamin J. Theisman
Jonathan Cohen (jcohen2@ftc.gov)
Benjamin J. Theisman (btheisman@ftc.gov)
Christopher J. Erickson (cerickson@ftc.gov)
Federal Trade Commission
600 Pennsylvania Ave., N.W., CC-9528
Washington, DC 20580
202-326-2551 (Cohen); -2223 (Theisman); -3167
(Erickson)

Counsel for the Federal Trade Commission

Certificate of Service

I hereby certify that on April 18, 2023, I caused to be served the foregoing, and all related documents, through the Court's electronic filing system ("ECF") and otherwise on the following people and entities by email at the email addresses provided:

Gary Caris and James E. Van Horn, counsel for the Receiver, by ECF or at gcaris@btlaw.com and jvanhorn@btlaw.com;

John B. Williams, by ECF or at jbwilliams@williamslopatto.com, counsel for Defendants;

Neil H. Koslowe, by ECF or at nkoslowe@potomaclaw.com, counsel for Defendants;

Shon Hopwood and Kyle Singhal, by ECF or at shon@hopwoodsinghal.com and kyle@hopwoodsinghal.com, counsel for proposed intervenors

/s/ Benjamin J. Theisman

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DEFENDANTS’ PROPOSED ORDER**

The Federal Trade Commission (“FTC”) opposes returning the Pukke Defendants’ passports for the reasons stated in its Reply In Support of Motion to Reform and Reaffirm Final Orders. DE 1408 at 3. Furthermore, the terms of Andris Pukke’s release in his pending criminal prosecution prohibit him from possessing his passport. *See* Declaration Re Passport and Other Travel Documents by Andris Pukke, attached hereto.

Dated: April 18, 2023

Respectfully Submitted,

/s/ Benjamin J. Theisman

Jonathan Cohen (jcohen2@ftc.gov)

Benjamin J. Theisman (btheisman@ftc.gov)

Christopher J. Erickson (cerickson@ftc.gov)

Federal Trade Commission

600 Pennsylvania Ave., N.W., CC-9528

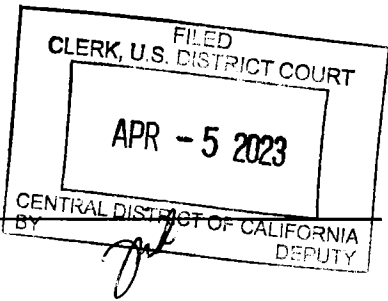
Washington, DC 20580

202-326-2551 (Cohen); -2223 (Theisman); -3167
(Erickson)

Counsel for the Federal Trade Commission

Attachment

(Docket Entry 8 from *United States v. Pukke*, 23-mj-203 (C.D. Cal. 2023))



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

PLAINTIFF

v.

Andris Pukke

DEFENDANT.

CASE NUMBER:

23-mj-208

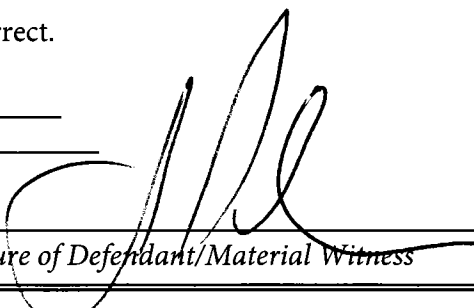
DECLARATION RE PASSPORT AND
OTHER TRAVEL DOCUMENTS

I, Andris Pukke, declare that
(Defendant/Material Witness)

- I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case.
- I have been issued a passport or other travel document(s). I will surrender my passport and all other travel document(s) issued to me to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case.
- I am unable to locate my passport(s) or other travel document(s). If I locate any passport or other travel document issued to me, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.
- My passport and all other travel documents issued to me are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2022
at Santa Ana, CA
(City and State)



Signature of Defendant/Material Witness

If the declarant is not an English speaker, include the following:

I, _____, am fluent in written and spoken English and _____
languages. I accurately translated this form from English into _____
to declarant _____ on this date.

Date: _____

Interpreter

**IN THE UNITED STATES DISTRICT COURT
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No: 18-cv-3309-PJM

**[PROPOSED] ORDER GRANTING THE FEDERAL TRADE COMMISSION'S
MOTION FOR LEAVE TO FILE A SURREPLY**

The Federal Trade Commission (“FTC”) has moved the Court for leave to file a surreply in response to Docket Entry 1423. Having considered the FTC’s motion, and finding good cause therefore, **IT IS HEREBY ORDERED:**

- A. The Court accepts the surreply appended to the FTC’s motion.
- B. Any party may respond to the FTC’s surreply, and only those issues raised in that surreply, within seven (7) days.

SO ORDERED, this ____ day of _____, 2023.

UNITED STATES DISTRICT JUDGE