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18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 FEDERAL TRADE COMMISSION,

21 Plaintiff,

22 v.

23 AMERICAN HOME SERVICING
24 CENTER, LLC,

25 CAPITAL HOME ADVOCACY
26 CENTER,

27 NATIONAL ADVOCACY CENTER,
28 LLC,

JAIME ABURTO, a/k/a James Aburto,
and Jamie Aburto, individually, as an
officer of American Home Servicing
Center, LLC and National Advocacy

Case No. SACV 18-00597-JLS-KESx

**PLAINTIFF FTC'S *EX PARTE*
APPLICATION TO EXTEND THE
TEMPORARY RESTRAINING
ORDER AS TO JAIME ABURTO**

1 Center, LLC, and d/b/a A.H.S.C.,
2 American Home Servicing Center, Local
3 Page, NAC, National Servicing Center,
NSC Processing, and Secured Processing,

4 MARCUS FIERRO, JR., individually, as
5 a member of American Home Servicing
6 Center, LLC and National Advocacy
7 Center, LLC, and d/b/a A.H.S.C. and
American Home Servicing Center,

8 EVE CHRISTINE RODRIGUEZ, a/k/a
9 Elizabeth Davis, Elizabeth Powers,
10 Christina Rodriguez, Christine Rodriguez,
11 and Elizabeth Rodriguez, individually, as
12 a manager of American Home Servicing
13 Center, LLC, a member of Capital Home
Advocacy Center, and d/b/a National
Advocacy Group,

14 and SERGIO LORENZO RODRIGUEZ,
15 a/k/a Sergio Lawrence, individually, as a
16 manager of American Home Servicing
17 Center, LLC, a member of Capital Home
Advocacy Center, and d/b/a National
Advocacy Group,

18
19 Defendants.

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21 Pursuant to Fed. R. Civ. P. 65(b), Plaintiff Federal Trade Commission (“the
22 FTC”) submits this application to extend the Temporary Restraining Order
23 (“TRO”) that this Court issued on April 12, 2018, as to Defendant Jaime Aburto.
24 Good cause exists to extend the TRO. Despite Plaintiff’s diligent efforts to serve
25 Aburto, as set forth below, the FTC was unable to identify or locate any accurate
26 contact information for this Defendant. The FTC notified Defendants American
27 Home Servicing Center, LLC, Capital Home Advocacy Center, National
28

1 Advocacy Center, LLC, Marcus Fierro, Jr., and Eve Christine Rodriguez that it
2 would seek an extension of the TRO. The attorney for Eve Christine Rodriguez
3 confirmed that she does not oppose the extension. No party has stated that they
4 oppose the extension.

5 Good cause exists because the FTC has been unable to effect service
6 despite its diligent attempts, and Mr. Aburto is likely aware of the TRO.
7 Defendant Marcus Fierro, Jr. was served with the TRO on April 16, 2018. Under
8 Section XXI, Mr. Fierro had an affirmative obligation to immediately provide Mr.
9 Aburto a copy of the TRO. Additionally, the Receiver in this matter, Krista
10 Freitag, sent the temporary restraining order to multiple email addresses
11 associated with Mr. Aburto. Nevertheless, Mr. Aburto apparently continued to
12 operate National Advocacy's mortgage modification through April 19, 2018, as
13 described in the Declaration of Krista Freitag (Exhibit A), the Receiver in this
14 matter.

15 Even if Mr. Aburto had not been informed by Mr. Fierro as to the TRO, it is
16 very likely he knows about it now that the Receiver has taken control of National
17 Advocacy's business premises. Nevertheless, the FTC has been unable to effect
18 service despite attempts at a suspected residence in Brea (where our process server
19 was told Aburto did not live), a suspected residence in Fullerton (which was the
20 residence of Aburto's ex-wife, and where our process server was told Aburto did
21 not live), and a suspected residence in Orange (which our process server reported
22 as dilapidated and apparently uninhabited). The Receiver has requested
23 information as to Mr. Aburto's whereabouts from Defendant Marcus Fierro. To
24 date, he has not provided any such information.

25 **I. Conclusion**

26 Based on the above, the FTC requests that the Court grant the proposed
27 Order to Extend the Temporary Restraining Order.

1 Dated: April 24, 2018

Respectfully submitted,

2
3 /s/ Sangjoon Han
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